



Official Gazette

City of Spokane, Washington

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

Volume 105

DECEMBER 23, 2015

Issue 51



MAYOR AND CITY COUNCIL

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Minutes

NOTICE

Monday, December 14, 2015

The minutes for the Monday, December 14, 2015, Spokane City Council Meeting were not available for publication in this issue of the *Official Gazette*. The minutes will be published in the Wednesday, December 30, 2015, issue of the *Official Gazette*.

Hearing Notices

NOTICE OF SPOKANE CITY COUNCIL PUBLIC HEARING

RE: PUBLIC HEARING ON INTERIM ZONING ORDINANCE C35329 RELATING TO THE DEFINITION OF A HOUSEHOLD

(Ordinance C35329)

Notice is hereby given that there will be a public hearing before the City of Spokane City Council on **January 4, 2016, at 6:00 p.m.** in the City Council Chambers, Lower Level of City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. On November 30, 2015, the City Council passed an interim zoning ordinance of the City of Spokane, Washington, relating to the definition of a household; and declaring an emergency. Because the

ordinance was passed as an emergency without a noticed public hearing, state law requires that the City Council hold a public hearing within sixty days. To comply with this requirement, a public hearing on the interim zoning ordinance will be held on January 4, 2016 (at the time and place referenced above). The City Council reserves the right to continue this public hearing. 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.

Written comments and oral testimony at the public hearing will be made part of the public record. Any person may submit written comments on this matter or call for additional information at:

Spokane City Council
 Attn: Adam McDaniel
 808 West Spokane Falls Boulevard
 Spokane, WA 99201
 Phone (509) 625-6269
amcdaniel@spokanecity.org or citycouncil@spokanecity.org

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 Christine 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.

Publish December 16, 23 & 30, 2015

Ordinances

ORDINANCE NO. C35328

An ordinance relating to golf cart and alternative vehicle zones in the City of Spokane; amending chapter 16A.63 of the Spokane Municipal Code.

WHEREAS, the City of Spokane created a golf cart zone, pursuant to its authority under the Revised Code of Washington, in 2012; and

WHEREAS, college campuses within the University District, such as Washington State University-Spokane and Gonzaga University, seek authority to employ clean, quiet, and efficient vehicles in their campus operations; and

WHEREAS, the City of Spokane may adopt additional vehicle and traffic regulations which do not conflict with other provisions of the Revised Code of Washington, pursuant to RCW 46.08.020; and

WHEREAS, The City Council desires to designate the University District as a golf cart and alternative vehicle zone, and wishes to enact regulations which will ensure the safe operation of those vehicles within those zones.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That chapter 16A.63 of the Spokane Municipal Code is amended to read as follows:

Chapter 16A.63 Golf Cart and Alternative Vehicle (~~Zone~~)Zones

Section 16A.63.010 Definitions

The following definitions are applicable in this chapter unless the context otherwise requires:

- A. "Alternative Vehicles" means, collectively, golf carts, neighborhood electric vehicles, medium-speed electric vehicles, and utility-type vehicles as defined in this chapter.
- B. "Alternative Vehicle Zone" means all public streets within the boundaries of the "Alternative Vehicle Zone Map," incorporated in this ordinance as Exhibit A, having a speed limit of thirty-five (35) miles per hour or less, and which exhibits signage indicating the area as an Alternative Vehicle Zone.
- ~~(A)~~C. "Golf cart," means(~~, in accordance with RCW 46.04.1945, which defines a golf cart, a gas-powered or~~) an electric-powered four-wheel vehicle originally designed and manufactured for operation on a golf course for sporting purposes and has a speed attainable in one mile of not more than twenty (20) miles per hour. A golf cart is not a non-highway vehicle or off road vehicle as defined in RCW 46.04.365. A golf cart is not considered a motor vehicle, except for the purpose of chapter 46.61 RCW regarding rules of the road.
- ~~(B)~~D. "Golf cart zone," means (~~any~~) all public (~~street~~) streets within the boundaries of the attached map (~~incorporated into this ordinance as Exhibit B~~) designated as the "Golf Cart Zone Map" having a speed limit of twenty-five (25) miles per hour or less and that contains signage identifying the area as a golf cart zone. Additionally, operation of golf carts and alternative vehicles on the University District Gateway Bridge is limited to Washington State University-Spokane personnel for maintenance use only.
- E. "Medium-speed electric vehicle" means a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than twenty-five (25) miles per hour but not more than thirty-five (35) miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 C.F.R. Sec. 571.500 and as defined in RCW 46.04.295.
- F. "Neighborhood electric vehicle" means a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500 and as defined in RCW 46.04.357.
- ~~(C)~~G. "Operator" means any person who is at least sixteen years of age and completed a driver's education course or has previous experience driving as a licensed driver. "Operator" does not include city personnel or those persons authorized by the chief of police to operate golf carts on city streets.

