



# Official Gazette

## City of Spokane, Washington

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

Volume 103

OCTOBER 30, 2013

Issue 44



### 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, October 21, 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, Salvatori, and Snyder were present. Council Members McLaughlin and Waldref were absent.

**Advance Agenda Review**

Council received input from staff on the October 28, 2013, Advance Agenda items.

**Warranty Deed and Escrow Agreement with Nancy L. Ressa for Property Acquisition (OPR 2013-0759 / ENG 2005264)**

Upon review of the Warranty Deed and Escrow Agreement with Nancy L. Ressa for property acquisition in conjunction with the Riverside Drive Extension Project Phase 2 and 3 (Martin Luther King Jr. Way), Council President Stuckart noted he would be unable to vote for this matter until the truck parking with Second Harvest is figured out. Dave Steele from the Asset Management Department noted his understanding is that the concerns that Second Harvest has pushed forward to Engineering is future truck parking, and that

existing truck parking can be accommodated in their existing space. Council President Stuckart indicated he was not of the same understanding and noted that he would like to get everyone on the same page.

**Action to Approve October 28, 2013, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the October 28, 2013, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

**Motion** by Council Member Salvatori, seconded by Council Member Allen, **to approve** the Advance Agenda for October 28, 2013; **carried unanimously (Council Members McLaughlin and Waldref absent).**

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

Council considered the October 21, 2013, Current Agenda.

**CONSENT AGENDA**

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

Setting Public Hearing on possible revenue sources for the 2014 budget for November 4, 2013. (FIN 2013-0001)

Setting Public Hearings for review of the proposed 2014 Budget beginning Monday, November 11, 2013, and continuing thereafter at the regular council meetings and concluding on November 25, 2013. (FIN 2013-0001)

Blanket Order with Roadwise, Inc. (Tacoma, WA) for liquid deicer for the Street Department. Estimated annual usage is 8,000 tons—estimated cost \$1,273,040 (incl. tax). (OPR 2013-0740)

Amendment to contract with Winston & Cashatt (Spokane, WA) for outside counsel services in legal matter of Jay Mehring v. City of Spokane—increase of \$60,000. (Total maximum amount: \$105,900) (OPR 2012-0515)

Contract with K & L Gates LLP (Spokane, WA) to provide Bond Counsel services beginning November 1, 2013, through December 31, 2015, with option of three additional one-year renewals—2013: \$10,000; 2014 and 2015: \$75,000 each year. (OPR 2013-0741 / RFP 3915-13)

Change Order No. 12 to Contract with Inland Asphalt Company (Spokane, WA) for 14th Avenue from Monroe Street to Grand Boulevard—increase of \$119,905.27 and no working days. (Total cost-to-date—\$1,528,234.41). (PRO 2012-0051 / ENG 2010128)

Low bids of:

- a. Halme Construction, Inc. (Davenport, WA) for Stormwater Decant Vactor Waste Facility— \$989,244.65 (plus tax). An administrative reserve of \$98,924.47 (plus tax), which is 10% of the contract price plus sales tax, will be set aside. (PRO 2013-0029 / ENG 2012103)
- b. Arc Electric & Lighting Corporation (Spokane, WA) for Ash and Maple Streets Pedestrian Countdown Timer— \$90,556. An administrative reserve of \$9,055.60, which is 10% of the contract price, will be set aside. (PRO 2013-0030 / ENG 2013058)

Memorandum of Understanding with Inland Washington, LLC (Spokane, WA) relating to a 216-unit multi-family apartment project located at 10913 W. 6<sup>th</sup> Avenue in the City of Airway Heights—\$130,361 revenue. (OPR 2013-0742)

Grant funding from the Washington State Office of Public Defense for use by the Public Defender's Office effective January 1, 2014—\$80,250 revenue. (OPR 2013-0743)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through October 14, 2013, total \$4,709,805.98 (Check Nos. 477895-478240; ACH Payment Nos. 11934–11979), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$4,545,749.50. (CPR 2013-0002)
- b. Payroll claims of previously approved obligations through October 12, 2013: \$5,650,626.05 (Payroll Check Nos. 517372-517635). (CPR 2013-0003)

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

The City Council adjourned to an Executive Session at 3:45 p.m. for approximately 15 minutes to discuss labor negotiations. Assistant City Attorneys Mike Piccolo and Erin Jacobsen were present during the Executive Session. The Council reconvened at 6:00 p.m. for the Regular Legislative Session, with Council President Stuckart and Council Members Allen, Fagan, Salvatori, and Snyder present. Council Members McLaughlin and Waldref were absent. 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**

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

#### **MOMENT OF SILENCE**

Council President Stuckart requested a moment of silence in memory of former Speaker of the House Tom Foley, a statesman and giant among leaders, who passed away this past week.

**CITY ADMINISTRATION REPORT****Monthly Ombudsman Report - September**

Police Ombudsman Tim Burns provided an overview of his Office's activities for the reporting period of September 1 through September 30. During that time, the Office was contacted 107 times. Since January of this year, the Office has been contacted 1,030 times. During the reporting period, the Office received eight potential complaints: six for inadequate response and two for excessive force. One additional complaint, not in the City's jurisdiction, was referred to the Spokane County Sheriff's Office. During the reporting period, four Internal Affairs investigations were certified as timely, thorough, and objective. There were no critical incidents or complaints resolved through the mediation process during the reporting period. Mr. Burns also reported on the interviews conducted during the reporting period. There was one recommendation provided during the report: that a more formal process be developed for seizing a person's vehicle. For additional information regarding the Ombudsman's report, visit: <http://www.spdombudsman.com/documents-and-reports>.

**COUNCIL COMMITTEE REPORTS****Public Safety Committee**

Council Member Salvatori reported on the Public Safety Committee meeting held earlier today (October 21). 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** stated he feels the transient shelter ordinance is inhumane and he commented on the homeless.

**Mr. George McGrath** encouraged citizens to exercise their duty and right to vote.

**APPOINTMENTS**

**Upon Unanimous Voice Vote (Council Members McLaughlin and Waldref absent)**, the City Council **confirmed** the Mayoral reappointment of Lynnelle Caudill to the Hotel Motel Commission to serve a three-year term to begin immediately and expire October 2, 2016.

**LEGISLATIVE AGENDA****EMERGENCY BUDGET ORDINANCE**

**Subsequent to the opportunity for public testimony, with no individuals requesting to speak, and comment by Council President Stuckart, the following Emergency Budget Ordinance passed upon Unanimous Roll Call Vote of Council (Council Members McLaughlin and Waldref absent):**

**Ordinance No. C35045** amending Ordinance No. C34947 passed the City Council December 10, 2012, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2013, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2013, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Library Fund

FROM: Unappropriated Reserves, \$200,000;

TO: Minor Equipment, same amount.

(This action budgets for the purchase of staff and public computers for the Spokane Public Library.)

There were no **Emergency Ordinances**.

