



# Official Gazette

City of Spokane, Washington

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

Volume 103

**AUGUST 28, 2013**

Issue 35



## 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, August 19, 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. 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.

**Roll Call**

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

**Advance Agenda Review**

Council received input from staff on the August 26, 2013, Advance Agenda items.

Low Bid Meeting Specifications of Wingfoot Commercial Tire Systems, LLC (deferred from July 22, 2013, Agenda) (OPR 2013-0528 / BID 3949-13)

**Motion** by Council Member Fagan, seconded by Council Member Waldref, **to withdraw** the Low Bid meeting specifications of Wingfoot Commercial Tire Systems, LLC for miscellaneous retread tires and tire-related services; **carried unanimously**.

Low Bid for 9<sup>th</sup> Avenue and Pine Street Reservoir Repainting (PRO 2013-0024 / ENG 2013129)

**Motion** by Council Member Fagan, seconded by Council Member Waldref, **to withdraw** the Low Bid for 9<sup>th</sup> Avenue and Pine Street Reservoir Repainting; **carried unanimously**.

Low Bid of L & L Cargile, Inc. for Liberty Avenue from Oak Street to Ash Place (PRO 2012-0040 / LID 2012066) and Authorization for Willis of Seattle to Purchase Property and Casualty Insurance Policies (OPR 2013-0622)

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

**Motion** by Council Member McLaughlin, seconded by Council Member Fagan, **to add** the Low Bid of L & L Cargile, Inc. for Liberty Avenue from Oak Street to Ash Place and Ash Place from Dalton Avenue to Liberty Avenue and the Authorization for Willis of Seattle to purchase property and casualty insurance policies to the Council's (August 26) Advance Agenda; **carried unanimously**.

Appeal Hearing on the Record by Rodney Bacon and Greer Gibson Bacon (LGL 2013-0015)

**Motion** by Council Member Fagan, seconded by Council Member Allen, **to remove** (withdraw) the Appeal Hearing on the record by Rodney Bacon and Greer Gibson Bacon, represented by Kelly Konkright, Attorney at Law, of the Hearing Examiner's June 5, 2013, decision to uphold the Planning Director's decision approving a boundary line adjustment for property located at 2607 South Denver Street; **carried unanimously**.

**Action to Approve August 26, 2013, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the August 26, 2013, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

**Motion** by Council Member Fagan, seconded by Council Member McLaughlin, **to approve** the Advance Agenda for August 26, 2013, (as amended); **carried unanimously**.

**ADMINISTRATIVE SESSION****Current Agenda Review**

Council reviewed items on the August 19, 2013, Current Agenda for any changes and/or additions.

Resolution 2013-0063 Approving Reappointment of Timothy O. Burns as Police Ombudsman

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

**Motion** by Council Salvatori, seconded by Council Member McLaughlin, **to add** Resolution 2013-0063 (approving reappointment of Timothy O. Burns as Police Ombudsman) to the Council's (August 19) Current Agenda; **carried unanimously.**

Final Reading Ordinance C35020 Creating Departments within Parks and Recreation Division

Parks Director Leroy Eadie reported on Final Reading Ordinance C35020, and he requested a motion to defer the ordinance to a further date. Mr. Eadie noted the Parks and Recreation Department is currently in the middle of a budget process, and he stated he presented the proposed Parks budget to the Park Board last Thursday. In that presentation, he stated he proposed to the Park Board to create one additional department in 2014. He further commented what he is proposing to do is break up Recreation and Entertainment and have two separate departments; one Recreation and one Entertainment/Riverfront Park, recognizing that those two departments combined have been a challenge and historically they were broken apart. He stated it makes most sense to wait for the Park Board's approval and then include this additional department in the amendments proposed under Ordinance C35020. During discussion on the matter, Mr. Eadie noted the Park Board's next meeting is September 12. He further commented if the Council can defer it to a date in September, then he would prefer the 16<sup>th</sup> of September. Following additional Council and staff discussion, the following action was taken:

**Motion** by Council Member Allen, seconded by Council Member McLaughlin, to bring back the ordinance (to Council) on September 16 after the Park Board has had a chance to weigh in; **carried unanimously.**

**CONSENT AGENDA**

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

Change Order No. 3 to contract with Inland Asphalt Company (Spokane, WA) for Francis Avenue from Crestline Street to Haven Street—an increase of \$84,526.85 (plus tax) and seven working days. Total cost to date—\$1,231,558.14. (PRO 2013-0003 / ENG 2005052)

Commercial and Investment Real Estate Purchase and Sale Agreement with Jeff Bosma (City as Seller) for property located at 1001 North Havana Street, Havana Street Bridge Project—\$2,000,000 revenue. (OPR 2013-0610)

Loan Agreement and other documents with The Delaney Group LLC (Spokane, WA) for acquisition and rehabilitation of The Delaney, an 83-unit apartment building at 242 West Riverside Avenue—\$300,000 HOME funds (Downtown Neighborhood). (OPR 2013-0611)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through August 12, 2013, total \$12,573,047.62 (Check Nos. 473609-474565; ACH Payment Nos. 11282-11422), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$11,897,771.50. (CPR 2013-0002)
- b. Payroll claims of previously approved obligations through August 3, 2013: \$5,805,548.24 (Check Nos. 515407-515819). (CPR 2013-0003)

**Executive Session/Council Recess**

The City Council adjourned to an Executive Session at 4:12 p.m. for approximately 10 minutes to discuss real estate matters. Assistant City Attorneys Mike Piccolo and James Richman were present during the Executive Session. The City Council held a meet and greet session at 5:45 p.m. with a proposed candidate for appointment to the Bicycle Advisory Board. 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, and Snyder present. Council Member Waldref arrived at 6:02 p.m. Assistant City Attorney Mike Piccolo and City Clerk Terri Pfister were also present.

## 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, and Snyder were present. Council Member Waldref arrived at 6:02 p.m.

## CITY ADMINISTRATION REPORT

### Report of Police Ombudsman

Police Ombudsman Timothy Burns provided the highlights of the Ombudsman's report for the period from July 1 to July 31. He noted the report can be located on the Office of Police Ombudsman's website under reports and documents at: [www.spdombudsman.org](http://www.spdombudsman.org). In July, the Office was contacted 144 times and since January the Office has been contacted 732 times. In July, the Office received 8 complaints and since January the Office has received 76 complaints. Of the eight complaints received in the month of July, three were for inadequate response, three were for demeanor, one for harassment, and one for an unlawful search. Of the three inadequate response complaints, one was clearly a result of lack of adequate resources. In July, one additional complaint was forwarded to the Spokane County Sheriff's Office for follow-up as they were the appropriate agency of jurisdiction. Since January, 21 like complaints have been forwarded to a variety of jurisdictions for follow-up. Eight completed Internal Affairs investigations were certified during the reporting period. There were no declined or appealed certifications during the reporting period.