((D))H. "Street," means the entire right of way width excluding the sidewalk and between the curb boundary lines and shoulder or swale of public property, when any part thereof is open to the use by the public for purposes of pedestrian, bicycle or vehicular travel including parking.

I. "Utility-type vehicle" means a vehicle designed for and capable of nonhighway travel only and that travels on four (4) or more tires, has a maximum width of seventy-four inches (74"), has a maximum weight of two thousand pounds (2,000 lbs.), has a wheelbase of one hundred ten inches (110") or less, and satisfies at least one of the following: (i) Has a minimum width of fifty inches (50"); (ii) has a minimum weight of at least nine hundred pounds (900 lbs.); or (iii) has a wheelbase of over sixty-one inches (61").

Section 16A.63.020 Restrictions

Golf carts allowed under this chapter are restricted to those that are electric-powered, and which may not be otherwise modified to allow the same to exceed the speed of twenty (20) miles per hour, and must also be so equipped to maintain a speed of nineteen (19) miles per hour on level ground. No vehicles authorized in this chapter shall be operated on the Spokane River Centennial Trail.

Section 16A.63.030 Areas of Operation

Golf carts, neighborhood electric vehicles, medium-speed electric vehicles, and utility-type vehicles as defined in ((allowed under)) this chapter operated by persons allowed to do so by this chapter may operate with the common flow of traffic on any street within ((the)) a golf cart zone or alternative vehicle zone having a speed limit of ((twenty-five)) thirty-five miles per hour or less with the exception of an arterial street adjacent to a park or school zone with a reduced speed of twenty-five miles per hour or less. A golf cart, neighborhood electric vehicle, medium-speed electric vehicle, or utility-type vehicle may cross over a street within ((the)) a golf cart zone with a speed limit greater than ((twenty-five)) thirty-five (35) miles per hour when safe to do so at street intersections.

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

Passed by City Council December 14, 2015

Delivered to Mayor December 18, 2015

ORDINANCE NO. C35330

An ordinance relating to amendments to the abandoned property registration program in the city of Spokane; amending sections 08.02.0675 and 17F.07.520 of the Spokane Municipal Code.

WHEREAS, residential properties in various stages of the foreclosure process exist in several neighborhoods throughout the City of Spokane; and

WHEREAS, many of these properties are not adequately maintained by the owner or by the lender or loan servicer who is responsible for the property; and

WHEREAS, the City of Spokane's Comprehensive Plan emphasizes the importance of neighborhoods to the character, integrity, functionality, vibrancy, and resilience of our City and its people; and

WHEREAS, non-resident lenders and mortgagees may have little, if any, interest in preventing properties which are in a stage of mortgage default or the foreclosure process from becoming a focal point for crime, graffiti, deterioration, or from becoming a factor in the reduced property values of the adjacent properties; and

WHEREAS, to address this issue, the City Council in 2014 created an abandoned property registration program; and

WHEREAS, nationwide, cities are addressing the same issue, and in doing so, best practices have evolved; and

WHEREAS, The City Council now finds it necessary to the general welfare of the residents of the City to amend and strengthen the existing abandoned property registration program, to ensure that it keeps pace with nationally-evolving best practices.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That section 17F.070.520 of the Spokane Municipal Code is amended to read as follows:

Section 17F.070.520 ((Abandoned Property)) Foreclosure Registration Program**A. Purpose**

It is the purpose and intent of this section to establish ~~((an))~~ a ~~((abandoned))~~ Foreclosure ~~((property))~~ Property registration program in order to protect the community from ~~((becoming blighted as a result of abandoned properties that are not properly secured and maintained))~~ the deterioration, crime, and decline in value in Spokane's neighborhoods caused by properties in various stages of the foreclosure process, and to identify, regulate, limit, and reduce the number of those properties within the City of Spokane. ~~((This section requires))~~ It is the policy and intent of the City to establish a requirement that the lender or other responsible ~~((parties))~~ party(ies) of properties that ~~((have been abandoned))~~ are in the foreclosure process to register those properties with the City as set forth in this section in order to protect the neighborhoods from the negative impacts of absentee ownership and lack of adequate maintenance and security for properties in the foreclosure process.

