



Official Gazette

City of Spokane, Washington

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

Volume 105

DECEMBER 9, 2015

Issue 49



MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

MICHAEL A. ALLEN (DISTRICT 2)

MIKE FAGAN (DISTRICT 1)

CANDACE MUMM (DISTRICT 3)

JON SNYDER (DISTRICT 2)

KAREN STRATTON (DISTRICT 3)

AMBER WALDREF (DISTRICT 1)

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Minutes

MINUTES OF SPOKANE CITY COUNCIL**November 30, 2015****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, Mumm, Snyder, Stratton, and Waldref were present.

City Administrator Theresa Sanders, Council's Policy Advisor Brian McClatchey, and City Clerk Terri Pfister were also present on the dais.

Advance Agenda Review

Council received input from staff on the December 7, 2015, Advance Agenda items.

Agreement with Spokane Public School District No. 81 (OPR 2015-0436)

Motion by Council Member Fagan, seconded by Council Member Mumm, **to table indefinitely** Consent Agenda Item No. 1 (Agreement with Spokane Public School District No. 81 to modify the current limited commission granted by the Chief of Police to allow School Resource Officers employed by Spokane Public Schools to be armed and establishing mandatory training requirements and Spokane Police Department supervisory support) and related Emergency Budget Ordinance C35266; **carried unanimously**.

Action to Approve December 7, 2015, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the December 7, 2015, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

Motion by Council Member Allen, seconded by Council Member Fagan, **to approve** the Advance Agenda for Monday, December 7, 2015 (as amended); **carried unanimously**.

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council considered the November 30, 2015, Current Agenda items.

CONSENT AGENDA

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

Accept funding from the Washington State Office of Public Defense for \$60,000 grant funds for use by the City Public Defender's Office from January 1, 2016 to December 31, 2016. (OPR 2015-0974)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through

November 20, 2015, total \$4,755,476.06 (Check Nos. 518173-518418; ACH Payment Nos. 21669-21815), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$4,722,674.43. (CPR 2015-0002)

- b. Payroll claims of previously approved obligations through November 21, 2015: \$6,682,371.82 (Check Nos. 534939 through Check No. 535135). (CPR 2015-0003)

City Council Meeting Minutes: November 16. (CPR 2015- 0013)

Low Bids Meeting Specifications (Deferred from November 23, 2015, Agenda)

Subsequent to Council inquiry and commentary and staff response, the following action was taken:

Motion by Council Member Mumm, seconded by Council Member Allen, **to approve** the Low Bids meeting specifications of:

- a. Lake City Ford (Coeur d'Alene, ID) for Ford Interceptor Police 4x4 Vehicles—\$464,055.74 (incl. tax). (OPR 2015-0961 / BID 4190-15)
- b. A&L Powersports, dba Powersports NW (Centralia, WA), for police motorcycles—\$122,000 (incl. tax). (OPR 2015-0962 / BID 4184-15)

Executive Session/Council Recess

The City Council adjourned at 4:03 p.m. No Executive Session was held. The City Council reconvened at 6:00 p.m. for the Legislative Session.

LEGISLATIVE SESSION

Pledge of Allegiance

The Pledge of Allegiance was led by Council President Stuckart.

Roll Call

Council President Stuckart and Council Members Allen, Fagan, Mumm, Snyder, Stratton, and Waldref were present.

Council's Policy Advisor Brian McClatchey and City Clerk Terri Pfister were also present on the dais.

PROCLAMATIONS

December 1 through December 13, 2015

Christmas Tree Elegance Week

Council Member Fagan read the proclamation and presented it to Kat Langenheim. The proclamation notes that one of the goals of the Spokane Symphony Associates is to provide an annual community family event *Christmas Tree Elegance* to herald the holiday season which is in its 32nd year and continues to be the largest fundraiser for the Spokane Symphony Orchestra and they are grateful for the ongoing support this memorable event receives from the Spokane community.

CITY ADMINISTRATION REPORT

Annual Report for 2015-2016 Snow Season

Andy Schenk of the Street Department provided an overview of the annual snow report from November 15 through March 15. There is a Stage 1 snow event when there is two inches on the ground and four more is predicted for that current event. A Stage 2 snow event is when there is six inches on the ground and more is expected for that current event. If it snows bad enough and staff are unable to keep up with normal snow removal plan, staff will go to the Snow Corridor Plan. Mr. Schenk provided an overview of the plowing that occurs during Stage 1 and Stage 2 events.

Human Rights Commission Update

Blaine Stum, Chair of the Human Rights Commission, provided a brief overview of the Human Rights Commission 2016 Work Plan. (A copy of the plan is attached hereto to these minutes.)

There were no **Council Committee Reports**.

There were no **Appointments**.

OPEN FORUM

Rick Bocook spoke regarding elected officials taking the oath to uphold the constitution and commented on votes of no confidence, recall, and dishonesty.

Alan McDowell spoke regarding memory programs and the idea of identification, clarification, and investigations and augmenting his files.

Bill Rosswell commented on the open forum and feels it is a great way to exercise freedom of speech.

Mara Spitzer commented on alleged misconduct and requested an independent investigation of Mayor Condon.

Henry Valder commented on the homeless. He requested that nonsense laws that are targeted against the most vulnerable be gotten rid of. He also provided other remarks.

Todd Hoerner commented on geoengineering, including cloud seeding, weather manipulation, and what are known as chemtrails.

Joan Mootry commented on covert geoengineering projects and quoted from an article entitled "Aluminum, Barium & Strontium: the New Manhattan Chemtrail Project."

George McGrath commented on Windstorm 2015 and stated it has shown where our priorities should lie and it does not include money on the books for bike trails and trails. He also commented on the idea of infill in Spokane and provided other remarks.

Michael McQuire commented on the severe windstorm (Windstorm 2015) and Avista. He suggested Avista should give energy discounts to the poor and elderly for their severe ordeal.

City Council Recess

The City Council took a recess at 6:39 p.m. in order for a special meeting of the Transportation Benefit District Governing Board to be held. The City Council reconvened at 7:02 p.m.

LEGISLATIVE AGENDA

COUNCIL SUSPENSION OF THE RULES

Adding to the Agenda for Consideration Emergency Ordinance C35329 and City Council Letter to the Mayor

Council President Stuckart requested a motion to suspend the Council rules. Subsequently, the following action was taken:

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

Council President Stuckart requested a motion to add Emergency Ordinance C35329 on household definitions to the agenda. The following action was taken:

Motion by Council Member Snyder, seconded by Council Member Fagan, **to so move (to add** Emergency Ordinance C35329 on household definitions to the agenda); **carried unanimously**.

Council President Stuckart then requested a motion to add to the agenda a letter to the Mayor regarding a recent situation. The following action was taken:

Motion by Council Member Snyder, seconded by Council Members Stratton and Allen, **to so move (to add** to the agenda a letter to the Mayor regarding a recent situation); **carried unanimously**.

Emergency Ordinance C35329

Council President Stuckart provided an overview of Emergency Ordinance C35329. Public testimony was received and Council commentary held. Council Member Snyder pointed out that, because there is a specific case in a specific neighborhood (pertaining to the current definition of a household), there has been a filing fee filed for making the appeal which is \$250. He stated there is no way the folks making that appeal could have known that the City Council was going to be coming forward to try to make this clarification. He requested that, if the City Council passes the ordinance tonight, Administration consider refunding that appeal (fee) because this (Ordinance C35329) makes the appeal moot. Subsequent to additional commentary by City Council and response by Brian McClatchey, Policy Advisor to the City Council, the following action was taken:

Motion by Council Member Snyder, seconded by Council Member Allen, **to request** that the Administration waives the \$250 appeal; **carried unanimously**.

Following final remarks by Council President Stuckart, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Emergency Ordinance C35329**—an interim zoning ordinance of the City of Spokane, Washington, relating to the definition of a household; and declaring an emergency.

City Council Letter to the Mayor (CPR 2015-0030)

Council President Stuckart provided an overview of the letter. Subsequent to public testimony and Council commentary, the following actions were taken:

Motion by Council Member Fagan, seconded by Council Member Allen, to give the Mayor at least one more week and have him reply back to the City Council in writing no later than close of business on December 11, 2015 (thereby amending the December 4 date in the letter to December 11); **passed 5-2 (Council President Stuckart and Council Member Waldref voting “no”)**.

Upon Unanimous Roll Call Vote, the City Council **approved** the City Council letter to the Mayor.

EMERGENCY BUDGET ORDINANCES**Emergency Budget Ordinance C35325**

Upon Unanimous Roll Call Vote, the City Council **passed Emergency Budget Ordinance C35325** amending Ordinance No. C35185 passed the City Council November 24, 2014, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2015, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2015, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Fire/EMS Fund

FROM: Fire Protection Services, \$500,000;

TO: Overtime-Uniform, same amount.

(This action will add revenues from State Mobilization for fire related services and associated expenditures.)

EMERGENCY ORDINANCE

For Council action on Emergency Ordinance C35329, see section of minutes above under “Council Suspension of the Rules.”

RESOLUTIONS**Resolution 2015-0122**

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2015-0122** approving the projects for the 2016-2021 Six-Year Comprehensive Street Program which will utilize Transportation Benefit District funding.

Resolution 2015-0123

Subsequent to an overview by Council Member Snyder and public testimony from one individual, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2015-0123** regarding approval of traffic calming projects from cycle five applications to be paid through the Traffic Calming Measures Fund.