Mr. Burns noted he participated with Police staff in the interviewing of 30 commissioned officers, 1 complainant and 5 witnesses. He further noted he independently interviewed eight complainants and two witnesses. The Office hosted four closing interviews with Internal Affairs staff. There were no critical incidents reported during the reporting period. No complaints were resolved through the mediation process during the reporting period. No recommendations were made to the Office of Police Chief during the reporting period. One officer commendation was received during the reporting period which was referred to the Office of the Police Chief.

Mr. Burns presented additional information relating to the Ombudsman's Office and the Office's website. In addition, he presented highlights of the Office of Police Ombudsman's mid-year report (January 1 through June 30). Information relating to the mid-year report can be found on the Ombudsman's website ([www.spdombudsman.org](http://www.spdombudsman.org)).

### Update on Huntington Park and City Plaza Project

Parks Director Leroy Eadie provided an update on Huntington Park and the City Plaza Project. The project will open up views to the Spokane River and will connect Riverfront Park to Huntington Park. Mr. Eadie advised work began on the project in early July (2013) and the project is anticipated to be finished in the spring of 2014 to coincide with Avista's 125<sup>th</sup> anniversary and Riverfront Park's 40<sup>th</sup> anniversary. In addition, Mr. Eadie reported on the proposed changes to Post Street (making Post Street a one-way going north), as well as commented on other related projects.

## APPOINTMENTS

### Bicycle Advisory Board (CPR 1992-0059) and Spokane Hotel – Motel Commission (CPR 2004-0017)

**Upon Unanimous Voice Vote (with all Council Members voting in the affirmative), the City Council approved** (and thereby confirmed) the following Mayoral appointments:

- Appointment of Katherine Burke to the Bicycle Advisory Board to serve a three-year term to begin immediately and expire on August 19, 2016. (CPR 1992-0059)
- Re-appointment of Wayne Paupst to the Spokane Hotel–Motel Commission to serve a three-year term to begin immediately and expire on August 19, 2016. (CPR 2004-0017)

**COUNCIL COMMITTEE REPORTS****Finance Committee**

Council President Stuckart reported on the Finance Committee meeting held last week (August 14). Minutes of the Finance Committee meetings are filed with the City Clerk's Office and are available for review following approval of the Finance Committee.

**Planning, Community, and Economic Development (PCED) Committee**

Council President Stuckart reported on the PCED Committee meeting held earlier today (August 19). Minutes of the PCED Committee meetings are filed with the City Clerk's Office and are available for review following approval of the PCED Committee.

**Public Safety Committee**

Council Member McLaughlin reported on the Public Safety Committee meeting held earlier today (August 19). Minutes of the Public Safety Committee meetings are filed with the City Clerk's Office and are available for review following approval of the Public Safety Committee.

**OPEN FORUM**

**Mr. Rick Bocook** commented on the constitutionality of the sit and lie down and loitering ordinance.

**Mr. Rudy Delgado** remarked as to how he feels discriminated against. He stated he made a sexual harassment claim and commented how it has affected his volunteerism at the Senior Center.

**Mr. George McGrath** commented on Sheriff Ozzie Knezovich and suggested the Council pass a resolution in support of Sheriff Knezovich.

**LEGISLATIVE AGENDA**

There were no **Emergency Budget Ordinances**.

There were no **Emergency Ordinances**.

**RESOLUTIONS****Resolution 2013-0062 Establishing Human Services Funding Priorities**

Subsequent to comment by Council President Stuckart and the opportunity for public testimony and any further Council comment, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **adopted Resolution 2013-0062** establishing the City Council's Human Services funding priorities for the 2014 Human Services Grant.

**Resolution 2013-0063 Approving Reappointment of Timothy O. Burns as Police Ombudsman**

Subsequent to an overview of Resolution 2013-0063 by Council President Stuckart, public testimony, and Council inquiry and discussion, with response by Assistant City Attorney Mike Piccolo, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **adopted Resolution 2013-0063** approving the reappointment of Timothy O. Burns as Police Ombudsman for the City of Spokane.

**FINAL READING ORDINANCES****Final Reading Ordinance C35018 (deferred from August 5, 2013, Agenda)**

Council President Stuckart provided an overview of Final Reading Ordinance C35018. Public testimony was then received. Council President Stuckart proposed an amendment to Ordinance C35018 by adding SMC 1.08.060 "Application to City Contractors and Agents," which reads: "The requirements of this chapter shall apply to any contractors or agents of any city department retained, in full or in part, for the purpose of utilizing surveillance equipment. The city department responsible for the retention of the contractor or agent shall be responsible for ensuring that the requirements of this chapter have been met." Subsequently, the following action was taken:

**Motion** by Council Member Allen, seconded by Council Member Snyder, to so move (to add SMC 1.08.060 to Ordinance C35018, as proposed by Council President Stuckart); **carried unanimously**.

Additional public testimony was received. Council commentary was then held, after which the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **passed Final Reading Ordinance C35018, as amended**, relating to the City of Spokane's use of surveillance equipment; requiring City departments to obtain City Council approval prior to acquiring certain surveillance equipment; requiring departments to propose protocols related to proper use and deployment of certain surveillance equipment for Council review, requiring departments to adopt written protocols that address data retention, storage and access of any data obtained through the use of certain surveillance equipment, and adopting a new Chapter 1.08 to Title 1 of the Spokane Municipal Code.

**Final Reading Ordinance C35020 has been deferred to September 16, 2013, Agenda. (For Council Action, see section of minutes under 3:30 p.m. Administrative Session.)**

#### **FIRST READING ORDINANCES**

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

**ORD C35021** Regarding low impact development and amending SMC Sections 13.03.1112; 13.03.1137; 17A.020.120; 17C.110.410; 17C.120.230; 17C.130.230; 17C.200.060; 17D.060.030; 17H.010.020; 17H.010.030 and adopting a new section 17D.060.300 to Chapter 17D of the Spokane Municipal Code, and setting an effective date.

There were no **Special Considerations**.

There were no **Hearings**.

No individuals requested to speak during the second **Open Forum**.

#### **ADJOURNMENT**

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 7:22 p.m.

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#### **Public Safety Committee Meeting July 15, 2013 1:30 p.m. City Hall, Council Briefing Center**

Attendees: Council President Stuckart, Council Member Allen, Council Member Fagan, PSC Chair Council Member McLaughlin, Council Member Salvatori, Council Member Snyder, Council Member Waldref, SPD Chief Frank Straub, SPD Commander Joe Walker, Jason Franklin, Heather Lowe, OPO Tim Burns, Mike Piccolo, Susan King, Rae Lynn Barden, Lorene Stark, Members of the Press - Jacob Jones Inlander, Nick Deshais Spokesman-Review, Carla Stamatoplos-Secretary.

