



# Official Gazette

City of Spokane, Washington

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

Volume 103

OCTOBER 9, 2013

Issue 41



## MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

MICHAEL A. ALLEN (DISTRICT 2)

MIKE FAGAN (DISTRICT 1)

NANCY McLAUGHLIN (DISTRICT 3)

STEVE SALVATORI (DISTRICT 3)

JON SNYDER (DISTRICT 2)

AMBER WALDREF (DISTRICT 1)

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# Minutes

**MINUTES OF SPOKANE CITY COUNCIL****Monday, September 30 2013****BRIEFING SESSION**

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

**Roll Call**

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

Communications Director Brian Coddington, 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 October 7, 2013, Advance Agenda items.

**Final Reading Ordinance C35043 Relating to the Office of Police Ombudsman**

Council President Stuckart commented on the addition of two additional "Whereas" clauses to proposed Ordinance C35043; and he requested a motion to accept into the record the new published version of the ordinance with the additional "Whereas" clauses. Subsequent to Council inquiry and comment, with response by Assistant City Attorney Mike Piccolo, the following action was taken:

**Motion** by Council Member Salvatori, seconded by Council Member McLaughlin, to so move (to accept into the record the new published version of Ordinance C35043 with the additional "Whereas" clauses as presented by Council President Stuckart); **carried 5-1 (Council Member Allen voting "no" and Council Member Waldref absent).**

**Action to Approve October 7, 2013, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the October 7, 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 Allen, to approve the Advance Agenda for October 7, 2013; **carried unanimously (Council Member Waldref absent).**

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

Council considered items on the September 30, 2013, Current Agenda.

**CONSENT AGENDA**

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

Loan Agreement and other documents with Lilac Plaza Retirement Community LLC (Spokane, WA) for acquisition and rehabilitation of Lilac Plaza, a 174-unit apartment building at 7007 N. Wiscomb—\$300,000 HOME funds. (Nevada Lidgerwood Neighborhood) (OPR 2013-0685)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through September 23, 2013, total \$6,277,870.15 (Check Nos.: 476594-477087; ACH Payment Nos. 11703-11784), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$6,139,991.72. (CPR 2013-0002)

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

The City Council adjourned at 3:53 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, and Snyder present. Council Member Waldref was absent.

## **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 was absent.

## **MAYORAL PROCLAMATIONS**

October 4, 2013 *Diversity Day ("Embrace Diversity; Embrace Our World")*

Mayor David Condon read the proclamation and presented it to Lisa Rosier. The proclamation asks citizens to join the Mayor in this special observance.

October 6-12, 2013 *Spokane Firefighters Memorial Week*

Mayor David Condon read the proclamation and presented it to Fire Lieutenant Greg Borg, Chair – Spokane Firefighters Memorial Project and Karen Kearney, Vice-Chair – Spokane Firefighters Memorial Project. (For more information on the Spokane Firefighters Memorial Project, call 998-3617.)

September 30, 2013 *Jack O'Brien Day*

Mayor David Condon read the proclamation. Jack O'Brien is recognized for his community involvement, not only as a City Council Member but as an avid volunteer who is an inspiration and an example for those around him. The proclamation encourages citizens to honor the memory of this brave public servant. Following the Mayor's reading of the proclamation, a moment of silence was held in memory of Mr. O'Brien.

## **MAYOR'S URBAN DESIGN AWARDS**

Mayor David Condon provided introductory comments regarding the Mayor's Urban Design Awards. The Mayor introduced Chris Batten, Design Review Board Chair, who provided an overview of the Design Review Board and the Urban Design Awards process. The Mayor and Mr. Batten then presented the 2013 recipients of the Mayor's Urban Design Awards. The awards were presented as follows:

Design Review Board's Special Recognition projects (nominated by the Design Review Board for special recognition):

- Heritage Project for a design project that significantly contributed to Spokane's quality of life—River Park Square Renovation, 1999.
- Creative Citizen Award for a person or group whose work has enhanced Spokane's urban fabric—Warren Heylman.
- Shrinking Lilac Award for a project that was not submitted for an award, but is considered by the Design Review Board to be an example of design excellence—City Ramp Garage Renovation.

People's Choice Award:

- Martin Luther King Jr. Way (Submitted by: SPVV Landscape Architects; Owned by: City of Spokane; Maintained by: WSU Facilities Operations)

Urban Design Merit Awards

- Westview Elementary School (Submitted by ALSC Architects; Owned by: Spokane Public Schools)
- Spokane Falls Community College Music Building Renovation and Expansion (Submitted by Integrus Architecture; Owned by: Community Colleges of Spokane)
- Fountain Café (Submitted by NAC Architects; Owned by: City of Spokane, Parks and Recreation Department)

Mayor's Choice Award

SIERR Building (Submitted and Owned by: McKinstry Co.)

**BOARD VACANCIES**

Council President Stuckart announced the following board vacancies:

Citizens Street Advisory Commission: One vacancy.

- City/County Historic Landmarks Commission: Five vacancies.
- Bicycle Advisory Board: Four vacancies.
- Design Review Board: One vacancy for an Engineer.
- Northeast Development Authority: One vacancy.
- Plan Commission: Five vacancies. (Contact Brenda at 625-6348)

Additional information regarding the vacancies is located on the City's website at: [www.spokanecity.org](http://www.spokanecity.org) or contacting Jennifer at 625-6312.

There were no **Appointments**.

There was no **City Administration Report**.

There were no **Council Reports**.

**OPEN FORUM**

**Mr. Rick Bocook** commented on the stereotyping of panhandlers.

**Mr. George McGrath** spoke regarding coal trains through Spokane. In addition, he spoke regarding China's purchasing and burning of coal.

**LEGISLATIVE AGENDA**

There were no **Emergency Budget Ordinances**.

There were no **Emergency Ordinances**.

**RESOLUTIONS****Resolution 2013-0071**

Subsequent to an opportunity for public testimony and Council commentary, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Waldref absent), the City Council adopted Resolution 2013-0070** approving settlement of Michael Best and Cherise Best v. Jared K. Cereghino and Jane Doe Cereghino and the City of Spokane, Spokane County Superior Court Cause No. 13-2-00915-8, arising out of an incident on March 8, 2010—\$70,000.

**Resolution 2013-0072**

Subsequent to an opportunity for public testimony and Council commentary, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Waldref absent),** the City Council **adopted Resolution 2013-0072** authorizing payment of the Salary Savings Plan retirement incentive for Deputy Fire Chief Bob Hanna—approximately \$5,000.

**For Council action on Resolution 2013-0070, see section of minutes under “Special Considerations.”**

#### **FINAL READING ORDINANCES**

##### **Final Reading Ordinance C35020 (Deferred from September 23, 2013, Agenda)**

Parks Director Leroy Eadie and Parks Board Chair Randy Cameron provided an overview of Ordinance C35020. Subsequent to public testimony and Council commentary, the following action was taken:

**Upon 5-1 Roll Call Vote (Council Member Snyder voting “no” and Council Member Waldref absent),** the City Council **passed Final Reading Ordinance C35020** creating departments within the Parks and Recreation division; amending SMC section 3.01A.360; and adoption of new sections 3.01A.361, 3.01A.362, 3.01A.363, and 3.01A.364 to chapter 3.01A of the Spokane Municipal Code.