**RESOLUTIONS****Resolution 2013-0077**

**Subsequent to a presentation by Spokane County Commissioner Al French, public testimony, and Council debate, the following Resolution was adopted upon a 4-1 Roll Call Vote of Council (Council Member Fagan voting "no" and Council Members McLaughlin and Waldref absent):**

**RES 2013-0077** Expressing support for Proposition No. 1 entitled "Levy to Protect Fairchild Air Force Base," adopted under Spokane Board of County Commissioners Resolution No. 13-0692 and to be considered by the voters at the November 5, 2013, General Election.

**For Council Action on Resolution 2013-0078, see section of minutes under "Hearings."**

There were no **Final Reading Ordinances**.

#### **FIRST READING ORDINANCES**

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

- ORD C35046** Creating a mechanism for setting salaries of Municipal Court judges; and amending Spokane Municipal Code Sections 5A.05.010 and 5A.05.040.
- ORD C35047** Granting a non-exclusive franchise to use the public right-of-way to provide noncable telecommunications service to the public to Sprint Communications Company L.P. (Overland Park, KS), subject to certain conditions and duties as further provided. (25-year term)
- ORD C35048** Amending Ordinance C34449 vacating the Alley between Spokane Falls Boulevard and Main Avenue from Washington Street to Bernard Street.

#### **SPECIAL CONSIDERATIONS**

##### **Ten-Year Street Bond Program: Semi-Annual Report for Spring/Summer 2013 (PRO 2013-0001)**

Dallas Hawkins, Chair – Citizen's Street Advisory Commission (CSAC), provided an overview of the Ten-Year Street Bond Program: Semi-Annual Report for Spring/Summer 2013; and he responded to Council inquiries. Mr. Hawkins also provided an overview of CSAC's recommendations to add four "GAP" projects to be paid with surplus funds from the bond. The proposed "GAP" projects are, as follows:

1. Addison – Columbia to 525 feet North of Dalke,
2. Calispel – Wellesley to Queen,
3. Mission (eastbound) – Wellesley to Queen, and
4. Lincoln/Monroe – 8<sup>th</sup> to 17<sup>th</sup>.

Subsequently, the following action was taken:

**Motion** by Council Member Allen, seconded by Council Member Fagan, **to accept and approve** the Spring/Summer (2013) Semi-Annual Report, including the four recommended "GAP" projects [using the remaining arterial and residential bucket funds (surplus funds)]; **carried unanimously (Council Members McLaughlin and Waldref absent)**.

#### **HEARINGS**

##### **Hearing on Resolution 2013-0078**

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

**Upon Unanimous Roll Call Vote (Council Members McLaughlin and Waldref absent)**, the City Council **adopted Resolution 2013-0078** declaring surplus property, setting forth the fair market value of certain surplus utility properties and authorizing sale of the properties.

#### **OPEN FORUM**

**Mr. Gabriel Elliott** spoke regarding ongoing meditations that are happening at the Unity Spiritual Center on the South Hill. In addition, he made various other comments.

**ADJOURNMENT**

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 6:55 p.m.

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**SPECIAL MEETING MINUTES OF SPOKANE CITY COUNCIL  
Monday, October 21, 2013**

A Special Meeting of the Spokane City Council was held on the above date at 9:06 a.m. in the City Council Briefing Center, Lower Level - City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. Council President Stuckart and Council Members Allen, Fagan, and Snyder were present. Council Member Salvatori arrived at 9:10 a.m. Council Members McLaughlin and Waldref were absent.

The following topic was discussed:

- 2014 Budget - Police

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

The meeting adjourned at 9:55 a.m.

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**Public Safety Committee Meeting  
September 16th, 2013, 1:30 p.m.  
City Hall, Council Briefing Center**

Attendees: Council President Stuckart, PSC Chair Council Member McLaughlin, Council Member Allen, Council Member Fagan, Council Member Salvatori, Council Member Waldref, Fire Chief Williams, Police Chief Straub, Carly Cortright, Officer Fuller, OPO Tim Burns, Kathy Knox, Judge Logan, Judge Szambelan, Judge Staab, Angela Golden, Barbara Burns, Erin Jacobson, Mike Piccolo, Jason Franklin, Angela Napolitano, Sue Raymon.

PSC Chair Council Member Nancy McLaughlin opened the meeting at 1:32 p.m.

**Approval of Minutes**

Minutes of the August 19, 2013 PSC meeting were approved as published.

**COUNCIL REQUESTS****OPO Commission Ordinance – Steve Salvatori**

Council President Stuckart summoned City Attorney Mike Piccolo, to be present for this topic.

Council Member Salvatori reported nothing has happened since the Charter Amendment that required the City to create an Ombudsman Commission was passed seven months ago. He intends to bring an ordinance that requires the formation of an Ombudsman Commission up for a vote. He hopes there will be a contract with the Guild by the end of the year and has tried to reach them, with no success, so doesn't know how they feel about the ordinance. If the ordinance is passed, it doesn't remove it from the negotiation process. He recommends passing the ordinance then continue to be open-minded to making improvements and suggestions.

Several council members mentioned that the citizens have given a clear mandate and Council needs to follow through on that mandate. Additional topics discussed included the Union's lack of communication and the ordinance as it relates to the contract and negotiations.

**MUNICIPAL COURT****Municipal Court Judicial Compensation/Court Improvement Fund Reimbursement – Judge Logan**

Municipal Court judges are asking for an amendment to the ordinance on judicial salaries to set compensation at 95 percent of the District Court judicial salary in order to receive contributions from the State Trial Court Improvement Account (TCIA).

If approved, the first year salary increase for each judge would be \$17,317, of which \$21,000 is reimbursed by the Trial Court Improvement Account. After September 1, 2014, judicial salaries would increase to \$141,437 which would add \$7,227 per judge to the Municipal Court budget. Presiding Judge Logan is checking with the State to find out if not all of the award is used for salaries during the first year, whether it has to be paid back, used for other court functions, or if it could be rolled over into the next year, so the first two years could be a wash.

Of the fifteen full-time municipal courts, Spokane judges have the lowest salaries in Washington despite being the second largest municipal court in the state. Current salaries are a flat rate of \$120,000 and have not changed in almost five years. The State's Salary Commission increased the salaries of all the courts statewide except for municipal courts, unless they are tied to the salaries of the District Court by being at 95 percent of the salary range for a district court judge.

There was a question of whether this needs to go before the salary review commission, but Council President Stuckart noted SMC Chapter 02.05 states "The salary review commission shall be charged with reviewing and establishing the salaries of the council members and council president." It does not speak of municipal court judges. Further questions and discussion were held.

## **PUBLIC DEFENDER'S OFFICE**

### **Receipt of Revenue from State Office of Public Defense for 2013 – Kathy Knox**

Ms. Knox is requesting the Council to approve receipt of an additional \$3,750.00 in revenue from the State Office of Public Defense. The funds are to be used prior to the end of the year and will go towards inmate first appearance hearings. There were no questions or discussion on this issue.