PSC Chair Council Member Nancy McLaughlin opened the meeting at 1:33 p.m.

#### **Approval of Minutes**

Minutes of the June 17, 2013 PSC meeting were approved as published.

#### **COUNCIL REQUESTS**

##### **Inadequate Response Times as Defined by Quadrants-Council Member Allen for OPO Tim Burns**

Mr. Tim Burns reported that his office received 38 inadequate responses to date. These complaints were broken down into four city quadrants, with the north/south boundary at Sprague Avenue, and the east/west boundary at Division

Street. Eighteen (18) of these were lack of resource driven complaints. Mr. Burns categorized these complaints in quadrants as shown on his briefing paper. The fifth district complaints were not applicable, as they were complaints taken by phone, or generated at the Public Safety Building.

Chief Straub advised that SPD has increased our response times for non-priority calls. In 2012, non-priority calls were at 29.20 minutes, this year we have increased that to 26.20. For priority calls we have increased the time by 30 seconds. We have also done a better job at managing non-response calls, impounds, noise and alarms calls. Those calls have gone up, between January and June 2013, from 3572 to 5158. Chief Straub advised that part of the problem is that citizens are calling Crime Check instead of 911 for crimes in progress. SPD is working with the Sheriff and 911, on a public education campaign to educate the public on calling Crime Check vs. 911. The community campaign will instruct citizens to call 911 to report a crime in progress or serious crime, instead of calling Crime Check. The Chief advised that SPD has hired a part-time retired detective to screen all crime reports to make sure that they are being assigned properly and to pick up on crime trends that might otherwise be missed, due to time delays in reporting.

#### **Spokane Fire Department-Fire Code Comparison of City v State in Regards to Restrictions**

Council President Stuckart advised his question for the Fire Department was "how do we determine what adequate response time standards are" and "how are response times determined in relation to national response times." He would like this information presented at the next PSC meeting in August.

#### **Update to JAG Effectiveness LPR Program**

Chief Straub reported that although our vehicle theft statistics are high, our recovery rate is about 75% on stolen vehicles and most are recovered within two weeks. In Spokane, car theft recovery is very different compared to the east coast. Most of the stolen vehicles on the east coast go to chop shops and are put on freighters and are sent overseas. Here, most of the vehicle thefts are just a means of transportation, typically by drug addicted people who are committing low level crimes. Most of our stolen vehicles are used to move from point a to point b. This also occurs in stolen bicycles. A person riding a stolen bike will take another bike leaving the stolen bike behind. There are four license plate reader cameras mounted on each car, two forward and two back. The camera takes pictures of each license plate constantly scanning license plates against data records stored in the officer's computers. Commander Walker advised that the information is stored in the officer's laptops. He advised that this is a very beneficial program with a lot of other uses besides stolen cars. Currently there are only two patrol cars with this technology. Council questions and discussion followed.

- ◆ **Chief Straub advised that he will get statistics for Council Members on the License Plate Reader Program, regarding stolen vehicles, recovery and arrests for the next PSC meeting in August.**

#### **ADMINISTRATION REQUESTS**

##### **OPO Update for June 2013 – Tim Burns**

Mr. Burns reported since January, 68 complaints were received by the OPO. Twenty of those complaints have been referred to other agencies. The OPO was contacted 91 times in June and the OPO has been contacted 588 times since January. Fifteen (15) complaints were received in June and five (5) of those complaints were referred to other agencies. Six (6) completed investigations were certified as timely, thorough and objective in January. One (1) investigation was not certified as being completed in a timely manner. Mr. Burns participated in 22 I.A. officer interviews. Mr. Burns participated in five (5) I.A. witness interviews. He conducted nine (9) OPO interviews and one (1) closing complaint interview. There were no critical incidents, no recommendations and no complaints were resolved through mediation during the reporting period. Mr. Burns reported that to date, 21 of the 27 neighborhood councils have received the OPO 2012 report. Mr. Burns reported that he did receive one (1) commendation for the downtown officers. Mr. Burns advised that he would be at the Council meeting this evening.

#### **SPOKANE POLICE DEPARTMENT**

##### **DOT Federal Motor Carrier Grant – Jason Franklin**

Jason Franklin reported that this is the same grant that Carly Cortright had presented in April. He advised that the DOJ wrote the grant in two phases. The first phase of the grant had the goal of reducing collisions, providing funding for overtime and funding a public awareness campaign. SPD Commercial Vehicle Inspectors have reduced collisions involving commercial vehicles in Spokane County since the inception of the program. However, there has been an increase in collisions involving commercial vehicles and passenger vehicles where the passenger vehicle is at fault. Just over 75% of commercial vehicle collisions involve passenger vehicles for recent years (77% in both 2010 and 2011; 78% for 2012 through 8/2/12). However, of those collisions, since 2010 the trend is increasing where the passenger vehicle is at fault. In 2010, the passenger vehicle was at fault 62% of the time. In 2011, the passenger vehicle was at fault 63% of the time. Through August 2012, passenger vehicles were at fault 66% of the time. To combat this issue, SPD will launch a DOT sponsored Ticketing Aggressive Cars and Trucks (TACT) program to conduct enforcement and public awareness

campaign to reduce the behavior that results in collisions with commercial vehicles. The grant will provide overtime for enforcement, funding for new equipment, and funding for a public awareness campaign regarding aggressive driving. The goal of the grant is to reduce commercial vehicle collisions involving passenger vehicles in Spokane County. The SPD Commercial Vehicle Inspectors provide support to all of Spokane County for commercial vehicle enforcement. The increased enforcement and public awareness campaign will reduce aggressive driving and decrease collisions between passenger vehicles and commercial vehicles, specifically those collisions where the passenger vehicle was at fault. This an increase in grant funds from Department of Transportation from \$66, 977.00 to \$137,322.00. The grant requires a 20% match. The grant will provide \$109,865.00 and the Spokane Police Department will contribute \$27,467.00. SPD is seeking Council approval to accept this grant. Council questions and discussion followed.