B. Definitions

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

1. "Abatement Order" means an appealable order, supported by specific factual findings, issued by the Office of Neighborhood Services and Code Enforcement which directs the Owner of a Foreclosure Property to take certain specific steps, within a specific period of time, to ensure that the relevant property is in compliance with this section.
~~((("Abandoned Property" means a property that is vacant and (1) is under a current notice of default and/or notice of trustee's sale; (2) is the subject of a pending tax assessor's lien sale; (3) has been the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure; (4) has been transferred under a deed in lieu of foreclosure/sale or (5) is subject to a contract forfeiture. Property acquired by Spokane County at a tax foreclosure sale under chapter 84.64 RCW is not to be included within the definition of "Abandoned Property".))~~
2. "Enforcement Officer" means the Director of the Office of Neighborhood Services and Code Enforcement or its designee.
- ~~((2-))~~3. "Evidence of ~~((Vacancy))~~ Foreclosure Status" means any condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is ~~((vacant and not occupied by authorized persons))~~ a Foreclosure Property. Such conditions include, but are not limited to, overgrown and/or dead vegetation; accumulation of newspapers, circulars, flyers and/or mail; past due utility notices and/or disconnected utilities; accumulation of trash, junk, and/or debris; statements by neighbors, passersby, delivery agents, or government employees that the property is ~~((vacant))~~ in foreclosure; the presence of boards over doors, windows or other openings in violation of applicable building code; and for residential properties, the absence of window coverings such as curtains, blinds, and/or shutters; the absence of furnishings and/or personal items consistent with residential habitation.
4. "Foreclosure" means the legal processes described in Title 61, Revised Code of Washington, in which a mortgagee or other lien holder terminates a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. For purposes of this section, the foreclosure process is not concluded until the property obtained by the mortgagee, lien holder, or their designee, by certificate of title or other means, is sold to a non-related, bona fide purchaser in an arms'-length transaction to satisfy the debt or lien.
5. "Foreclosure Property" means a property that is (1) under a current notice of default and/or notice of trustee's sale; (2) the subject of a pending tax assessor's lien sale; (3) the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure; (4) a property title to which has been transferred under a deed in lieu of foreclosure/sale, or (5) subject to a contract forfeiture. Property acquired by Spokane County at a tax foreclosure sale under chapter 84.64 RCW is not "Foreclosure Property" within the meaning of this section. For purposes of this section, a property remains a Foreclosure Property until it is sold at an arms'-length transaction to a non-related bona fide purchaser or until the foreclosure action has been dismissed and any default has been cured.
- ~~((3-))~~6. "Lender" means any person who makes, extends, ~~((or))~~ holds, or services a real estate loan agreement and includes, but is not limited to, mortgagees; beneficiaries under deeds of trust; underwriters under deeds of trust; vendors under conditional land sales contracts; trustees and a successor in interest to any mortgagee, beneficiary, vendor or trustee and any other lien holder on the property. The term also includes any mortgagee, beneficiary or trustee that accepts a deed in lieu of foreclosure.
7. "Local Agent" means an individual property manager, property management company, or similar person or entity, located in Spokane County and responsible for, having the authority to make decisions and required expenditures concerning, the maintenance and security of a Foreclosure Property and the abatement of nuisance conditions at the property.

- ~~((4-))~~8. "Owner" means any individual or group of natural ~~((person))~~ persons, partnership, association, corporation or other entity having legal or beneficial title in real property including any borrower.
- ~~((5-))~~9. "Property" means any unimproved or improved, residential or commercial real property, or portion thereof, situated in the City, and includes the buildings or structures located on the property regardless of condition.
- ~~((6-))~~10. "Responsible ~~((party))~~ Party" means any person, partnership, association, corporation, or fiduciary having legal or equitable title to or any interest in any real property, including but not limited to an Owner, borrower, and Lender as defined in this section.