## **SPOKANE POLICE DEPARTMENT**

### **SharePoint RFP – Carly Cortright**

Ms. Cortright reported that SPD submitted an RFP for an advanced technology system utilizing a SharePoint platform to manage digital communications, collaboration, and file management. This system will be used to exchange information internally to users via one Internet platform as opposed to email, network folders, paper reports, etc. This information dissemination would include crime analysis bulletins, wanted people information, daily CompStat reports, as well as policies and procedures. It would also integrate with existing crime analysis software so that data could be transmitted to the field much quicker than currently. The desired result of this system will be the ability to share data real time across multiple users without the need to use email or shared network folders. Officers will be able to share data of work in field that can be seen immediately by crime analysts, detectives, and other officers (instead of a select email chain). This will create a more agile system for fighting crime through information sharing. It will also be less cumbersome and time-saving, and therefore more efficient, for users than traditional methods currently employed. Purchase will need to be approved and will come from Federal seizure funds. There were no Council questions or discussion on this issue.

### **1560 Fund EBO – Carly Cortright**

Ms. Cortright reported that in 2013, more seizure funds were acquired than budgeted. This was largely the result of the sale of property on the West Plains. In order to spend these funds, we need to create a budget. This EBO creates that budget. The funds will be used to purchase software to assist with CompStat analysis and information sharing, a contract to provide a youth policing train-the-trainer program, technology associated with drug enforcement, and a vehicle for the drug unit. Seizure funds allow the department to make acquisitions that we would otherwise be unable to do from the General Fund. These purchases are typically used to fight drug and gang crime as well as associated property crimes. SPD is seeking Council approval of EBO. Funding will be through the Seizure funds.

### **Seizure Spending in 2013-Per Request of Councilman Snyder**

Ms. Cortright reported that in 2013, SPD has spent \$172,880.27 and has another \$209,726.75 encumbered for a total of \$382,607.02. Below is a summary of the funds spent by category.

Confidential funds	\$36,765
SCSO Helicopter use	\$35,000
Legal Fees	\$7,898.23
Software Maintenance	\$36,809.10
Technology/Equipment	\$119,750.70
Training	\$3,000
Travel	\$4,561.26
Weapons	\$13,113.73
WSU CIT Training	\$40,994
Youth Policing Initiative	\$84,715



Council questions and discussion followed.

#### **Taser Sole Source and Purchase – Carly Cortright**

Ms. Cortright reported that the Use of Force Commission recommended the Spokane Police Department implement a body camera program as well as standardize equipment. Through a deal with Taser International, we will purchase 220 AXON Flex body cameras, 220 TASER X26Ps, and the data management system Evidence.com to store the related body camera videos and TASER usage information. The AXON Flex is the only body camera system that allows the user to wear the camera on glasses or hat brim to better reflect the officer point of view; it also uses low-light recording to more accurately capture what the human eye sees. The AXON Flex system is also the only system that allows the officer to view the video before uploading. Additionally, the AXON Flex has a dual battery charging/upload station that allows the officer to place the camera into the docking station and leave: the video uploads while charging the camera. Other systems require a manual upload through the computer, forcing the officer to stay until video uploads (20-40 minutes). The Evidence.com system is a hosted (cloud) data management system that stores all video for retrieval. The system has the ability to share with selected users and maintains an audit trail. This will create more efficiency for access to videos for the different users (Records, Detectives, Prosecutors, Internal Affairs) and greater flexibility for public records requests. It is vital for the City to have a system that allows for searches in a variety of ways in order to reduce our liability in public records requests, and Evidence.com has that capability to search in a variety of manners (by incident, by location, by officer, etc.) as well as a redaction component that will aid in preparing the videos for public release. Finally, the Evidence.com system also logs the following information regarding the TASER X26P use: time TASER was armed, time of trigger pull, time disarmed, duration of firing time, the battery percentage, and temperature of weapon. It also links to the video image of the event. The TASER X26P is all digital and will allow every officer to have the same model. Through this package deal with Taser International, we are receiving substantial trade-in credits for our old TASERS, bringing cost below the state bid. Overall this package deal saves the City \$488,534 over market price for all three components.

Approving the sole source and purchase of these items will ensure we can implement the recommendations of the Use of Force Commission while also recognizing a significant amount of savings. SPD is seeking Council approval of Sole Source and Purchase. Funding will be from Use of Force Funds. Council questions and discussion followed.

#### **DOC-COPS Amendment – Carly Cortright**

Ms. Cortright reported that in 2009, the City entered into an agreement with the DOC that allowed Community Corrections Officer placement at various Community Oriented Policing Shops (COPS) facilities owned and operated by the City of Spokane. The DOC agreed to make an annual contribution of \$19,811.25 toward utilities, operational, and janitorial costs for eight locations. In 2013 DOC agreed to increase funding from \$19,811.25 to \$23,411.25. SPD is requesting Council approve additional funding from the DOC for the COPS program. Funding comes from WA State funding to COPS program. Council questions and discussion followed.

#### **SRDTF Acceptance – Carly Cortright**

Ms. Cortright reported that the Spokane Police Department has maintained on-going participation in the Spokane Regional Drug Task Force by dedicating two commissioned officers to the effort. These officers are funded by the task force at a level of approximately 75%. The task force is made up of commissioned personnel from the Spokane Police Department, Spokane County Sheriff's Office and the Washington State Patrol. Grant request for reimbursement of \$192,303.00 in salaries, benefits and overtime. Term of grant contract is 07/01/2013 – 06/30/2014.

- **Mission-** Focus on illegal drug activity that has a direct impact on our city and county even when those activities take them outside the normal jurisdictions.
- **Operations-** Local surrounding area of the city and county of Spokane supporting 2 FTEs.
- **Prosecution-** Completed criminal cases may be prosecuted either in the jurisdiction of occurrence by local prosecutors but also through the federal system by the U. S. Attorney's Office.
- **Fiscal-** Due to the Spokane Police Department's participation in the task force, the department does participate in asset sharing due to any drug seizures and forfeitures that occur based on task force operations.

SPD requests Council's approval of grant with the Spokane County Sheriff's Office. Local forfeiture funds and a Federal grant from Department of Justice awarded to the Spokane County Sheriff's Office will be used. The remaining 25% is funded by the Police Department and is included in the existing budget. Council questions and discussion followed.

#### **Contract Renewal of Automated Traffic Camera Systems Program (Photo Red) – Carly Cortright**

Jason Franklin reported that the initial five year contract with American Traffic Solutions, INC. expires on November 12, 2013. This first of two five-year extensions includes the following modifications:



- City may terminate for convenience with 90 days written notice; City would pay ATS for unamortized balance of new cameras.
- Spokane Police Department will be signatory
- Spokane Police Department will mail infractions/violation
- Spokane Municipal Court will file stamp, scan, and upload each infraction

Pricing of existing cameras has been reduced by approximately 13% to offset costs of additional Police and Municipal Court responsibilities. Pricing for additional cameras is subject to the agreement of both parties. Extension of contract will allow for the continuation the Traffic Safety Camera System for an additional five years with the cost of Police and Municipal Court additional responsibilities being offset by reduced camera pricing. SPD requests Council approve extension of contract with American Traffic Solutions, INC. The funding for the extension of contract with American Traffic Solutions, INC will come from the Traffic Calming Fund. Council questions and discussion followed.