- ◆ **Chief Straub advised that he will get statistics for Council Members on the License Plate Reader Program, regarding stolen vehicles, recovery and arrests for the next PSC meeting in August.**

#### **Six Month Crime Update - Chief Straub**

Chief Straub reported that SPD is using the CompStat process, using data for very aggressively identifying crime hot spots, problem persons, illegal activities, problem locations. As a result of CompStat, there have been significant accomplishments. In 2012, SPD reported to the FBI a violent crime increase of 5%, and a property crime increase of 23%. This has been consistent with crime trends for the past five to six years. As of this morning, our crime violent crime numbers year to date is down 1.27%, which has not been seen here in a number of years. Our property crimes up are up by 4 or almost 5% and overall crime is down by 4.4%. The city has sustained double digit crime reductions downtown since the beginning of the year, with an average decrease of 12-13%. As of today, the decrease is approximately 11%. These numbers are expected for the summer, however once the weather cools down, the numbers may increase again. We have seen that by using directed patrols and other undercover operations, crime goes down. We are seeing the numbers going down, in downtown and other areas throughout the City of Spokane, based on our crime prevention strategies. Our goal is to get to 0 or negative numbers in all categories. We are going in right direction; we still have a lot to do, but any property or violent crime is unacceptable. However, if we continue to go in the right direction, we will see those numbers go down. The Chief advised that city wide, crime statistics were up 29% in 2007-2011, and 2009-2012 it continued to increase by 41% city wide. Chief Straub advised that violent crimes include: homicide; rape; commercial robbery; robbery of persons; aggravated assault; and domestic violence assault. Property Crimes include: commercial burglary; residential burglary; garage burglary; larceny; and vehicle theft. The Chief advised that we want to get crime to 0, which means that we need to drive crime down 30-40% just to get to 0. We want to hold downtown crime down due to economic impacts, any crime downtown is unacceptable. Council questions and discussion followed.

- ◆ **Chief Straub advised that all CompStat reports are posted on the SPD website, [spokanepolice.org](http://spokanepolice.org).**
- ◆ **The Chief invited Council members to attend CompStat meetings, which are held every Tuesday at 7:00 in the Gardner Building Conference Room 1427 W. Gardner.**

#### **Allocation of Resources and Overtime Expenditures– Chief Straub**

Chief Straub advised that for overtime expenditures so far this year, we have used \$15,000 for downtown emphasis patrols and \$60,000 has been used for directed hot spot patrols. Our largest expenditure is for Special Events, for shift coverage. We have used \$138,000 for back fills for shift coverage. For 2013, special events cost \$248,000, as compared to last year at \$175,000. However, we saw a noticeable decrease in crimes at Hoopfest and Bloomsday this year. SPD responded to one fight during Hoopfest and there were no notable incidents during Bloomsday. However, due to the bombing incident in Boston, we were forced to increase our staffing.

The Chief advised that our overtime budget was projected to be over 1 million. However, he did not know if we would reach that number. The Chief advised that we have had a 50% increase in special events. He advised that for shift coverage hopefully as we hire laterals that should help in terms of backfill by end of the year. Also, Compstat hotspot emphasis patrols will help to modulate overtime coverage. However, we are spending more overtime then if we had full staff. Council questions and discussion followed.

#### **SPD Hiring Process – Chief Straub**

Chief Straub reported that currently we have 262 uniform officers. We were budgeted at 279 and are 17 positions under our budgeted amount. Two laterals will be sworn in on July 22, and two entry level officers will be sworn in on July 23. We have six more laterals in the process which generally takes about three or four weeks to process; they are much quicker to process than new entry officers. The Chief advised that we are getting successful laterals; we have eight laterals that are new in the Que. Laterals must take the equivalency course at WACJTC, either on-line or two weeks in Burien. We will use laterals to get to 279 officers. Entry level officers take between 18 to 24 months from start to finish to get on board. After graduating from the Academy in Burien, they have field training and are then on their own. SPD is also working on an agreement with Washington State Criminal Justice Training Commission to reserve five spots every

year for new recruits. We hope to hire new entry officers once a year, rather than every two years to prevent dips in the number of officers we have. By 2015, we should be up to the optimal number of 300 officers for effective policing. SPD offers competitive salaries, a beautiful area and we are becoming known as a very desirous department to work for. We are doing exceptional police work and we provide exceptional training. We are also planning an aggressive marketing campaign for the hiring of laterals and new recruits. Council questions and discussion followed.

#### **Future Strategic Plan for Precincts – Chief Straub**

Chief Straub advised that we started with the downtown precinct, which is at 10 N. Post St. The precinct is staffed and working well. The Chief advised that we are also looking at two other potential precincts, combining west and northwest, and east and northeast. In talking with the mayor's office in terms of financing, getting the facility is part one and staffing is part two. We won't be establishing precincts until we have the manpower to staff them. The Chief advised that it has been found across the nation that the right amount of police staffing used in right way will reduce crime.

The Chief reported that in New York, the direct value for having low crime rates was, as crime rates dropped they realized about an 8% increase in property values. Nationally, crime costs were estimated at approximately \$137 per American citizen in 2010. New York has also had an 80% reduction in crime since the 1990's. Both the Los Angeles Police Department and New York Police Department have serious gang issues. Both agencies have had sustained decreases since the 1990's, in part because they have been able to sustain police officer numbers. In New York, a significant decrease in crime also paralleled a decrease in prison/jail, by putting the most serious offenders in prison/jail and holding them and using diversion as an alternative to corrections for other offenders. The Chief advised that a recent study reported that for every \$1 spent for officers, citizens realized \$1.62 in reduced victimization costs. If we get to proper staffing levels we can probably reduce jail populations. The Chief advised that 300 officers is appropriate number for the City of Spokane based on our population, geography, and dynamics. Council questions and discussion followed.

#### **Intersection Safety Program (Photo Red) – Briefing Paper**

1650 violations were issued in June (because of the holiday not all of June's tickets have been processed yet). 53,816 citations have been issued since the beginning of the program, Nov. 1, 2008, through July 10, 2013. Payment statistics are 72.7% so far for 2012 and continuing to rise. The program has collected over \$4,834,861 from November, 1, 2008 through July 10, 2013. Out of 12,197 citations that have gone to hearing in front of a commissioner, only 1948 have been found not committed. There were no Council questions or discussion on the Intersection Safety Program (Photo Red).

### **CITY LEGAL**

#### **Unlawful Public Exposure Ordinance -Council Member Fagan**

Council Member Fagan reported that this issue was complaint driven and pertains to unlawful public exposure as opposed to an indecent exposure. Indecent exposure can have consequences related to felony charges and require the offender to register as sex offender. Because the original complaints received pertain to the food and beverage industry, Council Member Fagan did research with the health district for codes. Council Member Fagan reported that to date, some employees that conduct business are not adhering to the regulations. The drawback is that the Spokane Regional Health District is a complaint driven process. This is also the case with the department of L&I. Citizens need to make complaints to the Spokane Regional Health District before they will take action. Both the SRHD and L&I would be the agencies to enforce their respective regulations upon complaints. The City could not enforce those provisions. CM Fagan advised that the latest revision of this ordinance is fairly generic but has been defined as Unlawful Public Exposure, utilizing specific references to anatomy and definitions. Council questions and discussion followed.