##### **Final Reading Ordinances C35032 (Interference with Health Care Facilities or Providers), C35033 (Abuse of 911), C35034 (Unlawful Transit Conduct), C35035 (Sidewalk Riding), C35036 (Making or Having Vehicle Prowling Tools), and C35038 (Removal of Graffiti)**

Council President Stuckart provided an overview of Final Reading Ordinances C35032 through C35036 and C35038. In addition, he reviewed proposed changes to Ordinance C35033, and requested a motion to amend the ordinance. The following action was taken:

**Motion** by Council Member Allen, seconded by Council Member McLaughlin, to accept the amended version of Ordinance C35033 (as presented by Council President Stuckart); **carried unanimously (Council Member Waldref absent).**

Council President Stuckart continued with his review of the ordinances. Public testimony was then taken. Council Member Fagan introduced a motion to amend Ordinance C35036, seconded by Council Member Allen, by increasing the penalty schedule from a simple misdemeanor to a gross misdemeanor. Council inquiry and comment, and response by Assistant City Attorney Mike Piccolo, was held. Council Member Allen inquired if Council Member Fagan would be willing to defer the ordinance for one week so Council can get some questions addressed. Council Member Fagan indicated he would be willing to defer for one week, and the following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Allen, **to defer** Ordinance C35036 (relating to making or having vehicle prowling tools) for one week (to October 7, 2013); **carried 4-2 (Council President Stuckart and Council Member Salvatori voting “no” and Council Member Waldref absent).**

Additional Council commentary was held, after which the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Waldref absent),** the City Council **passed** the following Final Reading Ordinances:

**ORD C35032** Relating to interference with health care facilities or providers; adopting a new Section 10.07.060 to Chapter 10.07 of the Spokane Municipal Code.

**ORD C35033** Relating to the abuse of 911 emergency reporting systems; adopting a new Section 10.07.050 to Chapter 10.07 of the Spokane Municipal Code. (As amended above)

**ORD C35034** Relating to unlawful transit conduct; amending Spokane Municipal Code Section 10.10.100.

**ORD C35035** Relating to sidewalk riding; and amending Spokane Municipal Code Section 16A.61.787.

**ORD C35038** Relating to removal of graffiti; amending Spokane Municipal Code Section 10.10.090.

##### **Final Reading Ordinance C35039**

Subsequent to public testimony from one citizen and Council comment, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Waldref absent),** the City Council **passed Final Reading Ordinance C35039** creating a Targeted Crimes Unit imprest fund (in the amount of \$3,000) in the Police Department; and adopting a new Section 7.03.156 to Chapter 7.03 of the Spokane Municipal Code.

**Final Reading Ordinance C35042**

Subsequent to an opportunity for public testimony and Council commentary, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Waldref absent),** the City Council **passed Final Reading Ordinance C35042** ordering the Alley Improvements between Princeton Avenue and Heroy Avenue from Addison Street to Standard Street, establishing a local improvement district and creating a local improvement fund therefore, directing the levy of special assessments and providing a method of financing to pay the cost and expense of said improvement.

**For Council Action on Final Reading Ordinance C35030, see section of minutes following “Special Considerations.”**

**For Council Action on Final Reading Ordinance C35040, see section of minutes under “Special Considerations.”**

**FIRST READING ORDINANCES**

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

**ORD C35043** Relating to the Office of Police Ombudsman; amending SMC Sections 4.32.010, 4.32.020, 4.32.040, 4.32.090, 4.32.100 and 4.32.110; repealing SMC Sections 4.32.030 and 4.32.080; and adopting new Sections 4.32.035, 4.32.085, 4.32.150 and 4.32.160 to Chapter 4.32 of the Spokane Municipal Code.

**SPECIAL CONSIDERATIONS**

**Items Relating to Automated Traffic Safety Cameras [Final Reading Ordinance C35040, OPR 2008-0120 (deferred from September 23, 2013, Agenda), and Resolution 2013-0070 (deferred from September 23, 2013, Agenda)]**

Council Member McLaughlin provided an overview of the three items (Ordinance C35040, OPR 2008-0120, and Resolution 2013-0070) relating to automated traffic safety cameras. On review of Resolution 2013-0070, the following action was taken:

**Motion** by Council Member McLaughlin, seconded by Council Member Salvatori, **to amend** Resolution 2013-0070, under Section 1, by striking “Public Works and Utilities” and instead put in “appropriate city departments;” **carried unanimously (Council Member Waldref absent).**

Public testimony was taken and Council commentary held. The following action was then taken:

**Upon Unanimous Roll Call Vote (Council Member Waldref absent),** the City Council (1) **passed Final Reading Ordinance C35040** extending the automated traffic camera systems program; amending SMC section 16A.64.260; and setting an effective date; (2) **approved Contract Extension** with American Traffic Solutions, Inc. (Tempe, AZ) for Traffic Safety Camera System effective November 13, 2013, through November 12, 2018—estimated annual expense \$625,000 (this is the first of two five-year optional extensions); and (3) **adopted Resolution 2013-0070, as amended,** regarding allocation of funds from infractions issued with automated traffic safety cameras.

**(The City Council took a recess at 8:04 p.m. and reconvened at 8:09 p.m.)**

**FINAL READING ORDINANCES (continued)**

**Final Reading Ordinances C35030 (Deferred from September 23, 2013, Agenda)**

Council Member Fagan introduced a motion to accept the revised version of Ordinance C35030 (as received in the City Clerk’s Office on September 23, 2013). At the request of Council President Stuckart, Council Member Fagan read for the audience the entirety of Ordinance C35030. The following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Allen, to accept the revised version of Ordinance C35030; **carried unanimously (Council Member Waldref absent).**

Considerable public testimony was taken from opponents and proponents of the ordinance. Council debate then ensued, after which the following action was taken:

**Upon 2-4 Roll Call Vote (Council President Stuckart and Council Members Allen, Allen, Salvatori and Snyder voting “no” and Council Member Waldref absent), the City Council rejected Final Reading Ordinance C35030, as amended,** relating to unlawful public exposure; adopting a new section 10.06.050 to chapter 10.06 of the Spokane Municipal Code.

There were no **Hearings**.

## SECOND OPEN FORUM

**Mr. Gabrielle Elliott** reminded the Council that every day meditations are ongoing at the Unity Spiritual Center, and he made some additional comments.

**Mr. David Brookbank** remarked on this evening's proceedings as it relates to Ordinance C35030. He also commented on privatized security.

## ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 10:14 p.m.

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### Planning Community Economic Development September 16, 2013

Meeting Minutes: Meeting called to order at 11:00 am

#### Attendance:

- PCED Members present: Council President Ben Stuckart, Council Members: Mike Allen, Mike Fagan, Nancy McLaughlin, Jon Snyder and Amber Waldref
- Staff present: Jan Quintrall, Scott Chesney, Mark Serbousek, Mike Piccolo, Ken Pelton, Lloyd Brewer, Kyle Twohig, Tami Palmquist, Eldon Brown, Mike Taylor, Sheryl McGrath, Lori Kinnear, Julie Happy, Rae-Lynn Barden,

**Approval of Minutes:** Council Member Fagan moved approval of September 9, 2013 minutes; M/S Council Member Waldref; passed unanimously.