#### **Extension of Automated Traffic Camera Systems Program-Ordinance – Jason Franklin**

Mr. Franklin reported that the City's municipal code authorization for the Photo Red program expires November 12, 2013. This ordinance extends the program through November 12, 2018 to coordinate with the proposed contract extension with ATS. Approval of ordinance will allow for the potential five year extension of contract with American Traffic Solutions, INC. SPD requests Council approve ordinance amending SMC section 16A.64.260. Council questions and discussion followed.

#### **Photo Red Briefing – Officer Fuller**

Officer Fuller reported on this update on the status of the Intersection Safety Program. The committee was last updated on this program at the August 19<sup>th</sup> meeting. There were 1525 violations issued in August. A total of 57,578 citations have been issued since the beginning of the program, Nov. 1<sup>st</sup>, 2008 through today (September 11, 2013). Payment statistics are 72.9% for 2012. For 2013, payments statistics are 64.3% through June. The program has collected over \$5,113,758 from November, 1<sup>st</sup>, 2008 through today. Out of 12,906 citations that have gone to hearing in front of a commissioner, only 2,078 have been found not committed. There were no Council questions or discussion.

#### **TCU Imprest Fund – Carly Cortright**

SMC 7.03.156 establishes in the police department an imprest fund in an amount not to exceed three thousand dollars (\$3,000) for use in making small cash purchases and other small miscellaneous payments. Approving the ordinance will enhance the TCU's ability to operate out in the field and alleviate shortages of funds. SPD requests Council approve SMC 7.03.156 to establish the Targeted Crimes Unit imprest funds at \$3,000.00. General Fund – Budget Neutral. Council questions and discussion followed.

### **ADMINISTRATION REQUESTS**

#### **Ombudsman Report – Tim Burns**

Mr. Burns reviewed with Council statistics of activity within the Office of the Ombudsman for August. Contacts were up but complaints were down. There were no Council questions or discussion on this issue.

### **ACTION ITEMS**

There were no new action items for September.

Action item from the August PSC meeting for October is an update on the Fire Task Force report of the cost of implementing the report's recommendations and the time line for implementation.

#### **Adjournment**

Council Chair McLaughlin adjourned the meeting at 2:55 pm.

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# Hearing Notices

## CITY OF SPOKANE BUDGET NOTICE

NOTICE IS HEREBY GIVEN, pursuant to RCW 35.33.061, that the Mayor's Preliminary (Proposed) Budget of the City of Spokane for the City's ensuing Fiscal Year (January 1, 2014-December 31, 2014), has been filed in the City Clerk's Office on October 7, 2013. A copy thereof will be furnished to any taxpayer who will call at the City Clerk's Office therefor. Copies will be made available no later than October 21, 2013. The Spokane City Clerk's Office is located on the Fifth Floor - Municipal Building, 808 W. Spokane Falls Boulevard, Spokane, WA. In addition, a copy of the Proposed Budget will be available for citizen review at the Main Branch of the City Library, 906 W. Main Avenue, Spokane, WA.

NOTICE IS HEREBY FURTHER GIVEN, pursuant to RCW 35.33.061, that the Spokane City Council will meet on or before the first Monday of December for the purpose of fixing the final budget. The Council plans to meet on the dates indicated (below) in its consideration of the 2014 Proposed Budget during its Regular Legislative Sessions to be held at 6:00 p.m. on Monday evenings in the Council Chamber, 808 W. Spokane Falls Boulevard:

### NOVEMBER 4, 2013

- Hold Public Hearing on possible Revenue Sources for 2014 Budget.

### NOVEMBER 11, 2013

- Begin Hearing on the Proposed 2014 Budget.

### NOVEMBER 18, 2013

- Continue Hearing on the Proposed 2014 Budget.

### NOVEMBER 25, 2013

- Continue Hearing on the Proposed 2014 Budget.

The City Council reserves the right to conclude the budget hearings on November 25, 2013, and/or to continue the hearings up to the 25<sup>th</sup> day prior to the beginning of the next fiscal year (RCW 35.33.071).

Any taxpayer who wishes may appear at any of these meetings and be heard for or against any part of the Budget.

**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 16, 23, 30 and November 6, 2013

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# General Notices

**NOTICE  
CITY OF SPOKANE  
Proposed Franchise Ordinance C35047**

**SUMMARY OF FRANCHISE ORDINANCE C35047:**

Franchise to SPRINT COMMUNICATIONS COMPANY L.P., a Registered Delaware Limited Partnership, to use the public right of way to provide noncable telecommunications service within its legal authority. Franchise term: 25 years. For more information, contact SPRINT COMMUNICATIONS COMPANY L.P., Keith J. Thompson, 6391 Sprint Parkway, Mailstop: KSOPHT0101-Z2040, Overland Park, KS 66251; Phone (913) 794-8199. (Final Reading of Ordinance C35047 is anticipated to be held before the Spokane City Council on November 25, 2013.)

Publish: October 30 and November 6, 13, and 20, 2013

# Ordinances

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

**ORDINANCE NO. C-35045**

An ordinance amending Ordinance No. C-34947, passed the City Council December 10, 2012, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2013, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2013, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2013 budget Ordinance No. C-34947, as above entitled, and which passed the City Council December 10, 2012, it is necessary to make changes in the appropriations of the Library Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Library Fund and the budget annexed thereto with reference to the Library Fund, the following changes be made:

FROM: 1300-99999	Library Fund	
99999-	Unappropriated Reserves	<u>\$ 200,000</u>

TO: 1300-56100	Library Fund	
72210-53502	Minor Equipment	<u>\$ 200,000</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to purchase new computers for the Library, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

PASSED BY SPOKANE CITY COUNCIL ON OCTOBER 21, 2013

(Delivered to the Mayor on October 23, 2013.)

# Policies and Procedures

## CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE

ADMIN 0620-13-19 / LGL 2013-0021

EFFECTIVE DATE June 1, 2000

REVISION EFFECTIVE DATE: October 24, 2013

TITLE: DISCIPLINARY ACTION

### 1.0 GENERAL

1.1 This policy establishes uniform disciplinary procedures for handling employee violations of Civil Service rules, departmental rules, or law.

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### 2.0 DEPARTMENTS/DIVISIONS AFFECTED

2.1 This policy applies to all non-uniformed employees who are in Civil Service classified positions.

2.2 The provisions of this policy do not supersede the provisions of any collective bargaining agreements or Civil Service rules, and when in conflict, the specific terms and conditions of the collective bargaining agreement or Civil Service rules will prevail.