C. Establishment of a Registry

The Office of Neighborhood Services and Code Enforcement shall establish and maintain a Foreclosure Property Registry to implement the terms of this section.

~~((C.))~~D. Registration of ~~((Abandoned))~~ Foreclosure Properties.

1. Any Lender which holds or services a mortgage on real property located in the City of Spokane shall inspect the property upon mortgage default.
2. The Enforcement Officer can also initiate the registration process.
3. ~~((The))~~ Any ~~((lenders))~~ Lender or other ~~((responsible parties))~~ Responsible Party(ies) of ~~((real property which has been abandoned))~~ a Foreclosure Property as defined in this section shall register that property with the City of Spokane ~~((Department of Building Services))~~ Office of Neighborhood Services and Code Enforcement within ~~((thirty (30)))~~ ten (10) ~~((day))~~ days of the property becoming ~~((abandoned))~~ a Foreclosure Property within the meaning of this section and initial inspection or of receiving notice from the City of the requirements of this section, and every 12 months thereafter until the property is no longer a Foreclosure Property within the meaning of this section. A separate registration is required for each property.
4. The content of the registration shall include:
 - ~~((1-))~~a. Proof of ownership, or financial interest, such as a lien or loan,
 - ~~((2-))~~b. The name, address, phone number, and email address for ~~((and contact information of))~~the ~~((owner))~~ Owner, ~~((lender))~~Lender, ~~((or))~~ ~~((responsible party))~~ and Responsible Party ~~((or the))~~ and twenty-four hour contact phone number of the Local ~~((agent))~~Agent of the respective entity; and
 - ~~((3-))~~ The name and contact information for the local property manager responsible for maintaining the property; and
 - ~~((4-))~~c. Documentation which demonstrates the property is ~~((vacant,))~~ foreclosed, pending foreclosure, or subject to foreclosure, trustee's sale, tax assessor's lien sale or other legal proceedings.
5. The Lender, Owner, or Responsible Party shall notify the Enforcement Officer within ten (10) days of the date of any change in the information contained in the registration.
6. Mortgagees who have existing Foreclosure Properties on the effective date of this ordinance have 30 calendar days from the effective date to register the property with City of Spokane Office of Neighborhood Services and Code Enforcement. A separate registration is required for each property.
7. All property registrations are valid for one year from the date of entry of registration as recorded by Office of Neighborhood Services and Code Enforcement. Subsequent registrations are due every twelve (12) months thereafter for renewal and must certify required registration data is current and correct.

~~((D.))~~E. Minimum Property Maintenance Requirements.

While a Foreclosure Property is registered, ~~((The lender))~~ the Lender or ~~((responsible party))~~ Responsible Party shall be required to:

1. maintain and keep Foreclosure ~~((properties))~~ Property free of conditions including, but not limited to:
 - a. weeds, dry brush, dead vegetation, trash, junk, debris, building materials and junk vehicles,
 - b. accumulation of newspapers, circulars, flyers, notices (except those required by federal, state, or local law), and discarded personal items including, but not limited to, furniture, clothing, or large and small appliances, and
 - c. graffiti, tagging, or similar markings by removal or painting over with an exterior grade paint that matches and/or coordinates with the color of the exterior of the structure,
2. secure ponds, pools and hot tubs and ensure that they do not become a public nuisance,
3. secure the Foreclosure ~~((property))~~ Property to prevent access by unauthorized persons, including, but not limited to, the following: the closure and locking of windows, doors (walk-through, sliding and garage), gates, and any other opening of such size that it may allow a child or any other person to access the interior of the property and or structure(s). Securing also includes boarding as applicable. Preferred ~~((Material used))~~ material for boarding shall be painted with an exterior grade paint that

matches and/or coordinates with the color of the exterior of the structure, or is of a material that mimics glazed windows and intact doors.

4. Post the property with no trespassing signs and current emergency contact information for the local agent.
- ~~((4.))~~5. take any other action necessary to prevent giving the appearance that the property is abandoned, and
- ~~((5.))~~6. monitor the Foreclosure ((property)) Property monthly or more frequently as necessary to prevent the creation of a nuisance.