#### Council Update:

1. East Central Off Street Parking Overlay Zone - Council Member Waldref provided the survey results; and will be coordinating with the Neighborhood Council regarding next steps and lighting plan. Staff will assist Council Member and Neighborhood in this endeavor.
2. Liquor Control Board Fencing Regulations – Council Member Snyder presented the idea of not requiring fences for some sidewalk areas that now require fences for alcohol outdoor service. Seattle is also addressing issue for a more pedestrian friendly direction; Council Member Snyder will work in partnership with Seattle to model recommendations in a letter to the Washington State Liquor Control Board; will bring back for Council signatures.
3. Rockwood Neighborhood Temporary Short Plat Process for Single Family Zones - Council Member Snyder reported the Rockwood neighborhood is requesting time to address instances where a large residence built on 3 lots being sold/demolished; parceled out as separate lots; concerned the impact to other properties and to the character of the neighborhood, possible leading to multi-family or something less desirable. They are requesting incorporation of a public hearing process. This is currently under review by City Legal and Council Member Snyder to research compliance for Single Family Short Plat Policy addressing development of lots to protect neighborhood integrity.

#### Staff Update:

1. Carlberg Comprehensive Plan Map Amendments - Ken Pelton reported no opposition testimony was provided at the Plan Commission hearing. Updated on the process and parking set-back requirements, buffering, landscaping standards and the prescribed height requirements. A petition and concerns are being submitted by the citizens to the City Council for consideration. Council comments:



- Transitions from Residential to CC1; height and traffic
  - Need for Lincoln Heights Master Planning
  - Look to Form Base Code planning to “fit” with unique neighborhoods & commercial areas
2. Transportation Plan Update: Louis Mueler & Katherine Miller provided an update/report on the Transportation Symposium. Community information is being disseminated by a brochure in the Inlander and notices sent out as a Utility bill insert. Currently there are plans for an Open House in October; a neighborhood representative mobile bus tour with discussion to follow the tour; the bus tour will also look at City-wide bike lane transitions. Public Policy Group updates will work to complete the Transportation Master Plan.
    - Council Comment:
    - Copy of the Transportation Plan from Symposium
    - Requesting to see the Transportation Plan update
  3. Parking Meters Project Update – Dave Steele reported the meters and sensors have been installed; performing for 30-days with data on the various measures. Revenue is increased over the previous meters. Have received positive citizen feedback and RPS businesses are pleased. Staff will continue to monitor elements of the system during full deployment. This equipment has outperformed the contract measure to this point and request consideration to move the contract forward to have active prior to the holidays.
  4. Sprague Avenue Re-striping Contract – Mark Serbousek to suspend the rules to get project moving; Council is agreeable.

#### Action Items:

1. Parking – Citizen experience when meter off line/not ready.
2. Fencing – letter from Council Member Snyder for alcohol outdoor use, in partnership with Seattle to the Washington State Liquor Control Board.
3. Short plat –Under review by City Legal and Council Member Snyder to research compliance for Single Family Short Plat Policy for development of lots to protect neighborhood integrity.

Adjournment:

**Next meeting will be October 7, 2013**

# Hearing Notices

## FORMATION HEARING NOTICE RESOLUTION 2013-0073 LID NO. 2013079

WHEREAS, In accordance with RCW 35.43, a local improvement may be ordered only by an ordinance of the City Council of the City of Spokane, pursuant to either a resolution or petition therefore; and

WHEREAS, Said resolution must set forth certain information as required by law; -- NOW, THEREFORE,

BE IT RESOLVED By the City Council of the City of Spokane that it is the intention of said Council, and such intention is hereby declared, to order the Street and Storm Improvements of Thor Street from Grace Avenue to Cleveland Avenue.

BE IT FURTHER RESOLVED That the nature and territorial extent of said proposed improvement is as stated above.

BE IT FURTHER RESOLVED That the cost and expense of the said improvement is to be borne in whole or in part by the property specially benefited thereby, and the boundaries of the proposed assessment district are particularly described as follows:

All that property described as follows:

<u>LOTS</u>	<u>BLOCK</u>	<u>ADDITION</u>
1 – 3 & 10 – 12	17	Riverside Addition
4 – 10	16	Riverside Addition

Situated in the NW Quarter of Section 10, Township 25, Range 43 East of the Willamette Meridian.



BE IT FURTHER RESOLVED That a hearing on the said proposed improvement will be held before the Hearing Examiner of the City of Spokane, in the Second Floor Conference Room, Municipal Building, West 808 Spokane Falls Boulevard, on the 5th day of November, 2013 at 2:30 p.m., at which time and place all persons who may desire to object thereto may appear and present such objections, if any they have.

BE IT FURTHER RESOLVED That the City Engineer is directed to submit to the Hearing Examiner at or prior to the time fixed for said hearing the estimated cost and expense of said improvement and a statement of the proportionate amount thereof which should be borne by the property within the proposed assessment district, and a statement of the aggregate actual valuation of the real estate, including twenty-five percent of the actual valuation of the improvements in said district according to the valuation last placed upon it for the purpose of general taxation, together with a diagram or print showing thereon the lots, tracts and parcels of land and other property which will be specially benefited thereby, and the estimated amount of cost and expense of such improvement to be borne by each lot, tract, or parcel of land or other property, together with a statement showing the amount of special assessments outstanding and unpaid on the property within the proposed assessment district. The actual assessments levied for this improvement may vary from the assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

Terri L. Pfister  
Spokane City Clerk

The Hearing before the Hearing Examiner shall be the only hearing held on the Formation of the Proposed Local Improvement District and the City Council will act on the Hearing Examiner's recommendation based upon the record. A copy of the Report of the Engineering Services Department to the Hearing Examiner may be obtained at the Engineering Services Department seven days prior to the hearing. Additional information may be obtained by contacting the Engineering Services Department, 808 West Spokane Falls Boulevard, Spokane, Washington 99201; (509) 625-6700; Attention Ken Brown, P.E., Principal Engineer-Design.

**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 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: October 9 and 16, 2013

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**FORMATION HEARING NOTICE  
RESOLUTION 2013-0074  
LID NO. 2013169**

**WHEREAS**, In accordance with RCW 35.43, a local improvement may be ordered only by an ordinance of the City Council of the City of Spokane, pursuant to either a resolution or petition therefore; and

**WHEREAS**, Said resolution must set forth certain information as required by law; -- **NOW, THEREFORE**,

**BE IT RESOLVED** By the City Council of the City of Spokane that it is the intention of said Council, and such intention is hereby declared, to order **the Street and Storm Improvements of Ross Court from North Center Street to Granite Street.**

**BE IT FURTHER RESOLVED** That the nature and territorial extent of said proposed improvement is as stated above.

**BE IT FURTHER RESOLVED** That the cost and expense of the said improvement is to be borne in whole or in part by the property specially benefited thereby, and the boundaries of the proposed assessment district are particularly described as follows:

All that property described as follows:

<u>LOTS</u>	<u>BLOCK</u>	<u>ADDITION</u>
1 – 4 & 7 – 12	12	Wilkinson Subdivision of Part of Block 12 of Ross Park Addition
1 – 12	12	Walker's Subdivision of the South Half of Block 12 of Ross Park Addition

7 – 12 &amp; 13 – 24

13

Hole's Subdivision of Block 13  
of Ross Park Addition

Situated in the **SW** Quarter of Section **09**, Township **25**, Range **43** East of the Willamette Meridian.