### 3.0 REFERENCES

Spokane City Charter, Section 55 - Suspension, Reduction in Rank and Discharge – Appeals

Merit System Rules of the Civil Service Commission, Rule IX, Section 5, Suspension, Discharge, Layoff

#### 4.0 DEFINITIONS

- 4.1 "Demotion" shall mean an action by the Mayor or Mayor's designee placing an employee in a position of lower grade and classification. A disciplinary demotion is normally only used where the employee is incompetent to perform the duties of his or her current position or has committed an act so serious that continuation in the current position is not in the best interests of the City.
- 4.2 "Discharge" shall mean an action taken by the Mayor or Mayor's designee to terminate an employee's employment with the City. (Note: The termination of a probationer's employment for unsatisfactory performance during the original entrance appointment is not considered a disciplinary (new) discharge and may be taken by the appointing officer.)
- 4.3 "Discipline" shall mean a process by which employees are reprimanded for failing to abide by the City's and their assigned department's performance standards, policies or rules.
- 4.4 "Progressive Discipline" shall mean a form of discipline whereby increasingly harsher penalties are given each time an employee is disciplined for the same or a different performance infraction or policy or work rule violation. Generally, the sequence is an oral warning/counseling, written warning, suspension, demotion where appropriate and finally termination.
- 4.5 "Suspension" shall mean a written notice signed by the Mayor or Mayor's designee suspending an employee for up to sixty (60) working days without pay; **OR** a form of disciplinary action resulting in an employee being sent home without pay for a specified period of time.
- 4.6 "Verbal Reprimand" shall mean a verbal discussion with the employee during which the supervisor notifies him or her of the nature of the violation, the corrective action necessary, and the consequences of future violations, and obtains the employee's commitment to corrective action. The supervisor may document the verbal reprimand in the departmental files. A verbal reprimand or counseling is normally the first step involving minor infractions of rules. (Note: By its nature, a verbal reprimand or counseling is informal and may be given without a predisciplinary hearing and without union representation.)
- 4.7 "Written Reprimand" shall mean written notification to the employee concerning unacceptable performance or conduct, the corrective action necessary, and the consequences of failure to bring about corrective action.

#### 5.0 POLICY

- 5.1 It is the policy of the City that disciplinary actions be positive and corrective in nature whenever possible. The City endorses the concept of progressive discipline. The severity of the discipline administered shall be no greater than necessary to achieve the desired result. The employee's record, length of service, and current perceived amenability to improve shall be considered in the assessment of discipline.
- 5.2 Employees (classified and exempt) may be disciplined for actions which would affect their ability or fitness to satisfactorily perform their assigned duties. Examples of causes for which employees may be disciplined are outlined in Section 5 of Rule IX of the Rules of the Civil Service Commission.
- 5.3 Discipline shall not be based on non-merit factors, including age, race, creed, color, religion, national origin, sex, marital status, familial status, honorably discharged veterans or military status, sexual orientation, or the presence of any sensory, mental or physical disability or the use of a trained dog or service animal by person with disabilities.

#### 6.0 PROCEDURE

##### 6.1 Preliminary Investigation.

When there is reason to believe an employee has violated a rule to such an extent that discipline involving a written reprimand or greater appears to be warranted, a preliminary investigation should be undertaken immediately. All available facts should be collected and analyzed, and the employee's personnel folder should be reviewed. If the employee is to be interviewed regarding alleged violations, the employee, prior to the interview, shall be advised by the supervisor of his or her right to representation. If this preliminary investigation substantiates the impression that a rule violation occurred, a predisciplinary hearing shall be held.

## 6.2 Predisciplinary Hearing.

The purpose of a predisciplinary hearing is to notify the employee of the allegation and to provide the employee an opportunity to rebut the allegation or offer matters in mitigation.

- 6.2.1 The scheduling of all predisciplinary hearings will be coordinated by the Human Resources Department.
- 6.2.2 The employee shall receive twenty four (24) hours' written notification of the predisciplinary hearing, including a summary of the allegation(s). (A sample notification form is available on the Human Resources intranet site.)
- 6.2.3 The employee has the right to be represented by a bargaining-unit representative, a co-worker, or an attorney at his or her expense. The employee may bring pertinent documentation and/or witnesses. Any City employee serving as a witness must have permission from his or her supervisor to attend the hearing.
- 6.2.4 The hearing will be recorded only if all participants agree.
- 6.2.5 The hearing shall be closed to friends and family of the employee and to all others, except where a legitimate City interest is involved.

## 6.3 Decision on Disciplinary Action.

After the predisciplinary hearing, the department head or designee shall, after considering the employee's responses and the recommendations made by those attending the hearing, decide whether disciplinary action is in order. If it is in order and the decision is to impose a verbal or written reprimand, the department head or designee shall do so. If the decision is to suspend, demote, or discharge, the department head in conjunction with the Human Resources Department shall initiate such action for the Mayor or Mayor's designee review and action.

## 6.4 Records

### 6.4.1 Filing of Documents.

The employee shall be given the original of the disciplinary letter, and copies shall be sent to the Human Resources Department, Civil Service Department, the employee's department, and the employee's representative or bargaining agent, if any. Notices of suspension will also be forwarded to the Retirement Department.

### 6.4.2 Retention of Documents.

Letters of demotion for cause or suspension shall be kept in the employee's personnel folder maintained in the Civil Service Department a minimum of three (3) years. Letters of reprimand shall be kept in the employee's personnel folder a minimum of two (2) years. Letters of Counseling will be kept for a minimum of one (1) year. After the minimum amount of time has elapsed and the employee has received no further disciplinary action for related incidents, he or she may request to have the document removed from his or her personnel file in Civil Service by writing to the Human Resources Director through his or her department head.

## 6.5 A classified employee who is suspended, demoted for cause, or discharged may either appeal through the Civil Service Commission or grieve the action through his or her collective bargaining agreement, but not both.

- 6.5.1 If the employee elects to appeal, the appeal must be in writing and filed with the Secretary of the Civil Service Commission within ten (10) working days from the date of service of the action on the employee.
- 6.5.2 If the employee elects to grieve, the appropriate collective bargaining agreement negotiated grievance procedure must be followed.
- 6.5.3 An employee who receives a reprimand may elect to grieve, but not appeal, that action.

## 6.6 Resources.

- 6.6.1 The Notification of Predisciplinary Hearing is available on the Human Resource's intranet site.
- 6.6.2 The Merit System Rules of the Civil Service Commission are available from the Civil Service page of the City's internet site.

## 7.0 RESPONSIBILITIES

The Human Resources Department shall be responsible for administering this policy.

## 8.0 APPENDICES

None

### APPROVED BY:

Barbara Burns  
Assistant City Attorney                      October 3, 2013

Heather Lowe  
Human Resources Director                      October 8, 2013

Theresa Sanders  
City Administrator                                      October 9, 2013

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## CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE

**ADMIN 0620-13-20 / LGL 2013-0022**

**EFFECTIVE DATE: NOVEMBER 1, 1993**  
**REVISION EFFECTIVE DATE: October 24, 2013**

**TITLE: UNPAID LEAVE OF ABSENCE**

### 1. GENERAL

1.1 This document establishes a uniform policy for the administration of unpaid leaves of absence for appointive officials and non-uniform employees in addition to Civil Service Rule X. This policy does not apply to leaves of absence provided by the Jury Duty and Subpoenas policy (ADMIN 0620-05-06) or Military Leave and Military Family Leave of Absence policy (ADMIN 0620-10-07).

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### 2. DEPARTMENTS / DIVISIONS AFFECTED

2.1 This policy applies to regular, non-uniformed employees in all City divisions and departments including appointed officials.

2.2 The provisions of this policy do not supersede the provisions of any collective bargaining agreements or Civil Service rules, and when in conflict, the specific terms and conditions of the collective bargaining agreement or Civil Service rules will prevail.