~~((E.))~~E. ~~((City))~~Monitoring of Foreclosure Property.

1. Upon registration, the City will provide regular monitoring of ((the)) Foreclosure ((property)) Properties including, but not limited to, periodic site visitation, which will not exceed the City's rights of access as well as notification to ((lender)) Lender or ((responsible party)) Responsible Party if the property begins to exhibit characteristics established in RCW 35.80.010. The City's monitoring of ((the)) Foreclosure ((property)) Properties does not relieve the ((lender)) Lender or other ((responsible party)) Responsible Party from monitoring and maintaining the property ((under subsection D)) as required by this section.
2. At least monthly while a Foreclosure Property is registered, the Lender or Responsible Party shall inspect the Foreclosure Property.

G. Waiver for City to Abatement – Trespass of Unauthorized Individuals.

1. As part of the Foreclosure ((property)) Property registration, the Owner((lender)), Lender, Local Agent,((or responsible party)), Responsible Party, or other person having the legal authority to do so ((may)) shall waive any objection to the City to enter onto the property for purposes of abating ((a)) any condition that would constitute an unfit or substandard building as established in RCW 35.80.010, nuisance condition under SMC 10.08.010 Litter, SMC 10.08.030 Nuisance, SMC 10.10 Graffiti, 10.16 Junk Vehicle, and to issue a trespass order against any unauthorized individual from the Foreclosure Property.
2. The City shall notify the ((owner)) Owner, ((lender)) Lender, ((or responsible party)), Responsible Party, or Local Agent ((five)) ten (10) days prior to the City taking abatement action in order to allow the ((owner)) Owner, ((lender)) Lender, ((or responsible party)), Responsible Party, or Local Agent to abate the condition first unless such abatement constitutes an emergency ((and)), in which case, the City may abate the emergency ((must be abated)) immediately.
3. The cost of the abatement of any of the illustrative conditions contained in paragraph E above shall be charged against the Foreclosure ((property)) Property pursuant to SMC 08.02.067 and shall be lienable pursuant to SMC 17F.070.500 and other applicable sections of the municipal code pursuant to state law.

~~((The lender or responsible party shall provide written authorization to the police department to issue a trespass order against any unauthorized individual from the property.))~~

~~((G.))~~H. Local ~~((Property Manager/))~~Agent

The ~~((lender))~~ Lender or ~~((responsible party))~~ Responsible Party shall provide the City with the name, address, telephone number, email address and 24-hour contact information ~~((and contact information))~~ of ~~((the))~~ a Local ~~((local property manager or agent))~~ Agent who has the authority to act to respond to complaints regarding the Foreclosure ((property)) Property and to remedy any nuisance, substandard or unfit conditions found on the property.

~~((H.))~~I. Annual ~~((Abandoned))~~ Foreclosure Property Registration Fee.

The ~~((lender))~~ Lender or ~~((responsible party))~~ Responsible Party shall pay the annual non-refundable ((abandoned)) Foreclosure ((property)) Property registration fee as set forth in SMC ((-8.02.069))08.02.0675.

~~((I.))~~ Building Official's Substandard or Unfit Building Declaration

~~If an abandoned property that has been properly registered with the Director of Building Services pursuant to this section is subsequently determined to be a substandard or unfit building by the Building Official pursuant to SMC 17F.070.400-450, the abandoned property registration fee will not be imposed if the property is subject to the other fees set forth in SMC 8.02.067. If the property is removed from the Building Official's review agenda and the property is not occupied, the abandoned property registration shall be imposed.)~~

J. Policies and Procedures

The ~~((City))~~Office of Neighborhood Services and Code Enforcement shall ~~((may))~~ develop ~~((policies))~~ procedures to implement ~~((the procedure set forth above,))~~ this section which are consistent with and do not conflict with ~~((the provisions of))~~this section, the Spokane Municipal Code, or ~~((the Revised Code of))~~Washington law.