**BE IT FURTHER RESOLVED** That a hearing on the said proposed improvement will be held before the Hearing Examiner of the City of Spokane, in the Second Floor Conference Room, Municipal Building, West 808 Spokane Falls Boulevard, on the **5th** day of **November, 2013** at **1:30 p.m.**, at which time and place all persons who may desire to object thereto may appear and present such objections, if any they have.

**BE IT FURTHER RESOLVED** That the City Engineer is directed to submit to the Hearing Examiner at or prior to the time fixed for said hearing the estimated cost and expense of said improvement and a statement of the proportionate amount thereof which should be borne by the property within the proposed assessment district, and a statement of the aggregate actual valuation of the real estate, including twenty-five percent of the actual valuation of the improvements in said district according to the valuation last placed upon it for the purpose of general taxation, together with a diagram or print showing thereon the lots, tracts and parcels of land and other property which will be specially benefited thereby, and the estimated amount of cost and expense of such improvement to be borne by each lot, tract, or parcel of land or other property, together with a statement showing the amount of special assessments outstanding and unpaid on the property within the proposed assessment district. The actual assessments levied for this improvement may vary from the assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

Terri L. Pfister  
Spokane City Clerk

**The Hearing before the Hearing Examiner shall be the only hearing held on the Formation of the Proposed Local Improvement District and the City Council will act on the Hearing Examiner's recommendation based upon the record. A copy of the Report of the Engineering Services Department to the Hearing Examiner may be obtained at the Engineering Services Department seven days prior to the hearing. Additional information may be obtained by contacting the Engineering Services Department, 808 West Spokane Falls Boulevard, Spokane, Washington 99201; (509) 625-6700; Attention Ken Brown, P.E., Principal Engineer-Design.**

**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 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: October 9 and 16, 2013

# General Notices

## NOTICE NOTICE NOTICE

NOTICE IS HEREBY GIVEN that the regular meeting of the SPOKANE CIVIL SERVICE COMMISSION will be conducted at 9:30 a.m., Tuesday, October 15, 2013, in the Council Chambers on the Lower Level, City Hall.

Items on the Agenda are as follows:

- I. Approval of Minutes
- II. Staff Activities
- III. Civil Service Rule Review Committee Recommendations
- IV. Draft Civil Service Business Plan and Budget for 2014
- V. Other Business

The meeting is open to the public, with the possibility of moving into executive session only with members of the Civil Service Commission and the appropriate staff.

A Commission briefing will be held at 9:00 a.m., October 15, 2013, in the Council Chambers.  
Dated at Spokane, Washington, this 2nd day of October, 2013.

MARY DORAN  
Chair

GLENN KIBBEY  
Chief Examiner

TO HUMAN RESOURCES STAFF AND ALL EMPLOYEE REPRESENTATIVES:

There will be a pre-Commission/Project Evaluation Committee meeting in the Civil Service Conference Room (4B) at 11:00 a.m., October 14, 2013.

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Gita George-Hatcher at (509) 625-7083, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [ggeorge-hatcher@spokanecity.org](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: October 9, 2013

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**SPOKANE CITY-COUNTY  
HISTORIC LANDMARKS AGENDA  
October 16, 2013  
City Council Briefing Center, Lower Level, City Hall  
808 W. Spokane Fall Blvd.**

**I. Agenda Review: 2:00 PM**

**II. Public Hearing: 3:00 PM**

**A. Review Application for Special Valuation for:**

1022 W 9<sup>th</sup> Ave – Armstrong House  
430 W 1<sup>st</sup> Ave – City Ramp Garage

**B. Review National Register Nominations for:**

515 W Sprague Ave – Ridpath Hotel  
830 W Sprague Ave – Germond Block/Michael Building  
1638 S Cedar – Hill-Hirscher House  
3003 S. Manito Blvd – Anderson House  
Spokane Olmsted Park System – MPD  
1702 S Grand Ave. – Manito Park  
Hangman Park and Parkway – Hangman Park  
420 W 22<sup>nd</sup> Ave – Bauer House  
924 W. Garland Ave – Garland Theater

**C. Review Spokane Register Nomination for:**

515 W Sprague Ave – Ridpath Hotel

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) through the meeting organizer. Individuals requesting reasonable accommodations or further information may call,

write, or email Gita George-Hatcher at (509) 625-7083, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [ggeorge-hatcher@spokanecity.org](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: October 9, 2013

# Ordinances

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

## ORDINANCE NO. C35020

AN ORDINANCE creating departments within the Parks and Recreation division; amending SMC section 3.01A.360; and adopting new sections 3.01A.361, 3.01A.362, 3.01A.363 and 3.01A.364 to chapter 3.01A of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That SMC section 3.01A.360 is amended to read as follows:

### 3.01A.360 Parks and Recreation

- A. The procurement, disposition, improvement and management of parks, playgrounds, designated boulevards, designated parkways, trees in streets and other rights-of-way, and other designated public places is vested in the park board. The park board and its committees perform their function through the ~~((department))~~ division of parks and recreation. The park board is also authorized by Spokane city charter to adopt a budget for the parks and recreation ~~((department))~~ division.
- B. The parks and recreation ~~((department))~~ division serves as administrative staff to, and receives policy direction from, the park board and receives administrative direction from the mayor. The parks and recreation ~~((department))~~ division ~~((performs))~~ oversees a complement of duties at the direction of the park board, including but not limited to:
1. design, development and maintenance of parks, gardens, the arboretum, swimming pools and recreational grounds and facilities;
  2. development and management of the urban forestry program;
  3. operation and management of the municipal golf courses;
  4. operation and development of a variety of recreational programs serving the public;
  5. operation, maintenance and promotion of grounds facilities and activities at Riverfront Park;
  6. acquisition and long-range planning for future parks and open spaces as well as recreational services; and
  7. promotion, public relations, financial control and reporting.
- C. The municipal golf courses may be operated directly by the parks and recreation ~~((department))~~ division or may be operated by licensed golf professionals under contract with the ~~((department))~~ division.

Section 2. That there is adopted a new section 3.01A.361 to chapter 3.01A of the Spokane Municipal Code to read as follows:

**3.01A.361 Parks Finance / Budget**

The parks finance / budget department performs responsible administrative and professional work for the finance and budget functions of the parks and recreation division, which includes monthly financial reporting to the division director and park board, oversight of all accounting practices and procedures in the division, formulation of accounting and financial methods and procedures as needed, preparation of the annual budget with guidance and direction from the division director, and serving as administrative staff to the finance committee of the park board.

Section 3. That there is adopted a new section 3.01A.362 to chapter 3.01A of the Spokane Municipal Code to read as follows:

**3.01A.362 Parks Operations**

The parks operations department performs responsible administrative and professional work for the parks operations functions of the parks and recreation division, which includes supervision of technical and supervisory personnel, drafting of policies and procedures as needed, negotiating and administering contracts, preparing and administering an annual budget adopted by the park board, and serving as administrative staff to the land committee of the park board.

Section 4. That there is adopted a new section 3.01A.363 to chapter 3.01A of the Spokane Municipal Code to read as follows:

**3.01A.363 Parks Recreation**

The parks recreation department performs responsible administrative and professional work for the recreation functions of the parks and recreation division, which includes supervision of technical and supervisory personnel, drafting of policies and procedures as needed, negotiating and administering contracts, preparing and administering an annual budget adopted by the park board, and serving as administrative staff to the recreation committee of the park board.