### 3. REFERENCES

City of Spokane Admin Policy 0620-05-06 – Jury Duty and Subpoenas  
City of Spokane Admin Policy 0620-10-07 – Military Leave and Military/Family Leaves of Absence  
City of Spokane Admin Policy HR 19 – Disciplinary Action  
City of Spokane Admin Policy 0620-09-22 – Illness Leave  
City of Spokane Admin Policy HR 23 – Family and Medical Leave Act

### 4. DEFINITIONS

- 4.1 “Medical leave of absence” is an absence for a prolonged illness or medical condition of the employee or the employee’s immediate family member as described in City policy HR-23 - Family Medical Leave Act.
- 4.2 “Personal leave of absence” is an absence for a compelling personal reason.
- 4.3 “Unpaid leave of absence” is time off from work without pay that is granted beyond regular paid time off.

### 5. POLICY

- 5.1 Subject to operational needs and other considerations, the City may grant a leave of absence without pay for an absence not covered by any other type of eligible leave.
- 5.2 All eligible accrued leave must be exhausted before an unpaid leave of absence may be approved.
- 5.3 All unpaid leaves of absence require approval of the department head.
- 5.4 Leave of absence will not be used in conjunction with paid leave for the sole purpose of extending or to prolong paid time off. However, this provision will not preclude a department head from reducing a position Full Time Equivalent (FTE) under 1.0 or one hundred percent (100%).
- 5.5 Normally, a leave of absence for personal reasons will not be granted during the initial probationary period.
- 5.6 If approved, a leave of absence is usually granted for no more than one hundred twenty (120) consecutive calendar days. Additional leave beyond the initial expiration date or leave beyond one hundred twenty (120) days will not be granted unless the department head and the Human Resources Director specifically approve additional leave. Employees assigned to a Civil Service classified position will not accrue classification seniority while on an approved leave of absence which may require an adjustment in seniority dates. If the employee is not granted additional leave of absence beyond the first one hundred twenty (120) consecutive days, the employee may be placed on lay off status.

### 6.0 PROCEDURES

#### 6.1 Approval Process.

- 6.1.1 Unpaid leave of absence for more than three (3) consecutive days requires a completed request form submitted through the employee’s department head to the Human Resources Director for approval prior to any such leave being approved. Substantiating proof of reason must accompany the request.
- 6.1.2 In reviewing requests for personal reasons, the approving authority will consider such factors as the demonstrated need, the employee's length of service, the employee's attendance record, the impact on the operations, replacement issues, and the likelihood of establishing an undesirable precedent.
- 6.1.3 The Human Resources Department shall distribute the approved letters to appropriate departments concerned.

#### 6.2 Impact on Benefits

- 6.2.1 Leaves of absence could result in the reduction of leave accruals. Vacation and sick leave accruals are granted only if the employee is in a paid status for eighty percent (80%) of a biweekly pay period or sixty-four (64 hours).

6.2.2 Group medical, dental and life insurance are continued during the first ninety (90) days of an approved leave of absence due to a medical reason. The premium for this coverage is continued at the same rate to the employee as prior to the medical leave of absence. After the ninety (90) day insurance extension for the medical leave is expired, the City will no longer make any contributions and the employee becomes eligible for continuing medical and dental coverage under COBRA. Employee basic life insurance coverage will cease, however the employee may elect to continue employee paid supplemental life and long-term care insurances.

6.2.3 Leave of absence for other than a medical reason will result in the loss of City contributions towards group medical, dental and life insurance beginning the first day of the month in which the employee is in an unpaid status. At this time, the employee becomes eligible for continuing medical and dental coverage under COBRA. Employee basic life insurance coverage will cease, however the employee may elect to continue employee paid supplemental life and long-term care insurances.

6.2.4 Retirement service credits are not granted for periods of leave without pay that exceed five (5) days over the employee's tenure with the City.

#### 6.3 Falsification of Authorized Leave of Absence.

If a leave is used for a purpose other than that stated, the balance of the leave may be canceled and the employee may be subject to disciplinary action as provided in City Policy, ADMIN 0620-13-19 Disciplinary Action, and/or an applicable bargaining agreement.

#### 6.4 Resources.

The Leave of Absence Request Form is available on the Human Resources page of the City's intranet site.

## 7.0 RESPONSIBILITIES

The Human Resources Department shall be responsible for administering this policy.

## 8.0 APPENDICES

None

### APPROVED BY:

Barbara Burns  
Assistant City Attorney                      October 3, 2013

Heather Lowe  
Human Resources Director                      October 8, 2013

Theresa Sanders  
City Administrator                              October 9, 2013

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**CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE****ADMIN 0620-13-41 / LGL 2013-0023****EFFECTIVE DATE: NOVEMBER 1, 1993****REVISION EFFECTIVE DATE: October 24, 2013****TITLE: COMMUTE TRIP REDUCTION (CTR) PROGRAM****1.0 GENERAL**

1.1 In 1991, the Washington State Legislature adopted the Washington Clean Air Act (RCW 70.94). Sections of the Act describe Transportation Demand Management, requiring major employers to adopt plans and programs to improve air quality, improve transportation system efficiency, and reduce non-renewable energy consumption. The City is required to develop programs that encourage the reduction of vehicle miles traveled through the use of commute alternatives to the single occupant vehicle.

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**2.0 DEPARTMENTS/DIVISIONS AFFECTED**

2.1 This policy applies directly to all qualified worksites that have one hundred (100) or more regular, fulltime City employees arriving on weekdays from 6:00 a.m. to 9:00 a.m. However, in keeping with the spirit of the Washington Clean Air Act, department heads at all City worksites are encouraged to implement this policy.

2.2 The provisions of this policy do not supersede the provisions of any collective bargaining agreements or Civil Service rules, and when in conflict, the specific terms and conditions of the collective bargaining agreement or Civil Service rules will prevail.

**3.0 REFERENCES**

RCW 70.94.521-555 – Transportation Demand Management

Chapter 15.01 Spokane Municipal Code – Commute Trip Reduction

**4.0 DEFINITIONS**

4.1 "Carpool" means a motor vehicle, including a motorcycle, which is occupied by two (2) to six (6) people of at least sixteen (16) years of age traveling together for their commute trip resulting in the reduction of a minimum of one motor vehicle commute trip.

4.2 "Commute trip" means trips made from a worker's home to a worksite during the peak period of 6:00 a.m. to 9:00 a.m. on weekdays

4.3 "CTR" means commute trip reduction.