#### **Adjournment**

Council Chair McLaughlin adjourned the meeting at 2:54 pm.

#### **Attachments:**

DOT Federal Motor Carrier Grant Briefing Paper  
Intersection Safety Program Briefing Paper (Photo Red)  
Intersection Safety Program Statistics  
SMC Section 10.06.050 Unlawful Public Exposure Ordinance  
Unlawful Public Exposure Briefing Paper  
OPO Monthly Report

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

Respectfully submitted by:

Carla Stamatoplos, Police Administrative Secretary

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**Planning, Community, and Economic Development  
August 5, 2013**

**Attendance:**

- ◆ PCED Members present: Council President Stuckart, Council Members: Mike Allen, Mike Fagan, Nancy McLaughlin, Jon Snyder and Amber Waldref
- ◆ Staff present: Jan Quintrall, Michael Werner, Mark Serbousek, Mike Piccolo, James Richman, Andrew Worlock, Teri Stripes, Ken Pelton, Lloyd Brewer, Kyle Twohig, Tami Palmquist, Eldon Brown, Mike Taylor, Sheryl McGrath, Lori Kinnear, Julie Happy, Susan King

**Approval of Minutes:** Motion to approve July 8, 2013 minutes; motion carried.

**Council Update:**

1. Parking Overlay on 5th Avenue from Greene St to Havana St. – Council Member Waldref in coordination with Rowena Pineda from Spokane Regional Health District's Neighborhood Matters Program, is proposing a no off-street parking requirement overlay zone that will assist in the revitalization of the commercial district. Door-to-door survey information was provided to the Council. Street enhancements and lighting have been suggested improvements at the site. The Comprehensive Plan allows for city-wide parking overlay zones.
2. Bridge Study EBO – Council Member Snyder has met with Katherine Miller, Mark Serbousek and Leroy Eadie to discuss the assessment of the bridges in Riverfront Park. The funding source would be from the un-appropriated reserves from the General Fund of \$350,000 for the study. Council Member Snyder will provide information from the Finance Committee to City Council. These bridges are a vital transportation link in the City; inclusive of the Post Street Bridge. The Park Finance Committee will also be considering a resolution.

**Staff Update:**

1. Huntington Park – Scott Chesney provided the proposed schedule to City Council along with plans showing the water features and the link from Riverfront Park to the lower falls. An additional date was added for the August 19th Open House at the Chase Gallery prior to the City Council Meeting. Included was a Post Street map showing no net loss of parking and possible loading zone by the “runners” for better visibility. Initial maintenance cost will be covered by Avista, long term maintenance details are still to be worked out. Staff will continue to communicate with Council, realizing that maintenance will be a part of doing business as this is the Plaza for City Hall, and that the Parks Department and City will work together.
2. Transportation Update- Louis Meuler and Katherine Miller reported on the contract with Nelson/Nygaard for the update of the Comprehensive Plan Transportation Chapter and Transportation Design Standards. The Committee was briefed on the scope of work and timeline. This work will require the City coordinating the transportation chapter update with WSDOT, STA and SRTC.
3. Comp Plan Amendment Process – Scott Chesney provided a briefing paper; City Council to review.
4. Private Design Payment for Improvements in 44th Avenue – Jan Quintrall reported on the payment request to Inland Construction for the improvements in 44th Avenue; Council Member Snyder and Eldon Brown have been working together on this project. Costs are inclusive of design, geotechnical work, neighborhood meetings, and environmental analysis.
5. Annual Value Blanket Order for Sand and Gravel – Mark Serbousek –reported on this standard contract that would be coming to City Council for consideration; historically, amount falls within the normal range of costs. Staff is requesting a 5-year bid from the major sand and gravel producers in the region. This is programmed in the Street Department budget for 2013.
6. Fastway Freight–was briefed by Dave Steele regarding the Havana Street surplus sale. Federal funds were involved in the purchase in conjunction with the project. The property is located at 1001 North Havana Street, to be sold for \$2,000,000, minus closing costs. The money will go back into the Arterial Street funds
7. Ray Street Combined Sewer Overflow Tank 34-3 was presented to the Committee by Mike Taylor with a request for consideration of award of bid. Construction is expected to start in October 2013 through November 2014. Expected to prevent further flooding for the downstream residents, project to include trees and separated sidewalks. The access road will be used for service vehicles only. The project also includes a short water line relocation and

connection to the existing sanitary sewer system; expected detour to last one-two weeks for each utility; the balance of the project should not greatly impact traffic on Ray Street. Funding to be provided by Wastewater Department.

Adjournment:

Next PCED meeting is scheduled for August 19, 2013.

Respectfully Submitted by:

Brenda Corbett, Planning & Development Services

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## CIVIL SERVICE COMMISSION MEETING

**August 20, 2013**

Mary Doran, Chair, called the regular meeting to order at 9:30 a.m. All Commission members were present, except Jim DeWalt and Craig Hult, who were excused.

Agenda Item I.

Approval of Minutes:

Ms. Doran introduced the Minutes from the regular meeting of July 16, 2013, for approval. Hearing no changes or corrections to the minutes, Ms. Doran stated that the minutes would stand approved as prepared.

Agenda Item II.

Staff Activities:

Glenn Kibbey, Chief Examiner stated that July had been another busy month for staff with several job announcements issued, a number of examinations administered, several classification surveys in progress, plus finishing up the Civil Service Rule Review process. The Chief Examiner reported on progress in staffing the office and noted that Nicole Goes, Exam/Class Analyst I, started work on August 5<sup>th</sup>. Mr. Kibbey noted that Nicole had previously worked for the Commission and that staff is pleased to have her return. Mr. Kibbey advised remaining vacancies would be filled by mid-September.

Mr. Kibbey noted that the Civil Service Rule Review Committee completed the rule review on July 25<sup>th</sup>, with one possible recommendation regarding out-of-order layoff procedures still pending discussion between labor and management representatives. The Chief Examiner also noted that a working session is scheduled for the Commission to discuss the recommendations immediately following the regular meeting.

The following statistics were reported for July, 2013:

Announcements issued	5	Classifications under review	0
Examinations	21	Classifications reviewed	1
Requisitions received	31	Classifications revised	0
Requisitions certified	31	Classifications New/Deleted	0/0
Requisitions pending	1	Title Changes	0
Requisitions cancelled	3	Surveys completed/cancelled/pending	1/0/5

Average days from departmental initiation to receipt of requisitions in Civil Service = 6.5

Average days from requisition receipt to certification = 0.1

Percentage of Requisitions Certified within 24 hours of receipt = 100%

The Chief Examiner reported additional details regarding examinations administered, and classification surveys in progress. The report was concluded with no questions from the Commission members.

Agenda Item III.