Section 5. That there is adopted a new section 3.01A.364 to chapter 3.01A of the Spokane Municipal Code to read as follows:

**3.01A.364 Parks Riverfront / Entertainment**

The parks riverfront / entertainment department performs responsible administrative and professional work for the riverfront and entertainment functions of the parks and recreation division, which includes supervision of technical and supervisory personnel, drafting of policies and procedures as needed, negotiating and administering contracts, preparing and administering an annual budget adopted by the park board, and serving as administrative staff to the riverfront park committee of the park board.

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on the 2nd of October, 2013)

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**ORDINANCE NO. C35032**

AN ORDINANCE relating to interference with health care facilities or providers; adopting a new section 10.07.060 to chapter 10.07 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That there is adopted a new section 10.07.060 to chapter 10.07 SMC to read as follows:

**10.07.060 Interference with Health Care Facilities or Providers****A. Definitions.**

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

1. "Health care facility" means a facility that provides health care services directly to patients, including but not limited to, a hospital, clinic, health care provider's office, health maintenance organization, diagnostic or treatment center, neuropsychiatric or mental health facility, hospice, or nursing home.

2. "Health care provider" has the same meaning as defined in RCW 7.70.020 (1) and (2), and also means an officer, director, employee, or agent of a health care facility who sues or testifies regarding matters within the scope of his or her employment.
3. "Aggrieved" means:
  - a. A person, physically present at the health care facility when the prohibited actions occur, whose access is or is about to be obstructed or impeded;
  - b. A person, physically present at the health care facility when the prohibited actions occur, whose care is or is about to be disrupted;
  - c. The health care facility, its employees, or agents;
  - d. The owner of the health care facility or the building or property upon which the health care facility is located.
- B. Prohibition.

It is unlawful for a person except as otherwise protected by state or federal law, alone or in concert with others, to willfully or recklessly interfere with access to or from a health care facility or willfully or recklessly disrupt the normal functioning of such facility by:

  1. Physically obstructing or impeding the free passage of a person seeking to enter or depart from the facility or from the common areas of the real property upon which the facility is located;
  2. Making noise that unreasonably disturbs the peace within the facility;
  3. Trespassing on the facility or the common areas of the real property upon which the facility is located;
  4. Telephoning the facility repeatedly, or knowingly permitting any telephone under his or her control to be used for such purpose; or
  5. Threatening to inflict injury on the owners, agents, patients, employees, or property of the facility or knowingly permitting any telephone under his or her control to be used for such purpose.
- C. A violation of SMC 10.07.060 is a gross misdemeanor. A person convicted of violating this section shall be punished as follows:
  1. For a first offense, a fine of not less than two hundred fifty dollars and a jail term of not less than twenty-four consecutive hours;
  2. For a second offense, a fine of not less than five hundred dollars and a jail term of not less than seven consecutive days; and
  3. For a third or subsequent offense, a fine of not less than one thousand dollars and a jail term of not less than thirty consecutive days.
- D. Nothing in this section shall prohibit either lawful picketing or other publicity for the purpose of providing the public with information.
- E. Protection of Health Care Patients and Providers.

A court having jurisdiction over a criminal proceeding under this section shall take all steps reasonably necessary to safeguard the individual privacy and prevent harassment of a health care patient or health care provider who is a party or witness in a proceeding, including granting protective orders and orders in limine.
- F. The provisions of this section are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, section, or portion of this section, or the invalidity of the application thereof to any person or circumstance does not affect the validity of the remainder of this section, or the validity of its application to other persons or circumstances.

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on the 2nd day of October, 2013)

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**ORDINANCE NO. C35033**

AN ORDINANCE relating to the abuse of 911 emergency reporting systems; adopting a new section 10.07.050 to chapter 10.07 of the Spokane Municipal Code.

WHEREAS, the citizens of Spokane have a vital interest in ensuring that its emergency services and 911 reporting systems are operable and available at moments of crisis when it is essential to preserve and protect human life or health, and

WHEREAS, emergency responders must be able to rely on the time-sensitive and proper use of the 911 reporting system to preserve the lives, health and safety of its citizens, and

WHEREAS, individuals who repeatedly call a 911 emergency reporting system for purposes other than to report situations requiring prompt service to preserve human life, health or property misuse this critical resource and place others in jeopardy by their misuse of the system; and

WHEREAS, an accountability tool is needed to discourage the misuse of 911 emergency reporting systems; and

WHEREAS, mental health issues play a role in the behavior of some individuals who misuse 911 reporting systems, --  
Now, Therefore,

The City of Spokane does ordain:

Section 1. That there is adopted a new section 10.07.050 to chapter 10.07 SMC to read as follows:

**10.07.050 Abuse of 911 Emergency Reporting Systems**

- A. Every person who knowingly calls a 911 emergency reporting system for a purpose other than to report a situation that requires prompt service in order to preserve or protect human life or health or property commits abuse of 911 emergency reporting systems.
- B. Abuse of 911 emergency reporting systems is a simple misdemeanor. No person shall be cited under this chapter unless the person engaged in the prohibited conduct has been notified by a law enforcement officer that the conduct violates this chapter and has been given an opportunity to comply and has refused to comply. If the individual fails to comply, a law enforcement officer may then issue a citation under this section.
- C. It is the intent of the Spokane City Council that persons with diagnoses of mental illness, and who are charged under this section, be provided interventional services to address behaviors which violate this section.

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on the 2nd day of October, 2013.)

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**ORDINANCE NO. C35034**

An ordinance relating to unlawful transit conduct; amending SMC section 10.10.100.

The City of Spokane does ordain:

Section 1. That SMC section 10.10.100 is amended to read as follows:

**10.10.100 Unlawful ((Bus)) Transit Conduct**

- A. Consistent with the findings of the Washington State Legislature, the city council finds that it is important to the general welfare of the citizens and residents of the City to protect and preserve public safety in the operation of public transportation facilities and vehicles, and to protect the personal safety of both passengers and employees. The city council further finds that public transportation services will be utilized more fully by the general public if it is assured of personal safety and security in such utilization.
- B. A person is guilty of unlawful ((bus)) transit conduct if, while on or in a ((municipal)) transit vehicle ((as defined by RCW 46.04.355)), or in or at a ((municipal)) transit station((, as defined in subsection (C) of this section, and with knowledge that such conduct is prohibited)), the person knowingly:



1. ~~((except at a designated place,))~~ smokes or carries a lighted or smoldering pipe, cigar or cigarette; unless the person is smoking in an area designated and authorized by the transit authority;
2. discards litter other than in designated receptacles;
3. dumps or discards, or both, any materials on or at a transit facility including, but not limited to, hazardous substances and automotive fluids;
4. plays any radio, recorder or other sound-producing equipment, except that nothing herein prohibits the use of the equipment when connected to earphones or an ear receiver that limits the sound to an individual listener. The use of public address systems or music systems that are authorized by a transit agency is permitted. The use of communications devices by transit employees and designated contractors or public safety officers in the line of duty is permitted, as is the use of private communications devices used to summon, notify, or communicate with other individuals, such as pagers and cellular phones;  
  