FINAL READING ORDINANCES

Final Reading Ordinance C35274

The City Council considered Final Reading Ordinance C35274. Council Member Snyder provided an overview of the ordinance. Discussion was held on a proposed change at the end of the ordinance (regarding effective date; suspension) and Council Member Snyder invited Deb Conklin, Chair of the OPO Commission, to come forward to present a few other suggested changes. The following actions were taken:

Motion by Council Member Snyder, seconded by Council Member Mumm, **to strike** the word “form” and add the word “convene” [under SMC 4.32.080(A); so, it reads “...select a selection committee which shall consist...”]; **carried unanimously**.

Motion by Council Member Snyder, seconded by Council Member Mumm, **to strike** the word “at” and add the words “no later than” [under SMC 4.32.080(A); so, it reads “...the commission shall, no later than the next regular meeting...”]; **carried unanimously**.

Motion by Council Member Snyder, seconded by Council Member Waldref, **to strike** the number 5 and add the number 3 under both “A” and “F” (under SMC 4.32.080); **carried unanimously**.

Brian McClatchey, Policy Advisor to the Council, then presented proposed language to add under a Section 3 (Effective date; suspension) of the ordinance, as follows:

- A. This ordinance shall be effective thirty (30) days after enactment, provided that if the Spokane Police Officers Guild invokes or seeks to invoke mandatory bargaining under Washington law regarding this ordinance, or states a written belief that this ordinance is a mandatory subject of bargaining, within thirty (30) days of the ordinance's enactment, then the ordinance shall be effective upon the earliest date on which:*
- 1. the City and the Guild agree in writing that the ordinance is not a subject of mandatory bargaining; or*
 - 2. the issue of whether the ordinance involves a subject of mandatory bargaining is actually litigated and determined in the appropriate forum, including the exhaustion of all available appeals.*

The following action was taken:

Motion by Council Member Snyder, seconded by Council Member Mumm, **to insert** that language (as presented by Mr. McClatchey); **carried unanimously**.

Public testimony was then taken on Ordinance C35274, as amended, and Council commentary was held. Subsequently, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35274, as amended**, relating to the process of filling vacancies in the position of Police Ombudsman.

Final Reading Ordinance C35321

Subsequent to an overview of Final Reading Ordinance C35321 by Council President Stuckart and public testimony, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35321** relating to inclement weather centers for homeless individuals and families in the City of Spokane; creating new section 10.08E of the Spokane Municipal Code.

Final Reading Ordinance C35324

Subsequent to an overview of Final Reading Ordinance C35324 by Council Member Waldref and the opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35324** relating to the City of Spokane's Central Incentives Area; amending sections 13.04.2042 and 13.03.0732 of the Spokane Municipal Code.

FIRST READING ORDINANCES

The following ordinance was read for the first time with further action deferred:

ORD C35326 Of the City of Spokane, Washington, adopting a Six-Year Citywide Capital Improvement Program for the years 2016 through 2021, and amending Section 5.5 Capital Facilities Program of the City of Spokane Comprehensive Plan.

For Council action on Final Reading Ordinance C35327, see section of minutes under “Hearings.”

SPECIAL CONSIDERATIONS**Allocation of Lodging Tax Revenue to the Spokane Public Facilities District (OPR 2015-0975)**

Subsequent to an overview by Council Member Stratton, Council commentary, and public testimony from one individual, the following action was taken:

Upon 6-1 Roll Call Vote (Council Member Fagan voting “no”), the City Council **approved** the allocation of Lodging Tax Revenue to the Spokane Public Facilities District for the conceptual design of the Sportsplex—\$100,000.

HEARINGS**Hearing on Vacation of Park Court and Related First Reading Ordinance C35327**

The City Council held a hearing on the vacation of the north 66 feet of Park Court and a portion of an un-named right-of-way that is north of Mission Avenue and east of South Riverton Avenue as requested by Whipple Consulting Engineers (Chief Garry Park Neighborhood). Public testimony was received from one individual. Council inquiry and discussion ensued, with response by Eldon Brown of the Development Services Center. Subsequently, the following action was taken:

Motion by Council Member Snyder, seconded by Council Member Allen, **to add conditions** to the vacation that we would need to block the turn movements from crossing a lane there on Mission, with an expiration in five years if the project is not built; **carried 6-1 (Council Member Mumm voting “no”).**

Prior to taking the above action, Council Member Waldref clarified that it would only be put in if the project is built. Council Member Snyder indicated that is correct. Subsequently, action was taken as follows:

Upon Unanimous Roll Call Vote, the City Council **approved, subject to conditions** (in the Planning and Development Services Street Vacation Report dated November 11, 2015, as amended), the vacation of the north 66 feet of Park Court and a portion of the adjacent alley.

In conjunction with the hearing, related Ordinance C35327—vacating the north 66 feet of Park Court and a portion of the adjacent alley—was read for the first time, with further action deferred.

SECOND OPEN FORUM

Kayloni Bonne commented on freedom of speech.

Cherrie Barnett remarked on *The Spokesman Review*. In addition, she spoke about enforcement of laws to protect citizens and particularly military citizens when there are known threats, and she provided other remarks.

Gabriel Elliot reiterated there is a Sunday meditation class focusing on the teachings of the guru maharaja, Sundays at noon at the Unity Spiritual Center South of Spokane. He also provided other remarks.

Stephen Macko proposed on finding the units of pi to find an exact unit of pi and to find more mass in area and volume using pi in circles and the Holy Bible.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 8:33 p.m.

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

MINUTES OF SPOKANE CITY COUNCIL**November 23, 2015****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 Fagan, Mumm, Snyder, Stratton, and Waldref were present. Council Member Allen was absent.

City Administrator Theresa Sanders, Council's Policy Advisor Brian McClatchey, and City Clerk Terri Pfister were also present on the dais.

Advance Agenda Review

Council received input from staff on the November 30, 2015, Advance Agenda items.

Action to Approve November 30, 2015, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the November 30, 2015, 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 Waldref, **to approve** the Advance Agenda for Monday, November 30, 2015; **carried unanimously (Council Member Allen absent)**.

Salary Review Commission – Establishment of Mayor's Salary

City Clerk Terri Pfister reported on the Salary Review Commission's decision establishing the salary of the Mayor of the City of Spokane. The report was filed in the City Clerk's Office on November 17, 2015. The Commission's recommendation is as follows:

Based upon the information reviewed and the data analyzed, and recognizing that the position of Mayor is one of elected public service and, therefore, held to distinct compensation standard, it is the unanimous decision of the Salary Review Commission to recommend that the established annual salary schedule for the Mayor of the City of Spokane be adjusted as follows, effective January 1, 2016:

- *Decrease the salary from the current rate of \$179,484 to the rate of \$168,00 per year; a decrease of \$11,484 or 6.4%.*

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council considered the November 23, 2015, Current Agenda items.

Suspension of Rules to Consider Postponement of Public Hearings Regarding Parking and Business Improvement Areas (RES 2015-0108 and RES 2015-0110)

Motion by Council Member Fagan, seconded by Council Member Mumm, **to suspend** the Council Rules; **carried unanimously (Council Member Allen absent)**.

Motion by Council Member Fagan, seconded by Council Member Waldref, **to add** Items 17a and b (to the Consent Agenda); **carried unanimously (Council Member Allen absent)**.

CONSENT AGENDA

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

Set Hearing for December 7, 2015 for the Citywide Capital Improvement Program, 2016-2021. (Various Neighborhood Councils) (PRO 2015-0040)

Seven Water Quality Combined Financial Assistance Agreements with the State of Washington Department of Ecology for grant funding to reduce the untreated sewer and stormwater discharging to the Spokane River—\$4,359,675 revenue. (OPR 2015-0960)

Amendment adding the purchase of four additional Wavetronix Smartsensor Radar Detection Systems—increase of \$87,635.16. Total not to exceed \$128,500. (OPR 2015-0850)

Contract with McMillen LLC (Boise, ID) for the Upriver Dam Spillway Rehabilitation Phase II. Construction will be for the downstream concrete apron, spillway drains, energy dissipation blocks, pier abutment steel plate anchoring, and trunnion arm reinforcement—\$1,686,879. (PRO 2015-0039 / BID 4181-15)

Value Blanket Order with Cabot Norit Activated Carbon (Marshall, TX) for the purchase of Activated Carbon for the Waste to Energy Facility—\$70,000 (incl. tax). (OPR 2015-0963 / RFP 4174-15)

Renewal of Value Blanket Orders with:

- a. Brenntag Pacific, Inc., (Santa Fe Springs, CA) for purchase of Anhydrous Ammonia and Phosphoric Acid for 2016—\$692,000. (OPR 2015-0964 / BID 4057-14)
- b. Atlas Copco, (Arlington, WA) for compressor rental during scheduled outages, and on an as needed basis from January 1 through December 31, 2016—\$113,915.60. (OPR 2015-0965 / BID 4066-14)
- c. W.W. Grainger, Inc., for miscellaneous operating supplies for the Waste to Energy Facility—\$110,000. (OPR 2015-0966)

Renewal of Contracts with:

- a. Big Sky Industrial (Spokane WA) for vacuum support services at the Waste to Energy Facility for January 1 through December 31, 2016—\$150,000. (OPR 2015-0967 / BID 4090-14)
- b. Konecranes, Inc., (Spokane Valley, WA) for quarterly crane/hoist/trolley and lifeline preventative maintenance inspections and scheduled and unscheduled service calls at the Waste to Energy Facility—not to exceed \$136,418.68. (OPR 2015-0969 / BID 4075-14)