Police Uniformed Promotional Evaluations:

The Chief Examiner stated that he'd had conversations with Assistant Police Chief Meidl, and understood that a Memorandum of Understanding was being developed to address the questions regarding promotional evaluations for upcoming examinations. The Chief Examiner noted that a representative of the Police Department was in the audience, and invited him to address the Commission. Captain Dave Richards introduced himself, and stated that he was

representing the Chief's Office, as Asst. Chief Meidl was not available. He stated that Officer John Gately, representing the Police Guild, should be arriving shortly.

Capt. Richards stated that the new evaluations in use in the Police Department do not have a numerical score associated with them, and as a result, a Memorandum of Understanding (MOU) was drafted between management and the Guild for the current promotional exam cycle for Police Sergeant, Detective, and Corporal. He stated that the MOU would provide for a tie-breaker if multiple candidates end up with the same examination score. Mr. Kibbey noted that Officer Gately was arriving, and asked if the MOU would provide additional points for seniority, as the Civil Service Rules already provide for a tie-breaker based upon seniority. Capt. Richards answered that the MOU only provided a tie-breaker, and no additional points.

Phyllis Gabel asked if the new promotional evaluation is the typical performance appraisal. Capt. Richards responded that the new evaluations are in a narrative format, and that they do not have a numerical score. Ms. Gabel asked if a numerical component would be worked on. Capt. Richards stated that is his understanding.

Cheryl Beckett asked Capt. Richards what the evaluative standards are. Capt. Richards responded that the standards include three categories: below standard/meets standard/superior. Ms. Beckett asked if there will be a translation going forward between the narrative, and numerical score. Capt. Richards stated that there will be a number correlating to the narrative for Civil Service testing use. Ms. Beckett asked about the timeframe for the MOU; whether it has an expiration date or expires as the numerical scoring is created. Capt. Richards stated that there is no specific date, but the MOU only covers the current exam cycle. Officer John Gately, Police Guild President, addressed the Commission and stated that due to the time crunch in the current testing cycle they didn't want to rush development of a numerical scoring system.

Ms. Doran asked if there were any further questions or comments. The Chief Examiner stated that Civil Service Rules allow for a separate promotional evaluation that includes past performance, preparation for advancement, and the opinion of the supervisor regarding success potential in the higher classification. He continued that staff would be happy to work with the parties to develop a job-related and valid evaluation tool to improve the promotional process; and, without such a tool, the promotional process is subject to the criticism that management is forced to take the top test-taker for promotions.

Hearing no further comments or questions, Ms. Doran thanked the SPD representatives for their presentation.

Agenda Item IV.  
Other Business:

Mr. Kibbey stated he was not aware of any other business, and stated that the Commission would be having a working session to discuss recommendations from the rule review committee immediately following the regular meeting.

Joe Cavanaugh, president of Local 270 addressed the Commission and stated that none of the Local 270 members on the rule review committee would be available to attend the working session due to the demands of the construction season, and scheduled vacations. Mr. Cavanaugh stated that there is still an outstanding issue regarding requests for out-of-order layoffs, and that he intends to work with the management representatives to develop some recommendations, as requested by the Chief Examiner. He suggested that the Commission might want to wait until after Labor Day to review the recommendations in order to have all of them available.

Mr. Kibbey noted that he had requested the rule review committee consider including a recommendation that would require an out-of-order layoff request to be filed well in advance of the currently required ten working day layoff notice, so that the Commission would be able to hear and resolve any appeals prior to the effective date of the lay off. He noted that the current rules allow appeals of lay off actions to be filed after the effective date, and that it would be preferable to have such issues resolved well in advance.

Mr. Kibbey noted that the recommendations being brought forward from the rule review committee were for the most part voted on unanimously, and the one outstanding issue shouldn't prevent the Commission from reviewing them. Phyllis Gabel recommended that the Commission proceed with the working session and get as far as possible today, while recognizing that only three of the Commissioners are available, and that another recommendation may be forthcoming.

Hearing no further business to come before the Commission, Ms. Doran adjourned the meeting at 9:49 a.m.

Glenn Kibbey  
Chief Examiner

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## CIVIL SERVICE COMMISSION SPECIAL MEETING

August 20, 2013

Mary Doran called the special meeting to order at 10:03 a.m. All Commission members were present, except Jim DeWalt and Craig Hult, who were excused.

Agenda: Review of recommendations made by the Civil Service Rule Review Committee.

Ms. Doran introduced each rule for discussion. Commission members discussed the recommendations, made comments, and requested that the Chief Examiner provide their comments to the rule review committee for consideration.

Hearing no further discussion, Ms. Doran adjourned the meeting at 10:45 a.m.

Glenn Kibbey  
Chief Examiner

# 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. C - 35018

AN ORDINANCE relating to the City of Spokane's use of surveillance equipment; requiring City departments to obtain City Council approval prior to acquiring certain surveillance equipment; requiring departments to propose protocols related to proper use and deployment of certain surveillance equipment for Council review, requiring departments to adopt written protocols that address data retention, storage and access of any data obtained through the use of certain surveillance equipment, and adopting a new chapter 1.08 to title 1 of the Spokane Municipal Code.

WHEREAS, the previous installation of video cameras by the City on City property and facilities have raised concerns over privacy and the lack of public process leading up to the decisions to use certain surveillance equipment; and

WHEREAS, while surveillance equipment may help promote public safety in some contexts, such as red light cameras and dashboard video cameras in police vehicles, the benefits of such technologies should be balanced with the need to protect privacy and anonymity, free speech and association, and equal protection; and

WHEREAS, while the courts have established that people generally do not have a reasonable expectation of privacy in public settings, the City should be judicious in its use of surveillance equipment to avoid creating a constant and pervasive surveillance presence in public life; and

WHEREAS, all City departments should seek approval from the City Council prior to the acquisition and operation of certain surveillance equipment; and

WHEREAS, City departments should also propose specific protocols for Council review and approval that address the appropriate use of certain surveillance equipment and any data captured by such equipment; and

WHEREAS, City departments should also develop protocols for retaining, storing, and accessing data captured by surveillance equipment consistent with state law; - - Now, Therefore,

The City of Spokane does ordain:

Section 1. That there is adopted a new chapter 1.08 to title 1 of the Spokane Municipal Code to read as follows:

## **Chapter 1.08**

### **Acquisition and Use of Surveillance Equipment**

#### Sections:

- 1.08.010 Definitions
- 1.08.020 Council Approval for City Department Acquisition and Operations of Surveillance Equipment
- 1.08.030 Data Management Protocols for Surveillance Equipment
- 1.08.040 Acquisition and Use of Surveillance Equipment Related to Law Enforcement Investigations
- 1.08.050 Prior Use of Surveillance Equipment
- 1.08.060 Application to City Contractors and Agents

#### **1.08.010 Definitions**

The following definitions apply to this chapter 1.08 SMC.