K. Violation

1. Any person, firm or entity who fails to register ((an abandoned property)) a Foreclosure Property pursuant to the requirements of this section shall be subject to a class 1 civil infraction. Each day in which a Foreclosure Property which is subject to this section is not registered shall constitute a separate violation.
2. Failure to maintain ((the)) a Foreclosure Property ((property)) as required by this section is ((result in the issuance of)) a criminal misdemeanor violation under SMC 10.08.030 for maintaining a nuisance property in addition to applicable penalties for nuisance conditions in the municipal code or state law.
3. Failure to provide notification of changes in ownership of a Foreclosure Property under this section is a class 1 civil infraction.

L. Removal of properties from the registry

1. A property may only be removed from the Foreclosure Property registry upon the Lender's, Owner's, or Responsible Party's written certification that (1) the mortgage or lien on the property has been satisfied or legally discharged, (2) the property is no longer in mortgage default, or (3) the Foreclosure Property has been sold to a non-related party in a bona-fide, arms' length transaction.
2. A Lender's statement that it no longer desires to pursue foreclosure, has filed a dismissal of lis pendens and/or summary of final judgment and/or certificate of title or otherwise, such as deed in lieu of foreclosure shall not be the basis for removal of a Foreclosure Property from the registry under this section.
3. For purposes of this section, a transfer to another entity which is under common ownership with the Lender, as determined in the sole discretion of the Office of Neighborhood Services and Code Enforcement, is not an arms' length transaction.

M. Transfer of Ownership

1. If the mortgage on a registered Foreclosure Property is transferred, the transferee shall be subject to the requirements of this section and shall, within five (5) days of the transfer of the mortgage, register the property as a new registration in accordance with this section. Any previously unpaid registration fees are the responsibility of the transferee and are due and payable upon the new registration.
2. If the mortgagee sells a Foreclosure Property in an arms'-length transaction to a non-related person or entity, the transferee is subject to the terms of this section and shall register the property as a new registration under this section within five (5) days of the sale. Any previously unpaid registration fees shall be the responsibility of the new owner.

Section 2. That section 08.02.0675 of the Spokane Municipal Code is amended to read as follows:

Section 08.02.0675 Annual Foreclosure ((Abandoned)) Property Registration Fee

There shall be ((an)) a non-refundable annual fee for ((an abandoned property)) registration of a Foreclosure Property registration under SMC 17F.070.520 in the amount of ((two hundred dollars (\$200.00))) three hundred fifty dollars (\$350.00).

Passed by City Council December 14, 2015

Delivered to Mayor December 18, 2015

ORDINANCE NO C35332

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 Park and Recreation 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 Park and Recreation Fund, and the budget annexed thereto with reference to the Park and Recreation Fund, the following changes be made:

From:	1400-99999 99999	Park and Recreation Fund Unappropriated Reserves	<u>\$ 63,138</u>
To:	1400-30210 76150-54203	Park and Recreation Fund Parks Planning-Surveys/Studies	<u>\$ 63,138</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 provide funding for the Collins Contract, 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 December 14, 2015
Delivered to Mayor December 18, 2015

ORDINANCE NO C35333

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 Golf Fund and Park Fund balances, 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 budgets of the Golf Fund and Park Fund, and the budgets annexed thereto, the following changes be made:

FROM:	1400-99999 99999	Parks & Recreation Unappropriated Fund Balance	\$487,000.00
TO:	1400-99999 97115-80101	Parks & Recreation transfer to Golf Fund	\$112,000.00
	1400-98816 76820-54201	Parks & Recreation 2015 Windstorm Expense	\$375,000.00
FROM:	4640-99999 99999	Golf Unappropriated Fund Balance	\$ 38,000.00
	4600-98816 76820-39724	Golf	\$112,000.00
TO:	4600-98816 76650-54201	Golf Fund 2015 Windstorm Expense	\$150,000.00

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 transfer excess funds from the Golf and Parks Unappropriated Fund Balances to Golf Operations Fund and Parks Operations for windstorm expenses, 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 December 14, 2015
Delivered to Mayor December 18, 2015

ORDINANCE NO C35334

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:

REVENUES:	1970-35110	Fire/EMS Fund	
	99999-32130	Public Safety	<u>\$ 50,000</u>
	1970-35110	Fire/EMS Fund	
	99999-34583	Plan Checking	<u>\$ 30,000</u>
	1970-35130	Fire/EMS Fund	
	99999-33810	IG Chare for Services (CARES)	<u>\$ 10,000</u>
	1970-35141	Fire/EMS Fund	
	99999-34919	IF Other Gen Govt	<u>\$ 135,000</u>
	1970-35110	Fire/EMS Fund	
	99999-35990	Misc Fines & Penalties	<u>\$ 100,000</u>
EXPENSES:	1970-35121	Fire/EMS Fund	
	22200-51215	Overtime-Uniform	<u>\$ 325,000</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 uniform overtime and additional revenue from permit activity, Cares program, CCC reimbursement for admin support, and AMR Fines, 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 December 14, 2015

Delivered to Mayor December 18, 2015

ORDINANCE NO C35335

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:	1970-93519	Fire/EMS Fund	
	22200-33197	Dept Homeland Security	<u>\$ 103,000</u>
TO:	1970-93519	Fire/EMS Fund	
	22200-51215	Overtime-Uniform	<u>\$ 103,000</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 the Homeland Security Grant passed through DEM and the associated overtime from the HazMat training, 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 December 14, 2015
Delivered to Mayor December 18, 2015

ORDINANCE NO. C35339

AN ORDINANCE APPROVING AND CONFIRMING THE 2016 ASSESSMENTS AND ASSESSMENT ROLL FOR THE DOWNTOWN SPOKANE PARKING AND BUSINESS IMPROVEMENT AREA, PREPARED UNDER ORDINANCE C-32923, AS AMENDED.

WHEREAS, the Spokane City Council on November 16, 2015 passed Resolution 2015-0120, which provided notice and set a date for hearing on the assessments to be levied under the above identified ordinance; and

WHEREAS, the assessment rolls have been on file in the Office of the City Clerk for public review and inspection; and

WHEREAS, the City Council, through this ordinance, intends to levy assessments in the Downtown Business Improvement District to provide programs and services which will specifically benefit the businesses and properties in the District.

THE CITY OF SPOKANE DOES ORDAIN:

Section 1. The 2016 assessments and the assessment roll of the Downtown Spokane Parking and Business Improvement Area, established under Ordinance C-32923, as amended, are hereby approved and confirmed. The assessments and assessment roll are attached hereto, available in the Office of the City Clerk, City Treasurer.

Section 2. Each of the businesses, as described in RCW 35.87A.020, lots, tracts and parcels of land and other property, including improvements thereon, multi-family residential, mixed-use projects (as described in RCW 35.87A.020(3)), hotels, motels, government property, and parking lots available to the public where a fee is charged to park, shown upon said rolls are hereby declared to be specially benefited by the programs authorized in Ordinance C-32923, as amended, in at least the amount levied against the same. The method of assessment is based upon the Special Assessment Formula in Exhibit A.

Section 3. Pursuant to SMC 4.31.100, the projects, programs, activities and budget for the 2016 Downtown Spokane Parking and Business Improvement Area as presented to the City Council are hereby approved.

Section 4. The City Clerk is hereby directed to certify and transmit the assessment rolls to the City Treasurer for collection, pursuant to City Ordinance and state law.

Section 5. That the assessments shown on the roll on file in the Office of the City Clerk may be paid in two installments, with the first half of the assessment due and payable on the 25th day of January, 2016, and the second half of the assessment due and payable on the 25th day of July, 2016. Prior to the due date, ratepayers shall be sent a bill stating the amount of the assessment due and payable. If the assessment is not paid within thirty (30) days after its due date, a delinquency charge shall be added in the amount of ten percent (10%) of the assessment, not to exceed one hundred dollars (\$100.00) in addition to the processing fee. All assessments, or part thereof, shall also bear interest at the rate of one percent (1%) for each month, or part thereof, of delinquency. The City Treasurer or his designee shall send at least two (2) late notices assessing appropriate interest, penalty and fees. Interest, penalties and other fees will be collected on delinquent payments or any part thereof. If an assessment is paid in two installments, there shall be added to the second installment a ten-dollar (\$10.00) processing fee. A ratepayer may avoid the ten-dollar (\$10.00) processing fee by paying the total annual fee prior to the second half billing.

Any ratepayer, aggrieved by the amount of an assessment or delinquency charge, shall request, within sixty (60) days of the assessment or charge, a meeting and/or hearing before the Ratepayer Board, and, if not satisfied with the decision of the Ratepayer Board, appeal within ten (10) days from the date of the decision, the matter de novo, to the City's Hearing Examiner, in the manner provided for in the City's Municipal Code. Failure to request a hearing shall result in a waiver of the right to challenge the assessment.