4.4 "Compressed work week" means an alternative work schedule that allows a full-time employee to eliminate at least one (1) work day every two (2) weeks by working longer hours during the remaining days. This definition includes, but is not limited to:

- a. Four (4) – ten (10) hour shifts.
  - b. Eight (8) – nine (9)-hour shifts and one (1) – eight (8) hour shift in a bi-weekly pay period (hereinafter referred to as a 9/80 plan).
  - c. Four (4) – nine (9) hour shifts and one (1) four (4) hour telecommute shift.
  - d. Three (3) – twelve (12) hour shifts and one (1) – four (4) hour shift.
- 4.5 “Core Time” means the time during which the employee must be on the job unless leave has been approved. For example, assume that an office is open from 8:00 a.m. to 5:00 p.m. The department head may determine that all employees must be on the job from 9:00 a.m. until 11:30 a.m. and from 1:00 p.m. until 3:30 p.m. The hours from 9:00 a.m. to 11:30 a.m. and from 1 p.m. until 3:30 p.m. are the core hours or core time.
- 4.6 “Employee transportation coordinator (ETC)” means a person who is designated as responsible for the development, implementation, and monitoring of the City’s CTR program.
- 4.7 “Flexwidth” means that period of time, as determined by the department head, during which the employees’ hours of work are to be performed. For example, if an office is open from 8:00 a.m. to 5:00 p.m., the department head may determine that the work may be performed up to two (2) hours before the start of the normal work day and must end no later than two (2) hours after the end of the normal work day. Thus, the flexwidth would be from 6:00 a.m. to 7:00 p.m.
- 4.8 “Flex Time” means an alternative work schedule that allows an employee to start work at a time other than 8:00 a.m. without altering the number of working hours per week. Hours of work must fall within the flexwidth hours as determined by the department head.
- 4.9 “Home” means an employee’s place of residence or some other appropriate place.
- 4.10 “Preferential Parking” means parking spaces located close to offices or worksites for vanpools and carpools
- 4.11 “Single-Occupant Vehicle (SOV)” means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle.
- 4.12 “Telecommuting” means working arrangements in which the work place is located at least part time at an alternate location, such as the employee’s residence, or a satellite office located closer than the regular office to the employee’s residence. A telephone may be the only equipment needed; however, in some cases employees may use special telecommunications equipment such as telephone answering devices, computers, and modems.
- 4.13 “Vanpool” means a vehicle occupied by five (5) to fifteen (15) people traveling together for their commute trip resulting in the reduction of a minimum of one (1) motor vehicle trip.
- 4.14 “Worksite” means a building or group of buildings that are on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way, and at which there are one hundred (100) or more full-time employees, who begin their regular workday between 6:00 a.m. and 9:00 a.m. on weekdays, for at least twelve (12) continuous months.

## 5.0 POLICY

5.1 It is the policy of the City of Spokane to encourage employees to reduce the number of single-occupant vehicles (SOV) that are driven to City qualified worksites.

5.2 The City’s CTR program includes:

### 5.2.1 Compressed Work Week

Departments are encouraged to offer compressed work weeks when employees desire to work them and when the nature of their work is compatible with them. Represented employees may work a compressed workweek only after the schedule has been agreed to by the employee, the department, the employee’s collective bargaining unit and the Human Resources Department and a memorandum of understanding, if required, has been signed.

### 5.2.2 Flex Time

Department heads are encouraged to review their staffing requirements to determine if flextime could be implemented for their department or for specific job functions within their department and to offer flextime options to employees filling those identified positions.

### 5.2.3 Guaranteed Ride Home

An employee registered in the City's CTR program is guaranteed a ride home when the employee commutes to work other than by means of a single occupant vehicle and has to return home by means of transportation other than originally planned by the employee. The employee may arrange to take a City fleet vehicle home; may ask another employee to take him/her home in a City fleet vehicle or the co-worker's personal vehicle; or the employee may take a taxi home.

### 5.2.4 Preferential Parking

Preferential parking is based on the premise that people prefer convenient parking and can be encouraged to rideshare if given this incentive. The City will provide preferential parking, when available, to employees who vanpool or carpool. When preferential parking places are limited, the first priority for those spaces shall be given to employees who vanpool.

### 5.2.5 Telecommute

Telecommuting arrangements, when appropriate and well planned, can provide many benefits. Any of these benefits are worthwhile reasons for City departments to establish telecommuting arrangements: commute trip reduction, accommodation of employee's personal needs, need for quiet time away from office interruptions, personal preference of the employee or to accommodate social distancing measures to minimize the spread of a declared pandemic or serious epidemic disease

- a. Use of telecommuting is encouraged in situations where the work is compatible with telecommuting and where it will work to the mutual benefit of the employees, the City of Spokane, and the City of Spokane's customers. Telecommuting work arrangements must be voluntary.
- b. This policy also applies in periods of pandemic illnesses or serious epidemic illnesses when so declared by the World Health Organization (WHO) and/or the Centers for Disease Control and Prevention (CDC) and when the Spokane Regional Health District has recommended social distancing measures to minimize the spread of the virus. However, in order to provide telecommute options in these cases, the employee's job tasks must be amenable to being performed by means of telecommuting.

5.3 The City further recognizes that the laws covering the subjects discussed in this policy are subject to revision by the appropriate legislative bodies or interpretation, by the Courts through judicial decisions. Should an interpretation or revision render any part of this policy invalid, the remainder of the policy will remain in full effect pending revision to address those areas invalidated.

## 6.0 PROCEDURE

### 6.1 Compressed Work Week

- 6.1.1 Departments shall consider and are encouraged to approve requests for compressed workweeks that still allow the employee to meet operational requirements.
- 6.1.2 Employees not exempt from the overtime provisions of the Fair Labor Standards Act shall be paid overtime only for those hours that exceed the specific scheduled work hours or work hours that are performed on a day of rest if required by contract.
- 6.1.3 Employees who work a 9/80 plan and are not exempt from the Fair Labor Standards Act shall have administrative workweeks constructed so that forty (40) hours fall in each administrative workweek. For example, an employee may request to work a 9/80 plan with every other Friday off. The employee works from 8:00 a.m. to 5:00 p.m. with an hour off for lunch from noon until 1:00 p.m. on the Friday the employee works. The employee's administrative biweekly work schedule looks like this:

Sun	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	9	9	9	9	4 Noon 4			9	9	9	9	— Noon	

In this example, the employee’s administrative workweek is from noon Friday until noon Friday. By designating the administrative workweek in this manner, forty (40) hours fall in each administrative workweek and no overtime liability accrues to the City.

6.2 Flex Time

- 6.2.1 Department heads should designate departmental flexwidth and core time. Flex Time schedules must meet both the core time hours and flexwidth requirements.
- 6.2.2 Employees wishing to have flexible starting or stopping times should request flextime from their department head.
- 6.2.3 Department heads who receive a request from an employee to work a flextime schedule will determine if the department’s operational requirements are compatible with the requested flextime schedule.
- 6.2.4 Flextime schedules shall be prepared so that the City does not accrue any overtime liabilities with respect to the wording in the employee’s collective bargaining agreement.

6.3 Guaranteed Ride Home

- 6.3.1 To be eligible for the guaranteed ride home program, the employee must have commuted to work that day by transportation means other than a single occupant vehicle and experience some exigency such as illness, an accident or illness of a family member, a requirement to work unexpected overtime, or some other equally compelling situation.
- 6.3.2 The Guaranteed Ride Home Program is not available to employees for non-compelling reasons, such as wishing to take off work early or to remain near their worksite.
- 6.3.3 The Guaranteed Ride Home Program shall normally be limited to four (4) times per employee per calendar year.
- 6.3.4 An employee meeting the eligibility for a guaranteed ride home should arrange for a ride home by the quickest and most convenient means available. When circumstances permit, a City vehicle should be considered first, a co-worker’s personal vehicle second and a taxi third.
- 6.3.5 A co-worker using his/her personal vehicle to take the employee home may arrange to be reimbursed for the mileage through the City’s Accounting Department. The co-worker will not be charged leave for providing this service.
- 6.3.6 An employee taking a taxicab home must pay the driver and request reimbursement through the City’s Accounting Department.