Contract Extension with Bay Valve Service, LLC, (Longview, WA) for on-site valve repair services at the Waste to Energy Facility, January 1 through December 31, 2016—\$100,000. (OPR 2015-0098 / RFP 4091-14)

Contract Extensions with US Bank for banking services:

- a. Extension No. 1 through July 31, 2015—estimated annual expenditure \$200,000. (OPR 2011-0537)
- b. Extension No. 2 through July 31, 2016—estimated annual expenditure \$200,000. (OPR 2011-0537)

Amendment to Assignment of Wheelabrator Service Agreement with Brand Energy (Tacoma, WA) for Scaffolding Services at the Waste to Energy Facility—\$75,500. (OPR 2014-0883)

Allocation recommendations by the Community, Housing and Human Services Board to multiple projects under the Homeless Housing Operations and Services RFP to support an integrated system of homeless housing assistance from January 1, 2016, through June 30, 2017, and authorize CHHS to enter into multiple contracts with awarded agencies. (OPR 2015-0970)

Consultant Agreements for Spokane Federal Aid Projects from January 1, 2016 to December 31, 2017 with:

- a. Historical Research Associates (Missoula, MT) for Cultural Resource Consultant Services—not to exceed \$200,000. (Various Neighborhood Councils) (OPR 2015-0971 / ENG 2015172 / RFQ 4179-15)
- b. Budinger & Associates (Spokane, WA) for Geotechnical Engineering—not to exceed \$200,000. (Various Neighborhood Councils) (OPR 2015-0972 / ENG 2015173 / RFQ 4180-15)

Contract with the firm of Keating, Bucklin & McCormack, Inc., P.S. to provide Special Counsel regarding the matter of the Estate of Lorenzo Hayes—\$250,000. (OPR 2015-0973)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through November 13, 2015, total \$5,974,049.63 (Check Nos. 517870-518169; ACH Payment Nos. 21503-21668), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$5,867,530.31. (CPR 2015-0002)

City Council Meeting Minutes: November 5, 2015, November 9, 2015 and November 12, 2015. City Council Meeting Minutes: November 2, 2015. (CPR 2015- 0013)

December 14, 2015 Public Hearing Regarding the East Sprague Parking and Business Improvement Area – Resolution 2015-0108 setting forth the City Council's Resolution of Intention to form the East Sprague Parking and Business Improvement Area established a December 14, 2015 public hearing. This hearing date shall be postponed to early 2016 pending the adoption of a new resolution. (RES 2015-0108)

December 14, 2015 Public Hearing Regarding the Hillyard Parking and Business Improvement Area – Resolution 2015-0110 setting forth the City Council's Resolution of Intention to form the Hillyard Parking and Business Improvement Area established a December 14, 2015 public hearing. This hearing date shall be postponed indefinitely. (RES 2015-0110)

Low Bids of Lake City Ford (OPR 2015-0961 / BID 4190-15) and A&L Powersports (OPR 2015-0962 / BID 4184-15)
Motion by Council Member Mumm, seconded by Council Member Snyder, to defer the following items for one week (to November 30, 2015, Agenda); **carried unanimously (Council Member Allen absent):**

Low bids meeting specifications of:

- a. Lake City Ford (Coeur d'Alene, ID) for Ford Interceptor Police 4x4 Vehicles—\$464,055.74 (incl. tax). (OPR 2015-0961 / BID 4190-15)
- b. A&L Powersports, dba Powersports NW (Centralia, WA), for police motorcycles—\$122,000 (incl. tax). (OPR 2015-0962 / BID 4184-15)

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 Legislative Session.

LEGISLATIVE SESSION

Pledge of Allegiance

The Pledge of Allegiance was led by Council President Stuckart.

Roll Call

Council President Stuckart and Council Members Fagan, Mumm, Snyder, Stratton, and Waldref were present. Council Member Allen was absent.

Council's Policy Advisor Brian McClatchey and City Clerk Terri Pfister were also present on the dais.

PROCLAMATIONS

November 28, 2015 *Small Business Saturday*

Council Member Mumm read the proclamation and presented it to Ann Marie Axworthy and Heather Hamlin. The proclamation supports our local businesses that created jobs, boost our local economy, and preserve our neighborhoods, along with the many advocacy groups as well as public and private organizations across that have endorsed the Saturday after Thanksgiving as small business Saturday.

CITY ADMINISTRATION REPORT

Windstorm Update - #InlandStrong

Mayor Condon stated that since the windstorm started on November 17, the community has endured an incredible week marked by unprecedented power outages, devastation to the City's urban forest, significant damage to homes, vehicles,

and businesses caused by those trees and the tragic loss of two lives. He further stated by neighbors helping neighbors there is an incredible can-do spirit that we've been calling #InlandStrong. Images were displayed that were taken during the last week and the Mayor provided an overview of how we have responded and where the community has come. He then introduced Steve Trabun of Avista Utilities who provided an update on the power restoration efforts. He noticed the windstorm is the worst weather event that Avista has experienced in its 126-year history. He indicated that, at the height of the storm last Tuesday, 180,000 of our customers were without power. He stated he is pleased to report that as of tonight 85 percent of the customers have been restored. He indicated Avista is committed to restoring the power for the additional 27,000 in the community and in the region.

Mayor Condon stated that on November 17, he asked that City Hall be closed at 3:00 p.m. and he encouraged other large employers and schools to close because the peak of the storm was going to be right at the commute hour. He noted that actually at the EOC that evening the storm peaked roughly at about 7:20 p.m. He noted at the beginning there were 60 intersections without signals and noted that as of today only 9 intersections remain without power. Mayor Condon then provided an overview of the emergency response. He stated that, as any emergency, Police and Fire played a critical role especially in the first 24 hours. He noted the Fire Department and the Police Division helped to organize the community in advance of the storm and prepare for a very busy day. He noted that 2,289 calls to the 9-1-1 system between 1:00 p.m. and 9:00 p.m. on the day of the storm. The Mayor also spoke regarding the volunteers who reached out to those affected by the storm and he mentioned some of the nonprofits that have been critical to the response.

The Mayor also spoke about the cleaning up of the community. He noted that over 727 trees were down in the public right of way. As of today, crews have removed 589 trees from the right of way. The Mayor noted that some people have asked how the City will pay for its response, particularly the extension of free services. He stated that we'll pay for it within our existing budgets, and our reserves. In addition, he noted the Governor will be visiting tomorrow and the City will be working with State and Federal agencies to get the eligible expenses reimbursed.

Council Members then each provided updates on schools, the Governor's trip, Thanksgiving dinners and warming locations and provided other remarks in relation to the storm.

Washington State Department of Transportation (WSDOT) – City Project of the Year

Kathleen Davis, Director of Local Programs within Washington State DOT, commented on the Excellence Award Program, which is collaboration between the Federal Highway Administration and the Washington State Department of Transportation to recognize local agencies that excel in safety, community engagement, sustainability, construction management, and the delivery of federal aid projects. She noted there are four award categories: Best City, Best County, Director, and Special. Ms. Davis stated she is delighted to award the City with the Best City project for the Centennial Trail Gap and Summit Boulevard. She indicated the project was selected due to several factors: community partnership as well as the City's steadfast commitment to getting the trail done. She recognized several individuals and provided congratulatory remarks. The Mayor also provided remarks regarding the Gap project.

There were no **Council Committee Reports**.

APPOINTMENTS

Citizens Transportation Advisory Board (CPR 2011-0003) and Historic Landmarks Commission (CPR 1981-0122)
Upon Unanimous Roll Call Vote in the affirmative (Council Member Allen absent), the City Council approved the following appointments:

Citizen Transportation Advisory Board

- Appointment of John Dietzman to the PCTS position.

Historic Landmarks Commission

- Reappointment of Lynn Mandyke to the Historian position for a term of January 1, 2016 to December 31, 2018.
- Reappointment of Wendy Budge to a City at Large position for a term of January 1, 2016 to December 31, 2018.
- Reappointment of Ann Sharley to the Archaeologist and Architectural Historian position for a term of January 1, 2016 to December 31, 2018.
- Reappointment of Randall Wilson to the Architect position for a term of January 1, 2016 to December 31, 2018.

OPEN FORUM

Henry Valder commented on warming centers. He also questioned why the Council can't open the meeting with prayer. He also referenced NASCAR and provided other remarks.

Mara Spitzer noted she lives in Canterbury Court which was on the news and thanked Karen Stratton for responding so quickly. She commented on some of the problems in buildings in Spokane and stated that some buildings may have structural damage, especially the ones on the hill.

Bill Boomer questioned why over 16,000 businesses have to pay for their business licenses and the drivers have to pay for their licensing to drive taxis in the Spokane area but that Uber and Lyft are paying nothing.

Tracy Springberry commented that she supports a tax on guns that would be used to pay for mental health programs. She remarked that while school shootings are shocking and horrifying, most gun deaths are painful, lonely desperate events. She also remarked on depression.

Bill Rosswell remarked on the First Amendment and freedom of speech. He indicated that open forum is a good way for citizens to speak and that open forum should be kept.

George McGrath commented on Windstorm 2015 and protecting the citizens. He also commented that most of the power in the City is almost overhead and remarked on the primary purposes for Avista.

David Brookbank commented on the difficulty in being able to get online. He noted that 450 communities run broadband networks and public utility internet. He provided remarks regarding public utilities and referenced an article in the *New York Times*.