~~((a. such equipment when connected to earphones that limit the sound to individual listeners, or  
b. a communication device by an employee of the owner or operator of the municipal transit vehicle or municipal transit station;))~~
5. ~~((4.))~~ spits, ((or expectorates;)) urinates, or defecates, except in appropriate plumbing fixtures in restroom facilities;
6. ~~((5.))~~ carries any flammable liquid, explosive, acid or other article or material likely to cause harm to others, except that nothing herein prevents a person from carrying a: cigarette, cigar, or pipe lighter or carrying a firearm or ammunition in a way that is not otherwise prohibited by law;  
  
~~((a. cigarette, cigar or pipe lighter; or  
b. firearm or ammunition in a way that is not otherwise prohibited by law;))~~
7. consumes an alcoholic beverage or is in possession of an open alcoholic beverage container, unless authorized by the transit authority and required permits have been obtained;
8. ~~((6. intentionally))~~ obstructs or impedes the flow of ((municipal)) transit vehicles or passenger traffic, hinders or prevents access to ((municipal)) transit vehicles or stations, or otherwise unlawfully interferes with the provision or use of public transportation services;
9. ~~((7. intentionally))~~ unreasonably disturbs others by engaging in loud, raucous, unruly, harmful or harassing behavior;
10. ~~((8.))~~ destroys, defaces or otherwise damages property ((of a municipality as defined in RCW 35.58.272 employed in the provision or use of public transportation services.)) in a transit vehicle or at a transit facility;
11. with intent to do harm, throws an object in a transit vehicle, at a transit facility, or at any person at a transit facility;
12. possesses an unissued transfer or fare media or tenders an unissued transfer or fare media as proof of fare payment;
13. falsely claims to be a transit operator or other transit employee or through words, actions, or the use of clothes, insignia, or equipment resembling department-issued uniforms and equipment, creates a false impression that the person is a transit operator or other transit employee;
14. engages in gambling or any game of chance for the winning of money or anything of value;
15. skates on roller skates or in-line skates, or rides in or upon or by any means a coaster, skateboard, toy vehicle, or any similar device. However, a person may walk while wearing skates or carry a skateboard while on or in a transit vehicle or in or at a transit station if that conduct is not otherwise prohibited by law; or
16. engages in other conduct that is inconsistent with the intended use and purpose of the transit facility, transit station, or transit vehicle and refuses to obey the lawful commands of an agent of the transit authority or a peace officer to cease such conduct.

- C. For the purposes of this section: (~~("municipal transit station" means all facilities, structures, lands, interest in lands, air rights over lands and rights-of-way of all kinds that are owned, leased, held or used by a municipality as defined in RCW 35.58.272 for the purpose of providing public transportation services, including but not limited to park and ride lots, transit centers and tunnels and bus shelters.))~~)
1. "Transit station" or "transit facility" means all passenger facilities, structures, stops, shelters, bus zones, properties, and rights-of-way of all kinds that are owned, leased, held or used by a transit authority for the purpose of providing public transportation services.
  2. "Transit vehicle" means any motor vehicle, street car, train, trolley vehicle, ferry boat, or any other device, vessel, or vehicle that is owned or operated by a transit authority or an entity providing service on behalf of a transit authority that is used for the purpose of carrying passengers on a regular schedule.
  3. "Transit authority" means a city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a county transportation authority under chapter 36.57 RCW, a metropolitan municipal corporation transit system under chapter 36.56 RCW, a public transportation benefit area under chapter 36.57A RCW, an unincorporated transportation benefit area under RCW 36.57.100, a regional transportation authority under chapter 81.112 RCW, or any special purpose district formed to operate a public transportation system.
- D. Any person who violates this section is guilty of (~~(Unlawful bus conduct is)~~) a misdemeanor.
- E. The provisions of this section are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this section or the validity of its application to other persons or circumstances.

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on the 2nd day of October, 2013).

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### **ORDINANCE NO. C35035**

AN ORDINANCE relating to sidewalk riding; and amending SMC section 16A.61.787.

The City of Spokane does ordain:

Section 1. That SMC section 16A.61.787 is amended to read as follows:

#### **16A.61.787 Sidewalk Riding and Parking Regulated**

- A. No person may ride a bicycle or non-motorized vehicle upon any sidewalk or other pedestrian way within the retail zone of the congested district of the City as defined by SMC 16A.04.010 and SMC 16A.04.020, provided that nothing contained herein shall be construed to prohibit the riding of a bicycle or non-motorized vehicle upon any sidewalk or other pedestrian way within any area other than the retail zone of the congested district of the City.
- B. Whenever any person is riding a bicycle or non-motorized vehicle upon a sidewalk or other pedestrian way of the City, the persons shall yield the right-of-way to all pedestrians and shall give an audible signal before overtaking and passing any pedestrian.
- C. Whenever any person is riding a bicycle or non-motorized vehicle upon a sidewalk or other pedestrian way of the City, the person shall at all times exercise due care to avoid colliding with any pedestrian and shall operate the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and condition of surface. When, because of the width of the sidewalk or other pedestrian way or the amount of pedestrian traffic thereon, riding a bicycle on the sidewalk or other pedestrian way would endanger or unreasonably inconvenience pedestrians, the person shall stop and dismount from the bicycle.
- D. No person shall place a bicycle or non-motorized vehicle upon a sidewalk or other pedestrian way in a manner as to obstruct reasonable pedestrian traffic and/or vehicular traffic emerging from alleys or driveways.

E. "Non-motorized vehicle" means any wheeled vehicle for transporting a person which is not propelled by a motor or engine, including skateboards, roller skates, in-line roller blades or coasters. This does not apply to wagons, strollers, wheelchairs or assisted transportation devices. This section also does not pertain to bicycles, which are regulated in chapter 16.61 SMC.

F. ((E.)) This section does not apply in Riverfront Park or to the Centennial Trail.

G. ((F.)) This section does not apply to law enforcement personnel patrolling on bicycles.

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on 2nd day of October, 2013.)

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### ORDINANCE NO. C35038

An ordinance relating to removal of graffiti; amending SMC section 10.10.090.

The City of Spokane does ordain:

Section 1. That SMC section 10.10.090 is amended to read as follows:

#### **10.10.090 Removal of Graffiti**

- A. No person owning or in control of any property may allow the property to be used as a location for graffiti or fail or refuse to remove, cover, or grant permission to City personnel, or City's designee, to remove or cover the graffiti from the property when so directed by a duly authorized City employee or its designee.
- B. Failure to remove the graffiti within ten days (absent exigent circumstances, i.e., inclement weather, insurance delays, disability, etc.) after receipt of notification ~~((may constitute having the property declared a public nuisance under SMC 10.08A.020))~~ is a class 4 civil infraction. Each day of a continuing violation is a separate offense.
- C. Notification by deposit in first class mail to the owner shall include the following:
1. The street address and legal description of the property sufficient for identification of the property, or where there is no postal address a legal description or parcel number.
  2. A statement that the property is a potential graffiti nuisance property with a concise description of the conditions leading to the finding.
  3. A statement that the graffiti must be removed within ten days after the receipt of the notice and that if the graffiti is not abated within that time ~~((the City may declare the property to be a public nuisance, subject to the abatement procedures in chapter 10.08A SMC))~~ the person owning or responsible for the property shall be subject to a class 4 civil infraction.
  4. Notification shall include any graffiti removal assistance programs that may be available.
- D. The City may charge the property owner or the person in possession of the property the cost to the City for the removal or covering of the graffiti when the removal or covering is performed by City personnel or City's designee.
- E. Any owner or other in possession who fails to comply with City personnel's or City Designee's direction under this selection violates chapter 10.08A SMC.
- F. The parents or legal guardians of any minor child arrested or found committing an act constituting graffiti vandalism may be jointly and severally liable for any damage caused by the minor to real or personal property, whether publicly or privately owned. This may include reimbursement for the removal of graffiti by either the City or the property owner.
- G. Nothing in this section shall affect the right of any person to maintain a civil action arising out of graffiti damage to property.
- H. Revenue generated to the City pursuant to the civil infractions in subsection B shall be used to fund the Police Department's graffiti abatement program.