- A. "Data management protocols" generally means procedures governing how data collected by surveillance equipment will be retained, stored, indexed and accessed. Information comprising data management protocols includes, at a minimum, the information required in SMC 1.08.030.
- B. "Operational protocols" generally means procedures governing how and when surveillance equipment may be used and by whom. Information comprising operational protocols includes, at a minimum, the information required in SMC 1.08.020.
- C. "Surveillance equipment" means equipment capable of capturing or recording data, including images, videos, photographs or audio operated by or at the direction of a City department that may deliberately or inadvertently capture activities of individuals on public or private property, regardless of whether "masking" or other technology might be used to obscure or prevent the equipment from capturing certain views. "Surveillance equipment" includes drones or unmanned aircraft and any attached equipment used to collect data. "Surveillance equipment" does not include:
  - 1. a handheld or body-worn device used by law enforcement,
  - 2. a camera installed in or on a police vehicle,
  - 3. a camera installed in or on any vehicle, such as fire trucks, emergency vehicles, utility vehicles and street maintenance vehicles intended for the safe operation of the vehicles,
  - 4. a camera installed along a public right-of-way intended to record traffic patterns and/or traffic violations,
  - 5. a camera intended to record activity inside or at the entrances to City buildings for security purposes, and
  - 6. a camera installed to monitor and protect the physical integrity of City infrastructure, such as City fire stations and utility service facilities.

#### **1.08.020 City Council Approval for City Department Acquisition and Operations of Surveillance Equipment**

- A. Any City department intending to acquire surveillance equipment shall obtain city council approval pursuant to a resolution prior to acquisition. Prior to deployment or installation of the surveillance equipment, City departments shall obtain city council approval pursuant to a resolution of operational protocols, unless applicable operational protocols were previously approved by a resolution. In requesting approval for acquisition of surveillance equipment, City departments shall include proposed operational protocols containing the following information for the city council's consideration, along with any other information specifically requested by the city council:
  - 1. A clear statement describing the purpose and use of the proposed surveillance equipment.
  - 2. The type of surveillance equipment to be acquired and used.
  - 3. The intended specific location of such surveillance equipment if affixed to a building or other structure.
  - 4. How and when a department proposes to use the surveillance equipment, such as whether the equipment will be operated continuously or used only under specific circumstances, and whether the equipment will be installed permanently or temporarily.

5. A description of the privacy and anonymity rights affected and a mitigation plan describing how the department's use of the equipment will be regulated to protect privacy, anonymity, and limit the risk of potential abuse.
  6. A description of how and when data will be collected and retained and who will have access to any data captured by the surveillance equipment.
  7. The extent to which activity will be monitored in real time as data is being captured and the extent to which monitoring of historically recorded information will occur.
  8. A public outreach plan for each community in which the department intends to use the surveillance equipment that includes opportunity for public meetings, a public comment period, and written agency response to these comments.
  9. If a department is requesting to acquire or use drones or other unmanned aircraft, it shall propose the specific circumstances under which they may be deployed, along with clearly articulated authorization protocols.
  10. If more than one department will have access to the surveillance equipment or the data captured by it, a lead department shall be identified that is responsible for maintaining the equipment and ensuring compliance with all related protocols. If the lead department intends to delegate any related responsibilities to other departments and city personnel, these responsibilities and associated departments and personnel shall be clearly identified.
  11. Whether a department intends to share access to the surveillance equipment or the collected data with any other government entity.
  12. A description of the training to be provided to operators or users of the surveillance equipment.
- B. Upon review of the information required under this section, and any other information deemed relevant by the city council, the city council may approve the acquisition and operation of surveillance equipment, approve the acquisition of surveillance equipment and require future city council approval for operations, deny the acquisition or use of surveillance equipment for the purpose proposed, or take other actions.

#### **1.08.030 Data Management Protocols for Surveillance Equipment**

- A. Prior to operating surveillance equipment acquired after the effective date of this chapter, City departments shall submit written protocols for managing data collected by surveillance equipment to the city council. The city council may require that any or all data management protocols required under this section be approved by resolution. These data management protocols shall address the following:
1. The time period for which any data collected by surveillance equipment will be retained.
  2. The methods for storing recorded information, including how the data is to be labeled or indexed. Such methods must allow for the department personnel to readily search and locate specific data that is collected and determine with certainty that data was properly deleted, consistent with applicable law.
  3. How the data may be accessed, including who will be responsible for authorizing access, who will be allowed to request access, and acceptable reasons for requesting access.
  4. A viewer's log or other comparable method to track viewings of any data captured or collected by the surveillance equipment, including the date, time, the individuals involved, and the reason(s) for viewing the records.
  5. A description of the individuals who have authority to obtain copies of the records and how the existence and location of copies will be tracked.
  6. A general description of the system that will be used to store the data.
  7. A description of the unit or individuals responsible for ensuring compliance with SMC 1.08.030 and when and how compliance audits will be conducted.

**1.08.040 Acquisition and Use of Surveillance Equipment Related to Law Enforcement Investigations**

Notwithstanding the provisions of this chapter, City departments may acquire or use surveillance equipment, excluding drones, that are used on a temporary basis for criminal investigative purposes or pursuant to a lawfully issued search warrant, or under exigent circumstances as defined in case law. The provisions of this chapter shall not apply to surveillance equipment installed on park property under the jurisdiction of the park board and library property under the jurisdiction of the library board of trustees. The exemptions from the provisions of this chapter set forth above do not apply to surveillance cameras mounted on drones or other unmanned aircraft.

**1.08.050 Prior Use of Surveillance Equipment**

- A. Unless the city council previously approved operational protocols by resolution for department surveillance equipment, each City department operating surveillance equipment prior to the effective date of this chapter shall propose written operational protocols consistent with SMC 1.08.020 no later than thirty days following the effective date of this chapter for city council review and approval by resolution.
- B. Each department operating surveillance equipment prior to the effective date of this chapter shall adopt written data management protocols consistent with SMC 1.08.030 no later than thirty days following the effective date of this chapter and submit these protocols to the city council for review and possible approval by resolution.

**1.08.060 Application to City Contractors and Agents**

The requirements of this chapter shall apply to any contractors or agents of any city department retained, in full or in part, for the purpose of utilizing surveillance equipment. The city department responsible for the retention of the contractor or agent shall be responsible for ensuring that the requirements of this chapter have been met.

Section 2. Following one year after the effective date of this ordinance, the city council will review its implementation as it applies to city department use of surveillance equipment.

**Passed by Spokane City Council on August 19, 2013.**

(Delivered to the Mayor on the 26th day of August 2013.)