LEGISLATIVE AGENDA

EMERGENCY BUDGET ORDINANCES

Emergency Budget Ordinance C35323

Upon Unanimous Roll Call Vote (Council Member Allen absent), the City Council **passed Emergency Budget Ordinance C35323** amending Ordinance No. C35185 passed the City Council November 24, 2014, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2015, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2015, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Golf Debt Service Fund

FROM: Unappropriated Reserves, \$40,000;

TO: Golf Fund, same amount.

(This action provides necessary changes in the appropriations of the Golf Debt Service Fund as part of the 2005A LTGO Refinancing and Debt Restructure.)

There were no **Emergency Ordinances**.

RESOLUTIONS

Resolution 2015-0121

Council Member Snyder provided an overview of Resolution 2015-0121 regarding the adoption of the City of Spokane's 2016 Washington State Legislative Agenda. He proposed some language changes to one of the top priorities, which he received from the County. He first noted the Council is trying to be cooperative with the County on two items: one has to do with the sports-plex and the second has to do with mental health and substance abuse funding. Council Member Snyder stated he's been advised the Regional Support Networks are going to change names to Regional Behavioral Health Organizations, and so he proposed the Legislative Agenda be amended to read: "Changes to Regional Support Networks/Regional Behavioral Health Organizations..." Subsequently, the following action was taken:

Motion by Council Member Snyder, seconded by Council Member Mumm, **to make** the text change (so it reads "Regional Support Networks/ Regional Behavioral Health Organizations"); **carried unanimously (Council Member Allen absent)**.

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

Upon Unanimous Roll Call Vote (Council Member Allen absent), the City Council adopted Resolution 2015-0121 regarding the adoption of the City of Spokane's 2016 Washington State Legislative Agenda (as amended).

FINAL READING ORDINANCES

Final Reading Ordinance C35320

Upon Unanimous Roll Call Vote (Council Member Allen absent), the City Council passed Final Reading Ordinance C35320 of the City of Spokane relating to local improvement districts; establishing Consolidated Local Improvement District No. 224A and a consolidated local improvement district bond redemption fund; fixing the amount, form, date, interest rate and maturity of the Consolidated Local Improvement District No. 224A Installment Note; providing for the purchase of that Note by the City from funds on deposit in the Spokane Investment Pool; and defining the interest rate on local improvement district assessment installments.

FIRST READING ORDINANCES

The following ordinances were read for the first time with further action deferred:

- ORD C35274** Relating to the process for filling vacancies in the position of police ombudsman; amending SMC section 4.32.080 and SMC section 4.32.090. (Deferred from November 9, 2015, Agenda)
- ORD C35321** Relating to inclement weather centers for homeless individuals and families in the City of Spokane; creating new section 10.08E of the Spokane Municipal Code.
- ORD C35324** Relating to the City of Spokane's Central Incentives Area; amending sections 13.04.2042 and 13.03.0732 of the Spokane Municipal Code.

There were no **Special Considerations**.

HEARINGS

Hearing on 2015 Proposed Budget (continued from November 16, 2015, Agenda)

The City Council continued its hearing on the 2016 Proposed Budget. Chief Williams provided an overview of the budget for the Fire Department and Interim Police Chief Rick Dobrow provided an overview of the budget for the Police Division; and each responded to Council inquiries. Subsequent to Council inquiry and commentary, and the opportunity for public testimony, with none provided, the following action was taken:

Motion by Council Member Fagan, seconded by Council Member Waldref, to so move **(to close the Hearing); carried unanimously (Council Member Allen absent)**.

Subsequently, Council President Stuckart presented two proposed amendments to the budget. The following actions were then taken:

Motion by Council Member Snyder, seconded by Council Member Stratton, **to move** \$15,000 from the General Fund-Unappropriated Reserves to Human Services Contractual Services Budget for matching funds for capital for Transitions—this would go to 0300-53010-65400-54201; **carried unanimously (Council Member Allen absent)**.

Motion by Council Member Snyder, seconded by Council Member Mumm, **to reduce** professional services - 54101 line item - in the Mayor's Office budget by \$54,000 and increase the professional services budget- 54101 line item in the Council Office budget by the same amount for access to the state lobbying funds – this is from 0520-36200-13100-54101 (Mayor) to 0320-36100-1100-54101 (Council); **carried unanimously (Council Member Allen absent)**.

The City Council then provided commentary on the Total Proposed 2016 Budget, as amended. Subsequently, the following action was taken:

Upon 5-1 Roll Call Vote (Council Member Fagan voting “no” and Council Member Allen absent), the City Council passed Final Reading Ordinance C35322, as amended, adopting the Annual Budget of the City of Spokane for 2016, making appropriations to the various funds of the City of Spokane for the year ending December 31, 2016, and providing it shall take effect immediately upon passage.

SECOND OPEN FORUM

Randy McGlenn thanked the community and employees of Avista, emergency response services, and all those who helped the folks in need as a result of the windstorm. He commented that traffic became a nightmare as a result of the windstorm. He proposed that the Council consider within their emergency management plan is if there could be trained volunteers who could be provided knowledge in helping to manage traffic so that in cases where signals are out, personnel could be at those intersections helping to direct traffic.

Gabriel Elliot announced the weekly meditation of the signs of spirituality held at the Unity Spiritual Center in South Spokane on Sundays. He also provided other remarks.

Cherrie Barnett commented on the windstorm. In addition, she remarked on taxing guns and stated that emotional problems and depression do not have to take away Second Amendment rights.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 8:00 p.m.

Hearing Notices

RESOLUTION NO. 2015-0120

A RESOLUTION SETTING THE ASSESSMENT ROLL HEARING FOR THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA (BUSINESS IMPROVEMENT DISTRICT – BID) AND PROVIDING NOTICE OF THE 2016 ASSESSMENTS TO BUSINESS AND PROPERTY OWNERS

WHEREAS, pursuant to the laws of Washington State and City Ordinance C-32923, as revised, the City Council intends to hold a hearing on the assessments levied upon businesses and properties within the Downtown Parking and Business Improvement Area (PBIA); and

WHEREAS, through this Resolution, the City Council intends to provide notice that there will be a hearing upon the assessment roll prepared under the above-identified Ordinance.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE SPOKANE CITY COUNCIL:

1. Notice is hereby given that the assessment rolls for businesses and properties prepared under Ordinance C-32923, as revised, will be on file in the Office of the City Clerk on the 16th day of November 2015, and are open for public inspection.
2. The City Council has fixed the 14th day of December 2015 at 6:00 p.m., or as soon thereafter as practicable in the City Council Chambers of the Municipal Building, as the time and place for hearing upon said rolls.
3. The City Council declares its intent to impose special assessments in a manner that measures special benefits from each of the purposes set forth in Ordinance C-32923, as revised. The special assessments will finance the PBIA (BID) budgets and programs approved by the City Council.
4. All persons who may desire to object to the assessment roll shall make their objections in writing and file them with the City Clerk at, or prior to the date fixed for hearing.

At the time and place fixed, and at such other times as the hearing may be continued to, the City Council will consider the assessment roll as a board of equalization for the purpose of considering objections or comments made thereto, or any part thereof, and may correct, revise, raise, lower, change or modify such roll, or any part thereof, or set aside such roll and order that such assessments be made de novo, or take such other action as the circumstances may warrant, including confirmation of the assessment rolls.

This is the only hearing held on the assessment roll, and it will be final unless appealed according to City Ordinance C-32923.

5. Business & Developer Services is directed to mail, at least fifteen days before the date fixed for hearing, a notice to the business and property owners identified in the assessment rolls setting forth the date and time of public hearing, including the amount of the special assessment.

6. The City Clerk is directed to publish notice of the hearing on the assessment rolls in the Official Gazette for two consecutive weeks, the last publication being one week before the date fixed for public hearing.

ADOPTED by the City Council this 16th day of November 2015.

Publish: November 25, December 2 & 9, 2015

General Notices

NOTICE

NOTICE IS HEREBY GIVEN that the regular meeting of the SPOKANE CIVIL SERVICE COMMISSION will be conducted at 9:30 a.m., Tuesday, December 15, 2015 in the Council Chambers on the Lower Level, City Hall, 808 W. Spokane Falls Boulevard, Spokane, WA. 99201.

Items on the Agenda are as follows:

Approval of Minutes
Staff Activities
Classification Resolution
Request for Review of Administrative Decision
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 9:15 a.m. December 15, 2015, in the Council Chambers.

Dated at Spokane, Washington, this 3rd day of December, 2015.

CHERYL BECKETT
Chair

GITA GEORGE-HATCHER
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. on Monday, December 14, 2015.

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 Chris Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or ccavanaugh@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. Cavanaugh at (509) 625-6383 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

SPOKANE CITY-COUNTY HISTORIC LANDMARKS AGENDA

December 16, 2015

**City Council Briefing Center, Lower Level, City Hall
808 W. Spokane Fall Blvd.**

I. Study Session: 2:30 P.M.

A. Spokane Register Historic Districts

II. Public Hearing: 3:00 P.M.

B. Spokane Register Nominations (per SMC 17D.040.090):

1. Eikenbary-Pierce House – 1303 S. Bernard St.
2. Vinther and Nelson Hardware Building – 706 N. Monroe St.

C. Special Valuation Application (per SMC 17D.040.310):

1. Bickett Hotel – 227 W. Riverside Ave.
2. Richmond Hotel – 228 W. Sprague Ave.
3. Bonsall-Taylor House – 2728 S. Manito Blvd.

C. Review Application for Demolition (per SMC 17D.040.230):

1. Ridpath Skywalk Demolition – 501 W. 1st Ave.

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Ordinances

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

ORDINANCE NO. C-35274

An ordinance relating to the process for filling vacancies in the position of police ombudsman; amending SMC section 04.32.080 and SMC section SMC 04.32.090.