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on the 2nd day of October, 2013)

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**ORDINANCE NO. C35039**

An ordinance creating a Targeted Crimes Unit imprest fund in the Police Department; and adopting a new section 7.03.156 to chapter 7.03 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That there is adopted a new section 07.03.156 to chapter 7.03 of the Municipal Code to read as follows:

**07.03.156 Police Targeted Crimes Unit**

There is established in the police department an imprest fund in an amount not to exceed three thousand dollars for use in making small cash purchases and other small miscellaneous payments.

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on the 2nd day of October, 2013.)

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**ORDINANCE NO. C35040**

An Ordinance extending the automated traffic camera systems program; amending SMC section 16A.64.260; and setting an effective date.

The City of Spokane does ordain:

Section 1. That SMC section 16A.64.260 is amended to read as follows:

**16A.64.260 Termination of Authorization for Use of Automated Traffic Safety Cameras**

The authorization granted in SMC 16A.64.220 to use automated traffic safety cameras for issuance of notices of infraction for violations regarding obedience to traffic control devices shall expire on November 12, 2018 ((2013)), unless the city council takes legislative action to extend the authorization.

Section 2. Effective Date.

This ordinance shall take effect and be in force on November 13, 2013.

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on the 2nd day of October, 2013.)

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**ORDINANCE NO. C35042**

An ordinance ordering the **Alley Improvements between Princeton Avenue and Heroy Avenue from Addison Street to Standard Street**, establishing a local improvement district and creating a local improvement fund therefore, directing the levy of special assessments and providing a method of financing to pay the cost and expense of said improvement.

**THE CITY OF SPOKANE DOES ORDAIN:**

Section 1. That **Alley Improvements between Princeton Avenue and Heroy Avenue from Addison Street to Standard Street** be improved by the **paving of the same**, and that such other work be done as may be necessary in connection therewith, according to the maps, plans, drawings and specifications prepared by the Engineering Services Director of said City, and on file in the Office of the said Engineering Services Director, which said maps, plans, drawings and specifications are hereby approved and adopted.

Section 2. That the cost of said improvement, including all the necessary and incidental expenses, shall be borne by and assessed against the property included in the local improvement district hereinafter established and described and in accordance with law. The City of Spokane shall not be liable in any manner for any portion of the cost or expense of said improvement, except as may be herein provided.

Section 3. That there is hereby established a local improvement district to be known as “**Local Improvement District No. 2013080 for Alley Improvements between Princeton Avenue and Heroy Avenue from Addison Street to Standard Street,**” which said district embraces as nearly as practicable all of the lots, tracts and parcels of land and other property specially benefited by the said improvement, and described as follows:

<u>LOTS</u>	<u>BLOCK</u>	<u>ADDITION</u>
North half of Vacated Block	21	Lidgerwood Heights Addition
South half of Vacated Block	21	Lidgerwood Heights Addition

Situated in the **NW** Quarter of Section **05**, Township **25**, Range **43** East of the Willamette Meridian.

Section 4. That the sum charged against any lot, tract and parcel of land or other property in said district may be paid during the thirty (30) day period allowed for the payment of assessments without penalty, interest, or cost, and that thereafter the sum remaining unpaid may be paid in equal annual installments bearing interest at such rate or rates as authorized by the City Council, in accordance with state law and the charter and ordinances of the City of Spokane. All of which said lots, tracts and parcels of land or other property in said district are specially benefited by said improvement.

For the purpose of this improvement there is hereby created a special fund for the cost and expense of the said improvement to be designated as, “**Local Improvement District No. 2013080 for Alley Improvements between Princeton Avenue and Heroy Avenue from Addison Street to Standard Street,**” into which shall be paid the special assessments hereby authorized when collected as provided by law. The said fund shall be used for no other purpose than the redemption of warrants drawn upon and bonds issued against the fund to provide for the cost and expense of the improvement, or installment notes for same.

Section 5. That for the purpose of paying the cost and expense of said improvement there shall be issued by the City of Spokane local improvement bonds, installment notes, or warrants, said bonds, installment notes, or warrants to bear interest at such rate or rates as authorized by the City Council. Said bonds, installment notes, or warrants shall be redeemable only out of the local improvement fund created by this ordinance. In case said improvement is made by contract, said bonds, installment notes, or warrants shall be delivered to the contractor in payment of the contract price, or, the City may, at its election, sell said bonds, installment notes, or warrants and make payment in cash. If provision is made in said contract for progress payments to be made upon estimates, local improvement warrants shall be issued upon the local improvement fund created herein for the purpose of making such progress payments. The improvement bonds herein provided for may be sold by the Treasurer of the City of Spokane at public or private sale at not less than their par value and accrued interest. In such event, the proceeds thereof shall be applied in payment of the cost and expense of the improvement. No bonds shall be issued in excess of the cost of the improvement, nor shall they be issued prior to twenty (20) days after the thirty (30) days allowed for the payment of assessments without penalty, interest, or cost.

Section 6. The City Administrator is hereby directed to advertise for bids for making said improvement, reserving to the City the right to reject any and all bids. In case a satisfactory bid is received and accepted, the contract for said improvement shall provide that the same shall be completed in all things in accordance with the maps, plans, drawings and specifications for said improvement herein referred to, and shall also provide that the contractor making the improvement shall accept the bonds or warrants herein provided for at par and accrued interest in payment of the contract price for such work, to the extent of such bond or warrant issue, if the City shall so elect. In case no satisfactory bid is received, as in RCW 35.43.190 set forth, said improvement may be made by the City and payment therefore shall be made as otherwise provided herein.

Section 7. No bid, acceptance of any bid, or contract relating to said improvement shall be binding upon the City until the assessments herein provided for shall be confirmed by ordinance. The City shall not be under any obligation or duty to confirm any assessment or assessment roll and, if for any reason the same be not confirmed, the bid, acceptance of bid, or contract shall be of no force or effect. The City shall not be liable or responsible in any manner, except to account for the local improvement bonds and fund herein provided for, and except as to the guaranty fund provided for in Ordinance No. C4155. Bondholders' remedy in case of nonpayment shall be confined to enforcement of the special assessments made for the improvement and to the guaranty fund.

Section 8. This ordinance shall take effect immediately after its passage

**Passed by Spokane City Council on September 30, 2013.**

(Delivered to the Mayor on the 2nd day of October, 2013.)

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# 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/>.