6.4 Preferential Parking

- 6.4.1 Preferential parking spaces for van poolers and car poolers shall be designated at the unpaved City parking lot adjacent to the 800 block of West Bridge Avenue; at the parking lot north of the Water and Hydroelectric Services Department complex at 914 East North Foothills Drive; and at the Solid Waste Management Department’s parking lot east of the department’s complex located at 1225 East Marietta Avenue.
- 6.4.2 If an employee works at a different location than those listed above, and is a member of a carpool or vanpool requests preferential parking, departments are encouraged to grant the request.
- 6.4.3 Commute trip reduction coordinators at the various work sites shall be responsible for assigning preferential parking spaces in accordance with this policy.

- 6.4.4 A rider in a vanpool or carpool shall be considered a rider for the full trip if that person rides more than half of the trip in the vanpool or carpool.
- 6.4.5 Once a parking space has been assigned, it will be removed only if all City employees leave the carpool or the carpool disbands.
- 6.4.6 Should a commute trip reduction coordinator receive a request for a preferred parking space and none is available, the coordinator will attempt to secure a space at no or a reduced cost for the new vanpool or carpool. If no space can be secured, the coordinator shall place the employee's name on a waiting list.

## 6.5 Telecommuting

- 6.5.1 The employee who will work at an alternate work place, the employee's supervisor, and the employee's department head must all be in favor of the arrangement and must sign the employee telecommuting agreement. Any of these parties may terminate the telecommuting arrangement at any time, with reasonable notice. The telecommuting arrangements do not change salaries, benefits, hours of work, job responsibilities, sick leave, vacation leave, or other basic terms of employment.
- 6.5.2 All persons involved in telecommuting planning should understand that when an employee with telecommuting arrangements is working away from the office, the alternate work site becomes an official work place, and the employee is covered by workers compensation laws and procedures for work-related injuries as at any City work location. The alternate work site is that area in the home designated as the office.
- 6.5.3 Employees who will be working at least part time at an alternate work place on a regular basis over a period of time greater than one month must complete and sign a telecommuting agreement. The supervisor and department head must also sign the written agreement before the employee may begin a telecommuting assignment. The agreement also must be signed by the Human Resources, Risk Management and Information Technology Departments and the appropriate collective bargaining representative prior to the employee beginning a telecommuting assignment.
- 6.5.4 Employee Responsibilities.
  - a. In order for telecommuting to be successful and cost effective, the employee must be responsible for establishing and maintaining safe and healthful working conditions at the work place when the work place is the employee's home. Each telecommuting employee will be given a safety checklist to be completed monthly and turned into the employee's supervisor (attached to agreement). The employee must be responsible for avoiding work that is not normally part of the job when working at the regular office, such as heavy lifting and for taking normal precautions to avoid accidents.
  - b. The telecommuter must allow the supervisor and/or Risk Management and Information Technology departmental staff, if City equipment is used, to inspect the alternate work space to insure adequate health and safety conditions and to inspect City-owned equipment, with twenty-four (24)-hour notice or by mutual agreement.
  - c. When working at home, the telecommuter is responsible for providing a work environment free of interruptions and distractions that would affect performance. The employee must make arrangements with other individuals in the household to establish a good work environment. Telecommuting is not a substitute for adequate dependent care; the employee is responsible for providing adequate care for dependents while the employee is working.
  - d. The telecommuter must document time used for regular work and record personal interruptions as vacation, sick, or other leave as appropriate, as the employee would do if interrupted in the office.
  - e. City of Spokane equipment must be used only for City business, not for personal use. Employees must only use properly licensed software for City of Spokane business, and must observe software license agreements. The employee must return City equipment and computer software when requested by the employee's supervisor, or upon the termination of the telecommuting agreement.



6.5.5 Telecommuting arrangements should be based upon an employee's history of demonstrated good performance. The supervisor must consider the nature of the employee's job and the employee's demonstrated performance in deciding whether or not to approve telecommuting arrangements for that employee.

6.5.6 Work performance standards must be established and met. The performance standards for employees working at an alternate work site should be equivalent to the standards used when the employees are working at the regular office. Procedures for clocking in and out or for maintaining hours when the employee will be available by telephone or computer may be established.

#### 6.6 Resources.

6.6.1 The *Telecommuting Agreement* is available from the Forms link of the Human Resources intranet site.

6.6.2 The *CTR – Work Schedule Change Request Form* is available from the Forms link of the Human Resources intranet page.

### 7.0 RESPONSIBILITIES

The Human Resources Department, in conjunction with the City's Commute Trip Reduction Coordinator, is responsible for administering this policy and procedure.

### 8.0 APPENDICES

None

#### APPROVED BY:

Barbara Burns  
Assistant City Attorney                      October 3, 2013

Heather Lowe  
Human Resources Director                      October 8, 2013

Theresa Sanders  
City Administrator                              October 9, 2013

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# Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

**AMENDMENT**

**AMENDMENT**

**AMENDMENT**

## **POLICE COMMUNICATIONS SUPERVISOR**

SPN 282

(Announcement of 06/19/2012)

The position is amended to close the OPEN ENTRY recruitment period for the above titled announcement.

**CLOSING DATE:** Open entry applications will be accepted until the close of business on Friday, November 1, 2013. Applicants who have filed a basic application will have until the close of business on Monday, November 4, 2013, to return the Training and Experience Evaluation form.

PROMOTIONAL applications will be accepted until further notice.

# Notice for Bids

## Paving, Sidewalks, Sewer, etc.

**CALL FOR BIDS**

**REBID**

**CENTENNIAL TRAIL GAP FROM BRIDGE AVENUE TO BOONE AVENUE  
ALONG WEST SIDE OF SUMMIT BLVD**

**Engineering Services File No. 2010092**

This project consists of the construction of approximately 3275 cubic yards of excavation and embankment, 3550 square feet of segmental concrete retaining wall, 3,700 square yards of 3-inch thick HMA Cl. 3/8, PG 64-28 pavement, 475 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., November 4, 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: October 16, 23 and 30

# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

### SWITCHGEAR UPGRADE AT SWITCHYARD #1 Water & Hydroelectric Department

#### BID #3978-13

Sealed bids will be opened at 1:15 p.m., MONDAY, NOVEMBER 18, 2013, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for SWITCHGEAR UPGRADE AT SWITCHYARD #1 for the City of Spokane Water & Hydroelectric Department.

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

There will be a pre-bid conference on Friday, November 8, 2013 at 9:00 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 five (5) copies (one (1) original and four (4) copies) 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:

**“SWITCHYARD UPGRADE AT SWITCHYARD #1, BID #3978-13, DUE 11/18/13.”**

Thea Prince  
Purchasing Division

October 30 and November 6, 2013

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