The City of Spokane does ordain:

Section 1. That section 04.32.080 of the Spokane Municipal Code to read as follows:

Section 04.32.080 Appointment

- A. Whenever there is a vacancy in the police ombudsman position due to expiration of term, resignation, sickness, death, retirement, conflict of interest, or any other reason, the commission shall, no later than the next regular meeting following its receipt of notice of the vacancy, convene a ((A)) selection committee which shall consist of five members, and which shall forward to the commission its (((committee) will be formed that will recommend)) recommended list of no more than three candidates for the police ombudsman ((OPO)) position, one of which shall be selected. ((to the commission, one of which must be selected.)) The committee shall be composed of:
1. one member appointed by the Spokane Police Officers Guild,
 2. one member appointed by the Lieutenants and Captains Association,
 3. one member appointed by the city council,
 4. one member appointed by the mayor, and
 5. the fifth member selected by the other four members.
- B. ~~((The commission must appoint one of the three individuals recommended by the committee to the OPO position.))~~
The five member selection committee will select the committee's chair.
- C. The commission shall, within forty-five (45) days of its receipt of notice of a vacancy in the police ombudsman position, appoint an interim police ombudsman for a term not to exceed twelve (12) months. Should a permanent ombudsman not be selected and hired within the term of the interim police ombudsman, the commission may, with the prior approval of the city council, extend the interim police ombudsman's term for six (6) months. If the commission fails to appoint an interim ombudsman, the city council shall appoint an interim ombudsman, to serve until the permanent police ombudsman is hired.
- D. In order to remain prepared for future vacancies, the commission should maintain a list of applicants for the positions of interim and permanent police ombudsman from which future interview pools can be drawn.
- E. Any period of service as interim police ombudsman, by itself, shall not disqualify the person holding that office from being considered for the permanent police ombudsman position.
- F. The selection committee shall, according to its own process and organizing principles, forward a list of no more than three (3) qualified candidates for the position of permanent police ombudsman to the commission no later than one hundred twenty (120) days from the committee's formation. For purposes of this section, the "committee's formation" occurs when the final member of the committee is seated.
- G. No later than sixty (60) days after receiving the selection committee's list of qualified candidates for the position of permanent police ombudsman, the commission shall select one of the individuals on the list for appointment as permanent police ombudsman.

Section 2. That section 04.32.090 of the Spokane Municipal Code is amended to read as follows:

Section 04.32.090 Term

- A. The appointment of the police ombudsman shall be for an initial three-year term.
- B. A current police ombudsman may be reappointed for additional terms not to exceed three years upon reappointment by the commission. If commission does not approve the reappointment prior to the expiration of the appointment term, the appointment term shall expire at the end of the term.
- C. ~~((Should a vacancy in the position occur, due to expiration of term, resignation, sickness, death, retirement, conflict of interest, or any other reason, the commission appoints an interim police ombudsman for a term not to exceed four months, in compliance with the appointment process stipulated in SMC 4.32.080. The selection committee referenced in SMC 4.32.080 must meet within thirty days of notification by the commission of the need to appoint an interim police ombudsman.))~~

Section 3. Effective date; suspension.

- A. This ordinance shall be effective thirty (30) days after enactment, provided that if the Spokane Police Officers Guild invokes or seeks to invoke mandatory bargaining under Washington law regarding this ordinance, or states a written

belief that this ordinance is a mandatory subject of bargaining, within thirty (30) days of the ordinance's enactment, then the ordinance shall be effective upon the earliest date on which:

1. the City and the Guild agree in writing that the ordinance is not a subject of mandatory bargaining; or
2. the issue of whether the ordinance involves a subject of mandatory bargaining is actually litigated and determined in the appropriate forum, including the exhaustion of all available appeals.

Passed by City Council November 30, 2015

Delivered to Mayor December 4, 2015

ORDINANCE NO. C35321.

An ordinance relating to inclement weather centers for homeless individuals and families in the City of Spokane; creating new section 10.08E of the Spokane Municipal Code.

WHEREAS, homelessness is an ongoing issue of concern in the City of Spokane; and

WHEREAS, Spokane's homeless population is particularly susceptible to the effects of extreme weather and other emergency conditions; and

WHEREAS, The City Council finds that it is important for the protection of the general welfare of the citizens and residents of the City to codify provisions for inclement weather centers for homeless individuals and families in Spokane which had been provided for by resolution from time to time.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That a new chapter 10.08E within Title 10 of the Spokane Municipal Code is enacted to read as follows:

Chapter 10.08E Inclement Weather Centers

Section 10.08E.010 Legislative findings and purposes

- A. Centers for the protection of homeless individuals and families during inclement weather is vital, whether due to extreme cold, extreme heat, poor air quality conditions, severe storms, or other types of civil emergencies.
- B. The City Council has, from time to time in the past, passed resolutions stating the guidelines and triggering conditions for the activation of emergency warming centers in the City of Spokane, noting that extreme weather conditions can create an extreme danger for homeless people in Spokane and puts a great strain on service providers.
- C. This chapter is intended to codify and supersede those prior resolutions, including, most recently, Resolution No. 2014-0018 (Feb. 24, 2014).

Section 10.08E.020 Activation Criteria

- A. The activation criteria for inclement weather centers in the City of Spokane as follows:
 1. Warming centers will be activated on each day during which the temperature is predicted by the National Weather Service to be twenty (20) degrees Fahrenheit or lower and designated shelter space was at ninety percent (90%) capacity or greater during the previous night. The City may, by contract with its center provider, raise the activation temperature for warming centers, but in no event will the activation temperature be higher than thirty-two (32) degrees Fahrenheit.
 2. Cooling centers will be activated when the temperature is predicted by the National Weather Service to be 100 (one hundred) degrees Fahrenheit or higher for three (3) consecutive days or more.
 3. Safe air centers will be activated for any day on which the Spokane Regional Clean Air Agency forecasts the current air quality index to reach 250 or higher.
 4. Emergency centers may also be activated by the Mayor or the Mayor's designee on any day in which a civil emergency or extreme storm or weather condition exists or is predicted to occur and which, in the determination

of the Mayor or the Mayor's designee, poses a severe threat to the health or safety of homeless individuals and families in the City of Spokane.

- B. The Community Health and Human Services ("CHHS") Department shall implement the appropriate policies and procedures, including without limitation making funding requests; recommendations regarding center providers; the designation of specific locations to be used as warming, cooling, and safe air centers; and the arrangement of other appropriate measures to the City Council in order to carry out the specific provisions and intent of this section.

Passed by City Council November 30, 2015

Delivered to Mayor December 4, 2015

ORDINANCE NO. C35324.

An ordinance relating to the City of Spokane's Central Incentives Area; amending sections 13.04.2042 and 13.03.0732 of the Spokane Municipal Code.

WHEREAS, development incentives can and should be targeted to those areas where they will do the most good for a variety of measures; and

WHEREAS, Council members and staff have worked to develop an incentive framework which provides for focused, accountable, clear, and measurable outcomes; and

WHEREAS, the Council passed Resolution 2015-0084 to give staff direction on how best to proceed with the process, including a request that staff recommend specific ordinance and/or policy changes to put the incentives strategy into effect; and

WHEREAS, an amendment to the City's existing Empowerment Zone is needed to conform the specified areas with the incentives measures under consideration.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That section 13.04.2042 of the Spokane Municipal Code is amended to read as follows:

Section 13.04.2042 Water General Facilities Charge – Schedule of Charges

A. Findings – General Facilities Charge (GFC).

The ~~((city council))~~ City Council finds:

1. under the previous system providing for collection of latecomer connection charges under chapter 35.91 RCW or special connection charges under RCW 35.92.025, customers happening to connect in certain areas must pay extra costs, although the primary benefit of access to the public water system is the same to a new customer, whether the customer is within or outside an area subject to such special connection charges. Additionally, upgraded customers moving from a smaller to a larger connection capacity gain additional system benefits, but may otherwise escape paying a special connection or latecomer charge, once having connected and paid an initial connection charge based on a smaller size connection.
2. undue administrative burdens and costs are created in administering various connection and latecomer charges, each of which may have differing trigger dates and which may also have differing limits in terms of allowable interest accruing on such payments as well as the period or periods such charges may be collected.
3. there is a system-wide benefit, served by a uniform, adjustable GFC, in encouraging system growth through infilling certain unserved areas and considering that expanding the overall customer ratebase and customer densities will reduce fixed costs which must otherwise be spread over all classes of ratepayers.
4. it is in the public interest to provide for a more uniform rate structure and to replace individual area connection or latecomer fees with a single GFC rate, except only as may be distinguished by the size of connection or connection upgrade, as provided hereafter.
5. it is further in the public interest that those adding additional costs or burdens to the City water system by creating need and demand for new system growth and infill needs in the City water system should pay a GFC therefore. Such customers should be treated and classified in common with customers formerly also subject to a

special connection or latecomer connection charge, so that only one uniform GFC should be paid by all customers with new or upgraded utility service.