## COMMUNITY, HOUSING AND HUMAN SERVICES DEPARTMENT

### Emergency Expansion of Cold Weather Warming Centers for the Homeless

Effective: September 23, 2013

DEPT 1540-13-01 / LGL 2007-0037

(Clerical Note: This policy and procedure is associated with Resolution 2013-0067, which is on file and available for review in the Office of the City Clerk.)

# Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

## GRAPHICS ARTS SPECIALIST SPN 091 OPEN ENTRY EXAMINATION

**DATE OPEN:** Monday, October 7, 2013

**DATE CLOSED:** Applications will be accepted until the close of business on Friday, October 18, 2013. Applicants who have filed a basic application will have until the close of business on Monday, October 21, 2013, to return the Training and Experience Evaluation form.

**SALARY:** \$34,974 annual salary, payable bi-weekly, to a maximum of \$50,571

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

**APPLICATION PACKETS:** Submit the following documents to Civil Service when applying:

- Completed Civil Service Application
- Copy of DD 214 for Veteran's Preference (Member 4)
- Copy of required college transcripts, if applicable

### DUTIES:

Performs varied and technical graphic arts work in the preparation of printed and digital media. Creates and designs a variety of graphic arts projects such as booklets, logos, newsletters, advertisements, illustrations, and websites and forms from general instructions. Advises the City's web development team on design principles. Requires considerable knowledge of, and skill in the operation of, computer applications and peripheral equipment utilized in graphic arts, desktop publishing and office productivity. Requires ability to handle multi-faceted projects with little supervision and the ability to communicate effectively, both orally and in writing. Performs related work as required.

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

High school diploma or equivalent, and at least three years of experience in graphic arts to include desktop publishing and related applications. Education in graphic design or related field may be substituted on a year-for-year basis for up to two years of the experience requirement.



**Note:** Experience with Adobe Creative Suite or Adobe Creative Cloud to include InDesign, Photoshop and Illustrator is preferred. Experience with office productivity software such as Microsoft Word, Excel and PowerPoint is desirable.

**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, post marked no later than the closing date stated above.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 1st day of October, 2013.

MARY DORAN  
Chair

GLENN KIBBEY  
Chief Examiner

Publish: October 9, 2013

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**HEAVY EQUIPMENT OPERATOR (WATER) SPN 622  
PROMOTIONAL ONLY EXAMINATION**

**DATE OPEN:** Monday, October 14, 2013

**DATE CLOSED:** Friday, October 25, 2013

**SALARY:** \$39,985 annual salary, payable bi-weekly, to a maximum of \$57,336

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

**DUTIES:**

Performs skilled and frequently supervisory work in the operation of heavy duty specialized maintenance and construction type equipment. Performs related work as required.

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

One year of service with the City in the Water Service Specialist (SPN 521) classification. Candidates must possess a valid Driver's License and obtain a valid Class "A" Commercial Driver's License (CDL) during the probationary period.

**Note:** Individuals in this classification in the Water Department possessing a Washington State Department of Health Water Distribution Manager I or higher certificate are eligible for a two-range pay adjustment. The pay adjustment is contingent on the budget process and Civil Service verification of the certification.

**EXAMINATION:**

The examination will be conducted on the 4th floor of City Hall in the Civil Service Test Room on Thursday, November 7, at 9:00 a.m. Approximate duration of the test is 2 hours, 30 minutes. 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: Human Relations; Safety and First Aid; Excavation, Trenching, & Shoring; Equipment Operation; Commercial Driving and General Operating Knowledge; Understanding Information.

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 to: [civilservice@spokanecity.org](mailto:civilservice@spokanecity.org), no later than 5:00 p.m. on the closing date, requesting your name be added to the Promotional Examination list. **Please include:** 1) your full name, 2) present classification, 3) department and phone number, 4) driver's license number and expiration date, if required; **OR** go to the Civil Service office on the 4<sup>th</sup> floor of City Hall during office hours to sign up on the Promotional Examination list.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 30th day of September, 2013.

MARY DORAN  
Chair

GLENN KIBBEY  
Chief Examiner

Publish: October 9, 2013

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**AMENDMENT****AMENDMENT****AMENDMENT**

**WASTEWATER TREATMENT PLANT  
MAINTENANCE MECHANIC  
Open and Promotional Examination**

SPN 649

(Announcement of 09/16/2013)

The above titled announcement is hereby amended to read:

CLOSING DATE: Applications will be accepted until further notice.

Publish: October 9, 2013

# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

**REQUEST FOR BIDS**

**LOWER FALLS COMMUNITY CENTER RENOVATION PROJECT**  
**City of Spokane Community, Housing and Human Services**  
**on behalf of Peaceful Valley Neighborhood Association**  
**BID #3972-13**

Sealed Bids will be opened at the 1:15 p.m. public bid opening on **MONDAY, NOVEMBER 4, 2013**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **LOWER FALLS COMMUNITY CENTER RENOVATION PROJECT** for Peaceful Valley Neighborhood Association.

The Request for Bids document is available by contacting Standard Digital Print Company at 256 West Riverside Avenue, Spokane, WA 99201. (509) 624-2985. [sbp@sbprint.com](mailto:sbp@sbprint.com).

**A pre-bid conference will be held on Friday, Oct. 18, 2013 at 10:00 a.m.** The location is All Saints Lutheran Church, 314 S. Spruce Street, Spokane, WA 99201.

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

**Submit one (1) paper original and one (1) paper copy of the bid to:**

**City of Spokane - Purchasing  
4<sup>th</sup> Floor – City Hall  
808 W. Spokane Falls Blvd.  
Spokane, Washington 99201**

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

All response packages are to be clearly marked with:

**“BID #3972-13, LOWER FALLS COMMUNITY CENTER RENOVATION PROJECT, DUE 11/4/2013”**

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

October 9 & 16, 2013

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**UPGRADE EXISTING GANTRY CRANE AT UPRIVER  
Water & Hydroelectric Department  
BID #3973-13**

Sealed bids will be opened at 1:15 p.m., **MONDAY, OCTOBER 28, 2013**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **UPGRADE EXISTING GANTRY CRANE AT UPRIVER** for the City of Spokane Water & Hydroelectric Department.

Detailed specifications and proposal forms are available from City Purchasing, by contacting Thea Prince at [purchasinghelp@spokanecity.org](mailto:purchasinghelp@spokanecity.org).

There will be a pre-bid conference on Friday, October 18, 2013 at 10:00 am at the Upriver Dam, 2701 N. Waterworks St., Spokane, WA 99212.

**Submittal Instructions:**

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

**Submit one (1) original of response to:**

**Division of Purchasing  
City of Spokane  
4<sup>th</sup> 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:

**“UPGRADE EXISTING GANTRY CRANE AT UPRIVER, BID #3973-13, DUE 10/28/13”.**

Thea Prince  
Purchasing Division

October 9 & 16 2013

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**REQUEST FOR PROPOSALS****CLEAN METALS ANALYSIS OF WASTEWATER SAMPLES  
City of Spokane Wastewater Management Department  
RFP #3975-13**

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, OCTOBER 28, 2013**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for The City of Spokane Wastewater Management Department.

The Request for Proposals document is available by contacting Connie Wahl, City of Spokane Purchasing, 4<sup>th</sup> 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, October 28, 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  
4<sup>th</sup> 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 #3975-13, CLEAN METALS ANALYSIS OF WASTEWATER SAMPLES, DUE 7/15/13”.**

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

October 9 & 16, 2013

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