# Notice for Bids

## Paving, Sidewalks, Sewer, etc.

### **CENTENNIAL TRAIL GAP FROM BRIDGE AVENUE TO BOONE STREET ALONG WEST SIDE OF SUMMIT BOULEVARD**

#### **Engineering Services File No. 2010092**

This project consists of the construction of approximately 3000 cubic yards of excavation and embankment, 4000 square feet of segmental concrete retaining wall, 3600 square yards of 3-inch thick HMA Cl. 1/2, PG 64-28 pavement, 500 square yards of 4-inch thick HMA Cl. 1/2, 64-28 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., September 9, 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.

**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: August 21, 28, and September 4, 2013

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## SPRAGUE AVENUE TRAFFIC CALMING, DISTRICT 1

### Engineering Services File No. 2013061

This project consists of the construction of approximately 8300 square feet of striping removal, 11000 square feet of paint striping installation, permanent signing, 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., September 9, 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).

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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 FIVE (5) 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: August 21, 28, September 4, 2013

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## MAIN AVENUE SEWER REPAIR

### Engineering Services File No. 2013141

This project consists of the construction of approximately 114 LF of 12" sewer main, 77 LF of 6" sewer main, three side sewer reconnects, 721 SY of hot mix asphalt repair, 6" thick, 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., September 9, 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: August 21, 28 and September 4, 2013

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**CURE IN PLACE PIPE (CIPP) 2013 SANITARY SEWER REHABILITATION****Engineering Services File No. 2013148**

This project consists of rehabilitating approximately 3,970 lineal feet of existing sanitary sewer gravity pipe in 13 segments and a 740 LF segment of sanitary sewer force main pipe, all in various locations throughout the City of Spokane using a Cure in Place Pipe (CIPP) lining rehabilitation process. All CIPP rehabilitation work shall include the procurement, delivery, and installation of the CIPP liner system, CCTV and cleaning, bypass pumping, reinstatement of side sewers and connections and all 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., September 9, 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 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 specifications:** This project is using WSDOT's 2010 Standard Specifications. Bidders should allow sufficient time to familiarize themselves with the WSDOT 2010 specifications prior to bidding the project.

Publish: August 21, 28, and September 4, 2013

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# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

### REQUEST FOR PROPOSALS

#### SHARE POINT COMMUNICATION/DOCUMENT MANAGEMENT SOFTWARE WITH IMPLEMENTATION AND TRAINING

City of Spokane Police Department

#### RFP #3946-13

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, SEPTEMBER 9, 2013**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for Share Point Communication/Document Management Software with Implementation and Training for the City of Spokane Police 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, September 9, 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 #3946-13, SHARE POINT COMMUNICATION/DOCUMENT MANAGEMENT SOFTWARE WITH IMPLEMENTATION AND TRAINING, DUE 9/9/13”**.

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

Publish: August 21 and 28, 2013

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### CITY OF SPOKANE REQUEST FOR QUALIFICATIONS FOR Archaeological Services

The City of Spokane Department of Engineering Services is soliciting interest from consulting firms with expertise in Archaeological and Preservation Services to provide Cultural and Historic Resources Studies in accordance with Section 106 of the National Historic Preservation Act and the Washington State Department of Archaeology & Historic Preservation (DAHP). The successful applicant shall meet qualification standards as established by the Washington State Office of Archaeology and Historic Preservation.

#### PROJECT DESCRIPTION

The work performed by the Consultant will consist of various projects, yet to be determined, on an on-call basis over a two (2) year period of time beginning October 31, 2013. In addition, there will be an option for a third year based on

mutual consent. Estimated individual project fees are expected to range from \$4,000 to \$10,000 and shall be negotiated for each project, with most projects expected to be in the lower end of the range. Total expenditures over the two or three year life shall not exceed \$250,000. The successful consultant shall be prepared to provide documented expertise in the following areas:

- Cultural and Historic Resources Study Reports
  - Conduct records searches
  - Survey the project APE by walking the area and documenting cultural resources
  - Excavate shovel tests
  - Document cultural resources through the completion of the appropriate state cultural resource forms, field notes, and photography
  - Prepare a professional report of findings to satisfy cultural resources identification requirements
  - Provide information for designing mitigation measures if cultural areas are anticipated to be affected
- Personnel to assist with the project design to avoid affecting cultural areas, as necessary
- Work closely with Spokane Tribal members as coordinated by the City of Spokane Project Manager

Contact Engineering Services at (509) 625-6700, for a copy of the complete Request for Qualifications.

## SUBMITTAL

The submittal should document the consultant's expertise and experience in the above areas including project lists, resumes, and other relevant information.

Submittals should include the following information: firm name, phone and fax numbers; name of principal-in-charge and project manager(s) for various areas of work itemized above; and number of employees anticipated to conduct the work.

Submittals will be evaluated and ranked based on the following criteria and weighed as noted:

- |   |     |
|---|-----|
| • Qualifications of key personnel   | 20% |
| • Expertise and approach to the tasks as described above  | 20% |
| • Ability and commitment to respond to work request above, including experience with the City of Spokane                                      | 15% |
| • Familiarity with the permitting process through DAHP  | 15% |
| • Past performance and ability to work with the City of Spokane, other government agencies, and Tribal interests in a cultural sensitive area | 25% |
| • Any other information having a bearing on the decision to award the contract  | 5%  |

Submittal shall be limited to five (5) pages, excluding project lists and resumes.

The City of Spokane recognizes there is a need to provide the maximum practicable opportunity for increased participation by minority and women-owned business enterprises (MBEs and WBEs). The City therefore establishes the following laudatory goals for this contract:

MBE	6%
WBE	3%
or a combined total of	9%

Selection of the successful applicant will **not** be based on meeting these laudatory goals.

Please submit six (6) copies of your Statement of Qualifications to the Purchasing Department, Fourth Floor City Hall, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3316, by **September 9, 2013**, no later than 1:00 P.M. The submittal shall be clearly labeled "Proposal for Archaeological Services" on the outside of the submittal package. No submittals will be accepted after that date and time and shall be returned unopened to the respondent. Any questions regarding this RFQ should be directed to Gary Nelson at (509) 625-6700.

The Recipient, 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 Regulations, 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, national origin, or sex in consideration for an award.

Publish: August 28 and September 4, 2013

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**CHEVROLET TAHOE OR EQUAL**  
Fleet Services Department

**BID #3966-13**

Sealed bids will be opened at 1:15 p.m., **MONDAY, SEPTEMBER 2, 2013** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **CHEVROLET TAHOE OR EQUAL** 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 copy 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: **“CHEVROLET TAHOE OR EQUAL, BID #3966-13 DUE 9/2/13”**.

Thea Prince  
Purchasing Division

Publish: August 21 and 28, 2013

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