C. Findings; ~~((Empowerment Zone))~~ Central Incentives Area.

The ~~((city council))~~ City Council finds:

1. Washington State's growth management laws, including RCW 36.70A.110, encourage development first within existing urban areas before moving to other areas.
2. the City of Spokane's comprehensive plan and state growth management policies encourage the "infilling" of developed areas that still have some growth capacity. A consequence of not doing this is sprawling development out in long corridors or scattered areas, making the extension of needed urban services more expensive and less efficient for the public.
3. costs of encouraging development in more densely populated areas already served by existing utility lines is lower than extending new lines to more remote undeveloped areas. Existing utility lines are installed and designed to serve the full growth potential of an area, so it is an unwise use of resources to continue extending lines where some growth can still occur in developed areas.
4. the ~~((empowerment zone))~~ Central Incentives Area (CIA) established herein is in the category of a more densely populated area rather than a more remote, undeveloped area. The savings that City sewer and water utilities realize by encouraging development in the ~~((empowerment zone))~~ CIA, through not assessing a GFC to customers located there, is roughly proportional to the loss of the GFC revenues.
5. properties within the ~~((empowerment zone))~~ CIA are identified as generally of lower value investment than other areas served. The opportunity for new development in the ~~((empowerment zone))~~ CIA to recover acceptable investment value is of a more marginal, doubtful and unlikely character than customers connecting in areas outside the ~~((empowerment zone))~~ CIA. Adding a GFC charge to the class of customers in the ~~((empowerment zone))~~ CIA would make it significantly more difficult for further development or new connections in such areas. This result is contrary to public policy, growth management laws, and responsible utility system management for the overall benefit of the ratepayers. Encouraging development in the ~~((empowerment zone))~~ CIA will benefit the City sewer and water utilities by new customer revenues, which would otherwise be lost if a GFC were assessed because such development would be less likely to occur.
6. the ~~((empowerment zone))~~ CIA as an area substantially deficient in development and heavily populated with low income and fixed income, poor or elderly customers.
7. there is a reasonable basis to classify customers seeking connections to premises in an ~~((empowerment zone))~~ CIA not to be subject to GFC charge.

C. ~~((Empowerment Zone-))~~ The boundaries of the CIA are:

~~((All that property located within the following described area:~~

~~Census tracts 1, 2, 4, 14, 15, 16, 20, 23, 24, 25, 26, 27, 28, 30, 31, 33, 34, 35, 36, 40 according to the U.S. Census Bureau 1990 TIGER census data database. Situate in the City of Spokane, Spokane County, Washington.))~~

On the west, the Spokane River;

On the south, a line running from Latah Creek to 9th Avenue, then east on 9th Avenue to Lincoln Street, then north on Lincoln Street to 5th Avenue, then east on 5th Avenue to Sherman Street, then south on Sherman Street to 9th Avenue, then east on 9th Avenue from Sherman Street to Havana Street;

On the east, a line running north on Havana Street from 9th Avenue to Francis Avenue, excluding Minnehaha Park and Esmerelda Golf Course;

On the north, a line running west along Francis Avenue from Havana to Division Street, then south on Division Street to Indiana Avenue, then west on Indiana Avenue to Monroe Street, then north on Monroe Street to Garland Avenue, then west on Garland Avenue to Ash Street, then south on Ash Street to Fairview Avenue, then west on Fairview Avenue to Cochran Street, then south on Cochran Street and T.J. Meenach Drive to the Spokane River; and

All land within the City Limits of the City of Spokane which is owned or controlled by, or which is subject to proprietary interest of, the Spokane Airport Board.

The ~~((director of public works))~~ Director of Public Works ~~((is authorized to adjust this boundary consistent with the findings and purpose of this section. A copy of the empowerment zone map.))~~ shall ~~((be maintained))~~ maintain a copy of the map of the CIA (Attachment A to this ordinance) ~~((on file with the director of public works))~~ for public inspection.

D. Charge for new ~~((Service))~~service or new upgrades inside the ~~((empowerment zone))~~ CIA: No charge.

E. Service Outside ~~((Empowerment Zone))~~CIA.

1. For new service or new upgrades of existing service to the City water system, a GFC is assessed as provided hereafter. The charge will be based upon the tap size required for the facility. If the size of a previous connection is upgraded to a larger connection, only the difference between the charges for the size of a connection, as shown at the time of connection, is charged.

TYPE	WATER TAP	GFC
House*	NA	\$1,232
Duplex	NA	\$2,464
Multi-	2-inch or less	\$3,485
Multi-family	3-inch	\$6,402
Multi-family	4-inch	\$9,857
Multi-family	6-inch	\$18,108
Multi-family	8-inch	\$27,878
Multi-family	10-inch	\$38,961
Multi-family	12-inch	\$51,216
Commercial	1-inch or less	\$1,232
Commercial	2-inch	\$3,485
Commercial	3-inch	\$6,402
Commercial	4-inch	\$9,857
Commercial	6-inch	\$18,108
Commercial	8-inch	\$27,878
Commercial	10-inch	\$38,961
Commercial	12-inch	\$51,216
* In a PUD, each house is charged individually the rate listed for "house."		
** Multi-family represents three or more living		

2. The water GFC is intended to supersede all prior special connection capital charges assessed to defray an equitable share of the cost of the City water system, except for such charges the City may be bound to continue pursuant to chapter 35.91 RCW (developer latecomer charges), or which the City remains legally bound to collect.

- a. Except for such charges, it is the intent of the ~~((city council))~~ City Council to supersede all previous special connection capital charges of any form or nature, replacing all such charges with a single water GFC for any new connections or connection or service demand upgrades to the City water system at any location served by said system.
 - b. The GFC is to be used to finance new system growth and infill needs created by new or upgraded customers. In the case of latecomer contracts entered into under chapter 35.91 RCW and the like, the GFC herein supersedes the amount to be collected from a party seeking connection.
 - c. However, any GFC collected does not increase or decrease amounts the City may previously have contracted to reimburse to a third party at the time of allowing a connection, said parties to be paid by the City as provided under the preexisting contract.
 - d. Hereafter, consistent with this ordinance, the ~~((director of public works))~~ Director of Public Works may make provision for reimbursement of third parties for facility construction costs, but hereafter, the amount of reimbursement per connection shall not exceed the GFC amount collected, which may change from year to year as the ~~((city council))~~ City may adjust the GFC.
3. Adjustments.
- The charge for a water connection can be adjusted upon a showing of prior payment of similar charges, or for other sound considerations of fairness, as determined by the ~~((director of public works))~~ Director of Public Works.
- a. To be eligible for such adjustment, a party required to pay a water GFC must submit a written application to the ~~((director of public works))~~ Director of Public Works, together with any supporting materials and explanation.
 - b. The ~~((director of public works))~~ Director of Public Works must receive such materials no later than the time of connection of the subject premises.
 - c. No adjustment may exceed the amount of the water GFC applicable to the connection requested.
 - d. The water GFC applies, in addition to all other non-capital connection, permit or other fees required by this code or elsewhere. The charge is due and payable in full at or before the time of connection or as otherwise ordered by the ~~((director of public works))~~ Director of Public Works.
 - e. The ~~((director of public works))~~ Director of Public Works may record appropriate notice with the county auditor concerning areas subject to the water GFC pursuant to the requirements of RCW 65.08.170 and RCW 65.08.180, as applicable, reserving the possibility of upgrade charges.

Section 2. That section 13.03.0732 of the Spokane Municipal Code is amended to read as follows:

Section 13.03.0732 Wastewater General Facilities Charge (GFC) – Schedule of Charges

A. Findings – General Facilities Charge.

The ~~((city council))~~ City Council finds:

1. under the previous system providing for collection of latecomer connection charges under chapter 35.91 RCW or special connection charges under RCW 35.92.025, customers happening to connect in certain areas must pay extra costs, although the primary benefit of access to the public sewer system is the same to a new customer, whether the customer is within or outside an area subject to such special connection charges.
 - a. Additionally, upgraded customers moving from a smaller to a larger connection capacity gain additional system benefits, but may otherwise escape paying a special connection or latecomer charge, once having connected and paid an initial connection charge based on a smaller size connection;
2. undue administrative burdens and costs are created in administering various connection and latecomer charges, each of which may have differing effective dates and which may also have differing limits in terms of allowable interest accruing on such payments as well as the period or periods such charges may be collected;
3. there is a system-wide benefit, served by a uniform, adjustable ~~((general facilities charge))~~ GFC, in encouraging system growth through infilling certain unserved areas and considering that expanding the overall customer rate base and customer densities will reduce fixed costs which must otherwise be spread over all classes of ratepayers;

4. it is in the public interest to provide for a more uniform rate structure and to replace individual area connection or latecomer fees with a single ~~((general facilities charge))~~ GFC rate, except only as may be distinguished by the size of connection or connection upgrade, as provided hereafter;
5. it is further in the public interest that those adding additional costs or burdens to the City sewer system by creating need and demand for new system growth and infill needs in the City sewer system should pay a ~~((general facilities charge))~~ GFC therefor. Such customers should be treated and classified in common with customers formerly also subject to a special connection or latecomer connection charge, so that only one uniform ~~((general facilities charge))~~ GFC should be paid by all customers with new or upgraded utility service.

B. Findings – ~~((Empowerment Zone))~~ Central Incentives Area (CIA).

The ~~((city council))~~ City Council finds:

1. Washington State's growth management laws, including RCW 36.70A.110, encourage development first within existing urban areas before moving to other areas.
2. the City of Spokane's comprehensive plan and state growth management policies encourage the "infilling" of developed areas that still have some growth capacity. A consequence of not doing this is sprawling development out in long corridors or scattered areas, making the extension of needed urban services more expensive and less efficient for the public;
3. costs of encouraging development in more densely populated areas already served by existing utility lines is lower than extending new lines to more remote undeveloped areas. Existing utility lines are installed and designed to serve the full growth potential of an area, so it is an unwise use of resources to continue extending lines where some growth can still occur in developed areas;
4. the ~~((empowerment zone))~~ CIA established herein is in the category of a more densely populated area rather than a more remote, undeveloped area. The savings that City sewer and water utilities realize by encouraging development in the ~~((empowerment zone))~~ CIA, through not assessing a ~~((general facilities charge))~~ GFC to customers located there, is roughly proportional to the loss of the ~~((general facilities charge))~~ GFC revenues;
5. properties within the ~~((empowerment zone))~~ CIA are identified as generally of lower value investment than other areas served. The opportunity for new development in the ~~((empowerment zone))~~ CIA to recover acceptable investment value is of a more marginal, doubtful and unlikely character than customers connecting in areas outside the ~~((empowerment zone))~~ CIA. Adding a ~~((general facilities charge))~~ GFC to the class of customers in the ~~((empowerment zone))~~ CIA would make it significantly more difficult for further development or new connections in such areas. This result is contrary to public policy, growth management laws and responsible utility system management for the overall benefit of the ratepayers. Encouraging development in the ~~((empowerment zone))~~ CIA will benefit the City sewer and water utilities by new customer revenues, which would otherwise be lost if a ~~((general facilities charge))~~ GFC were assessed because such development would be less likely to occur;
6. the ~~((empowerment zone))~~ CIA as an area substantially deficient in development and heavily populated with low income and fixed income, poor or elderly customers;
7. there is a reasonable basis to classify customers seeking connection to premises in an ~~((empowerment zone))~~ CIA not to be subject to a ~~((general facilities charge))~~ GFC.

C. Empowerment Zone The boundaries of the CIA are:

~~((All that property located within the following described area:~~

~~Census tracts 1, 2, 4, 14, 15, 16, 20, 23, 24, 25, 26, 27, 28, 30, 31, 33, 34, 35, 36, 40 according to the U.S. Census Bureau 1990 TIGER census data database. Situate in the City of Spokane, Spokane County, Washington.))~~

On the west, the Spokane River;

On the south, a line running from Latah Creek to 9th Avenue, then east on 9th Avenue to Lincoln Street, then north on Lincoln Street to 5th Avenue, then east on 5th Avenue to Sherman Street, then south on Sherman Street to 9th Avenue, then east on 9th Avenue from Sherman Street to Havana Street;

On the east, a line running north on Havana Street from 9th Avenue to Francis Avenue, excluding Minnehaha Park and Esmerelda Golf Course;

On the north, a line running west along Francis Avenue from Havana to Division Street, then south on Division Street to Indiana Avenue, then west on Indiana Avenue to Monroe Street, then north on Monroe Street to Garland Avenue, then west on Garland Avenue to Ash Street, then south on Ash Street to Fairview Avenue, then west on Fairview Avenue to Cochran Street, then south on Cochran Street and T.J. Meenach Drive to the Spokane River; and

All land within the City Limits of the City of Spokane which is owned or controlled by, or subject to a proprietary interest of, the Spokane Airport Board.

~~The ((director of public works))~~ Director of Public Works ~~((is authorized to adjust this boundary consistent with the findings and purpose of this section. A copy of the empowerment zone map-))~~ shall ~~((be maintained))~~ maintain a copy of the map of the CIA (Attachment A to this ordinance) ~~((on file with the director of public works))~~ for public inspection.

- D. Charge for new ~~((Service))~~service or new upgrades inside the ~~((empowerment zone))~~ CIA: No charge.
Service Outside ~~((Empowerment Zone))~~ the CIA.

1. For new service or new upgrades to existing service from the City sewer system, a wastewater ~~((general facilities charge))~~ GFC is assessed as provided hereafter. The charge will be based on the water tap size that would otherwise be required for the facility without fire flow and/or irrigation flow.

- a. Upgrades are charged at the current difference between the old and new connection size charges.

TYPE	WATER TAP SIZE	CHARGE
House*	NA	\$2,400
Duplex	NA	\$4,800
Multi-family**	2 inches or less	\$6,767
Multi-family	3 inches	\$12,468
Multi-family	4 inches	\$19,194
Multi-family	6 inches	\$35,265
Multi-family	8 inches	\$54,299
Multi-family	10 inches	\$75,876
Multi-family	12 inches	\$99,753
Commercial	1 inch or less	\$2,400
Commercial	2 inches	\$6,787
Commercial	3 inches	\$12,468
Commercial	4 inches	\$19,194
Commercial	6 inches	\$35,265
Commercial	8 inches	\$54,299
Commercial	10 inches	\$75,876
Commercial	12 inches	\$99,753
* In a PUD, each house is charged individually the rate listed for "House".		
** Multi-family represents three or more living units.		

2. The wastewater ~~((general facilities charge))~~ GFC is intended to supersede all prior special connection capital charges assessed to defray an equitable share of the cost of the City sewer system, except for such charges the City may be bound to continue pursuant to chapter 35.91 RCW (Developer Latecomer Charges) or which the City otherwise remains legally bound to collect.

- a. Except for such charges, it is the intent of the ~~((city council))~~ City Council to supersede all previous special connection capital charges of any form or nature, replacing all such charges with a single wastewater ~~((general facilities charge))~~ GFC for any new connections or connection or service demand upgrades to the City sewer system at any location served by said system.
 - b. The ~~((general facilities charge))~~ GFC is to be used to finance new system growth and infill needs created by new or upgraded customers.
 - c. In the case of latecomer contracts entered into under chapter 35.91 RCW and the like, the ~~((general facilities charge))~~ GFC herein supersedes the amount to be collected from a party seeking connection. However, any ~~((general facilities charge))~~ GFC collected does not increase or decrease amounts the City may previously have contracted to reimburse to a third party at the time of allowing a connection, said parties to be paid by the City as provided under the pre-existing contract.
 - d. Hereinafter consistent with this ordinance, the ~~((director))~~ Director of Public Works may make provision for reimbursement of third parties for facility construction costs, but hereafter, the amount of reimbursement per connection shall not exceed the ~~((general facilities charge))~~ GFC amount collected, which may change from year to year as the ~~((city council))~~ City Council may adjust the ~~((general facilities charge))~~ GFC.
3. Adjustments.
The charge for a wastewater connection can be adjusted for facilities with water tap sizes two inches and greater when the tap size also accounts for fire flow and/or irrigation flow upon a showing of prior payment of similar charges, or for other sound considerations of fairness, as determined by the ~~((wastewater management director))~~ Wastewater Management Director.
- a. To be eligible for such adjustment, a party required to pay a wastewater ~~((general facilities charge))~~ GFC must submit a written application to the ~~((wastewater director))~~ Wastewater Management Director, together with any supporting materials and explanation. The ~~((director))~~ Wastewater Management Director must receive such materials at the time of application for connection of the subject premises.
 - b. No adjustment may exceed the amount of the ~~((general facilities charge))~~ GFC applicable to the connection requested.
4. The wastewater ~~((general facilities charge))~~ GFC applies in addition to all other non-capital connection, permit or other fees required by this code or elsewhere, to parties seeking to connect premises who have not paid an equitable share of the cost of the City's sewer system as determined by the ~~((wastewater director))~~ Wastewater Management Director.
- a. The charge is due and payable in full at the time of application for connection or as otherwise ordered by the ~~((director))~~ Director of Public Works.
5. The ~~((wastewater director))~~ Wastewater Management Director may record appropriate notice with the county auditor concerning areas subject to the wastewater ~~((general facilities charge))~~ GFC in accord with RCW 65.08.170 and RCW 65.08.180, as applicable.

Passed by City Council November 30, 2015

Delivered to Mayor December 4, 2015

ORDINANCE NO C35325

An ordinance amending Ordinance No. C-35185, passed the City Council November 24, 2014, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2015, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2015, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2015 budget Ordinance No. C-35185, as above entitled, and which passed the City Council November 24, 2014, it is necessary to make changes in the appropriations of the Fire/EMS 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 Fire/EMS Fund, and the budget annexed thereto with reference to the Fire/EMS Fund, the following changes be made:

FROM:	1970-35126	Fire/EMS Fund	
	99999-34220	Fire Protection Services Transfer from	<u>\$ 500,000</u>
TO:	1970-35126	Fire/EMS Fund	
	22200-51215	Overtime-Uniform	<u>\$ 500,000</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 budget for State Mobilization revenue and the associated overtime from wild land incident support, 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 City Council November 30, 2015
Delivered to Mayor December 4, 2015

ORDINANCE NO. 35329

AN INTERIM ZONING ORDINANCE OF THE CITY OF SPOKANE, WASHINGTON, RELATING TO THE DEFINITION OF A HOUSEHOLD; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to RCW 35.63.200 and RCW 36.70A.390, the City of Spokane is authorized to impose interim zoning ordinances; and

WHEREAS, Federal housing laws prohibit discrimination in all aspects of housing because of familial status; and

WHEREAS, familial status is defined as having one or more individuals under 18 years of age who reside with a parent or another person with care and legal custody of that individual (including foster children) or with the designee of that parent or other person with legal custody; and

WHEREAS, foster children who are legally placed in a home meet the definition of "familial status" under the Fair Housing Act (42 U.S.C. Section 3602(k)) and, consequently, are protected by the Fair Housing Act from discrimination on the basis of familial status (Gorski v. Troy, 929 F.2d 1183 (7th Cir. 1991)); and

WHEREAS, enforcing zoning regulations in a manner that discriminates on the basis of familial status is unlawful and it is also a violation of fair housing laws for neighbors or other members of the community to harass or otherwise imply that residents are unwelcome because of their familial status; and

WHEREAS, pursuant to Chapter 1.06 of the Spokane Municipal Code, the City Council has previously found that discrimination based on familial status poses a substantial threat to the health, safety and general welfare of the citizens of Spokane, and that discrimination means different or unequal treatment because of familial status, which the SMC 1.06.030(G) defines as the relationship between two or more individuals, at least one of whom has not attained the age of eighteen years of age and is domiciled with a parent or person having legal custody, or the designee, with written permission of a parent or person having legal custody; and

WHEREAS, the City's Planning Director recently issued an interpretation of Section 17A.020.080(P) of the City's zoning code, concluding that it does not limit the number of foster children who may reside with their state-licensed foster parents; a group has appealed the Planning Director's interpretation to the City's Hearing Examiner; and

WHEREAS, as outlined in the Briefing Paper re: Definition of "Household," dated November 30, 2015 and attached and incorporated into this Ordinance, it is clear that the City of Spokane, through its zoning code or otherwise, intends instead to treat families with foster children the same as families with other children, whether related by blood, adoption, or guardianship, and that the City has never intended to place a limit on the number of foster children that can live in a state-licensed foster family home; and

WHEREAS, based on the arguments raised in the pending appeal of the Planning Director's interpretation, however, the City plans to review its current zoning codes and ordinances to ensure that its existing regulations are consistent with Federal and State housing laws and chapter 1.06 SMC; and

WHEREAS, in the interim, the City Council hereby adopts an amended definition of "household" with the intent of eliminating any argument about whether or not the City intends to, by its zoning code, regulate the number of foster children that can live with their foster parents in a state-licensed foster family home; and

WHEREAS, pursuant to RCW 35.63.200 and 36.70A.390, where a city adopts an interim zoning ordinance without holding a public hearing on the proposed interim zoning ordinance, it must hold a hearing on the adopted interim zoning ordinance within at least sixty days of its adoption, whether or not the city has received a recommendation on the matter from the planning commission, and if the city has not adopted findings of fact justifying the interim zoning ordinance before this hearing, it must do so immediately after the public hearing; and

WHEREAS, the City Council finds that the interim zoning regulation adopted by this ordinance is necessary for the protection of the public health, safety, property or peace; and

WHEREAS, pursuant to WAC 197-11-880, the adoption of this ordinance is exempt from the requirements of a threshold determination under the State Environmental Policy Act; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this ordinance;

NOW, THEREFORE, the City Council of the City of Spokane, Washington, does ordain:

Section 1. Interim Zoning Ordinance Adopted Regarding Definition of Household. Spokane Municipal Code

Section 17A.020.080(P) is hereby amended, on an interim basis, as follows:

P. Household.

A housekeeping unit consisting of:

1. an individual;
2. two or more ~~((persons related by blood or marriage))~~ related persons as defined in SMC 17A.020.180(M);
3. a group of two or more disabled residents protected under the Federal Fair Housing Amendment Act of 1988;
4. adult family homes as defined under Washington State law; or
5. a group living arrangement where six or fewer residents receive support services such as counseling, foster care or medical supervision at the dwelling unit by resident or non-resident staff; and
6. up to six residents not related by blood or marriage who live together in dwelling unit, or in conjunction with any of the above individuals or groups, ~~((may occupy a dwelling unit))~~ shall also be considered a household. ~~((For purposes of this section, minors living with parent or legal guardian shall not be counted as part of the maximum number of residents.))~~
7. For purposes of this section, minors living with parent, legal custodian (including a foster parent), or legal guardian shall not be counted as part of the maximum number of residents.
8. Any limitation on the number of residents resulting from this definition shall not be applied in a manner inconsistent with the Fair Housing Amendment Act of 1988, 42 U.S.C. 360, et seq., the Washington law Against Discrimination, Chapter 49.60 RCW, and/or the Washington Housing Policy Act, RCW 46.63.220.

Section 2. Purpose. The purpose of amending the foregoing definition on an interim basis is to allow the City adequate time to review and possibly amend on a permanent basis its land use regulations relating to the definition of household and occupancy limitations.

Section 3. Duration of Interim Zoning Ordinance. This Ordinance shall be in effect for a period of six (6) months, beginning on the date of the adoption of this Ordinance.

Section 4. Public Hearing on Interim Zoning Ordinance. Pursuant to RCW 36.70A.390, the City Council shall hold a public hearing on this interim zoning ordinance within the next 60 days, on a date to be determined by the City Clerk. Immediately after the public hearing, the City Council shall adopt findings of fact on the subject of this interim zoning ordinance, and either justify its continued imposition or cancel it.

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 6. Declaration of Emergency and Effective Date. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall be effective immediately upon its passage. Without this Ordinance, the City Council is concerned that the City's zoning regulations might be interpreted and enforced in a manner that is inconsistent with the City Council's desires and/or legislative intent, potentially subjecting the City to an increased risk of fair housing litigation.

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

**Passed by City Council November 30, 2015
Delivered to Mayor December 1, 2015**

Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

AMENDMENT

AMENDMENT

AMENDMENT

COMPLIANCE/TAX AUDITOR OPEN EXAMINATION

SPN 125

(Announcement of 11/16/2015)

The above titled announcement is hereby amended to read:

DATE CLOSED: Applications will be accepted until further notice

WASTE WATER INSPECTOR SPN 210 Promotional Examination

DATE OPEN: Monday, December 7, 2015

DATE CLOSED: Sunday, December 20, 2015 at 11:59 p.m.

SALARY: \$40,857.76 annual salary, payable bi-weekly, to a maximum of \$58,443.12

Summary of Work

Performs responsible technical inspections of sanitary and storm sewers, systems and side sewer installations and repairs for conformance to City ordinances.

Minimum Qualifications

(These must be met at time of test.)

- **Experience:** Current service in the Wastewater Management Department and completion of one year of experience in the classification of Waste Water Specialist (SPN: 541).
- **Licenses:** Applicants must possess a valid Class "A" or "B", Commercial Driver's License (CDL), with tank endorsement.

Examination Details:

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for hire. The examination will consist of a written test and promotional evaluation, with weights assigned as follows:

- Written test 80%
- Promotional Evaluation 20%

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

WRITTEN TEST DETAILS

The written test will be conducted in the Civil Service Test Room (4th floor, City Hall) on January 5, 2016 at 9:00am. The approximate duration of the test is two hours.

Self-schedule written test date and time: Upon acceptance of your application, you will receive an e-mail with complete instructions to self-schedule your test session. Additional sessions may be added depending on the number of applications accepted.

The written test may include such subjects as: General Sewer Knowledge, Administration and Supervision, Regulations Governing Side Sewer Construction, and Public/Employee Relations.

PROMOTIONAL EVALUATION DETAILS

Pursuant to Civil Service Rule VI, Section 9, an evaluation of an employee's job performance [in the form of a Performance Appraisal Review (PAR)] shall be a subject in all promotion exams. The PAR should be administered by the employee's supervisor within the past year.

- The employee's most recent PAR is the Promotional Evaluation for this position.
- If the most recent PAR is expired (older than one year), the employee's payroll clerk and supervisor are notified. The supervisor is responsible for submitting an updated PAR to the HR department for approval prior to the closing date.
- If an updated PAR is not received by the closing date, the most recent PAR on file will be used, regardless of date administered.

Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 11:59 p.m. on the filing cut-off date.

How to Apply

APPLICATIONS MUST BE FILED ONLINE AT: <http://my.spokanecity.org/jobs>

Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the Subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: 509.625.6077

For more information, call Civil Service Commission at 509.625.6160.

Notice for Bids

Supplies, Equipment, Maintenance, etc.

REQUEST FOR BIDS

CENTRAL PARKING FACILITY BUILDING RENOVATIONS

City of Spokane Asset Management Department

BID #4203-15

Sealed Bids will be opened at the 1:15 p.m. public bid opening on **MONDAY, DECEMBER 21, 2015**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **CENTRAL PARKING FACILITY BUILDING RENOVATIONS** for the City of Spokane Asset Management Department.

The Request for Bids document is available by contacting Connie Wahl, City of Spokane Purchasing, 4th Floor, City Hall, 808 West Spokane Falls Blvd, Spokane WA 99201 at purchasinghelp@spokanecity.org.

A pre-bid conference will be held on Thursday, December 10, 2015 at 9:30 a.m. The location of the conference will be 201 West Sprague Avenue, Spokane WA 99201, first floor lobby.

Bid Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, December 21 2015**. 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 of the bid to:

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

The right is reserved to reject any and all 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 #4203-15, CENTRAL PARKING FACILITY BUILDING RENOVATIONS, DUE 12/21/2015”

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

Publish: December 2 & 9, 2015

PARKS & RECREATION MULTIPLE SITE LIGHTING PROJECT**Parks and Recreation Department****BID #4209-15**

Sealed bids will be opened at 1:15 p.m., **MONDAY, DECEMBER 21, 2015**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **PARKS & RECREATION MULTIPLE SITE LIGHTING PROJECT** for the City of Spokane Parks & Recreation Department.

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

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 copy of the Proposal to:

**Division of Purchasing
City of Spokane
4th Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane WA 99201**

The right is reserved to reject any and all proposals and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the proposer when considering this contract. **Only firm proposals with signatures will be tabulated.**

Envelopes containing proposals are to be marked:

“PARKS & RECREATION MULTIPLE SITE LIGHTING PROJECT, BID #4209-15, DUE DECEMBER 21, 2015”.

Thea Prince
Purchasing Division

Publish: December 9 & 16, 2015