Section 6. This Ordinance shall take effect and be in full force from and after the date of its passage.

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

Passed by City Council December 14, 2015

Delivered to Mayor December 18, 2015

Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

FIREFIGHTER/PARAMEDIC-LATERAL ENTRY SPN 931L Open Entry Examination

DATE OPEN: Monday, December 21, 2015
DATE CLOSED: Sunday, January 10, 2016 at 11:59 p.m.
SALARY: \$39,651.12 annual salary, payable bi-weekly, to a maximum of \$78,362.64

Summary of Work

Performs general duty firefighting work in the preventing, combating, and extinguishing of fires, and emergency medical functions.

Minimum Qualifications

Lateral Entry (Must be met at time of application.)

Education and Experience:

All Applicants must have high school diploma or equivalent, and at least three years of full-time experience as a professional firefighter; must be currently employed or have been laid off or retired in good standing within the past 12 months.

Licenses and Certifications (Applies to all applicants.)

- Possession and evidence of the following are required:
- Valid driver's license
- Valid Firefighter 1 certification
- Hazmat Operations certification
- National Registry EMT or Paramedic certification (applicants from other states must meet Washington State reciprocity requirements by time of hire)
- EVIP certification or equivalent
- CPAT passed within the previous 6 months

Procedural Requirements:

Applicants will specify the certifications for which they are qualified. The Fire Department will specify on their requisitions the certifications required to fill a vacant position and only those on the eligible list meeting such specification shall be certified.

NOTE: Minimum medical and health standards for this classification are established by state laws. All successful candidates who have been offered a position will be required to pass the necessary examinations prior to appointment.

Examination Details

Applicants must pass the examination for this classification to be eligible for hire by the City of Spokane.

The exam will consist of the following:

- 1) **A training and experience evaluation (T & E)**, weighted at 100% of the final score.

T&E EVALUATION DETAILS

The T&E Evaluation is designed to elicit sufficient job-related information to evaluate the amount and quality of the applicant's previous experience, as well as any other information deemed important to performing the duties of the position. The T&E consists of a Supplemental Questionnaire, which must be completed online at the time of application. The questions may be viewed online in the tab marked "QUESTIONS" on the job announcement. Full instructions are provided within the Supplemental Questionnaire.

NOTE: Responses should be consistent with the information on your basic application and are subject to verification. It may be more efficient to develop your responses in a word processing document and then paste them into the online questionnaire as you complete your application for submission.

- 2) **A CPAT (Candidate Physical Abilities Test)** from any CPAT-licensed provider. Applicants must provide evidence of passing a CPAT within the previous 6 months. Only those on the eligible list who have passed the CPAT shall be certified.

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.

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.

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

Paving, Sidewalks, Sewer, etc.

CALL FOR BIDS

**25th Avenue from Southeast Boulevard to 230 feet east of Lacey Court
Engineering Services File No. 2015079**

This project consists of the construction of approximately 1,865 cubic yards of roadway excavation, 6,700 square yards of preparation of untreated roadway, 6,900 square yards of 4-inch thick asphalt pavement, two each catch basins, 50 linear feet of catch basin sewer pipe, 135 square yards of topsoil type A, 2-inch thick, 125 square yards of sod installation, 235 linear feet of concrete curb, 660 square yards of cement concrete sidewalk, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201-3316, will receive sealed bids until 1:00 p.m., January 11, 2016 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file in the office of the Director, Engineering Services Department. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

Copies of the Contract Documents are available at www.cityofspokaneplans.com. The Planholders list is also available at this website. Additional project information including the Engineer's estimated cost range for the project, bid results (after bid opening), as well as information about other City projects are available by following the appropriate links at the following website: www.spokaneengineering.org/bid-information.

The City of Spokane, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulation, Department of Transportation, subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin, or sex in consideration for an award.

Bids shall be submitted on the forms provided in accordance with the provisions of the Specifications. Irregular bid proposals will be rejected in accordance with the specifications.

Cash, cashier's check, a certified check or surety bond in the sum of five percent (5%) of the Total Project Bid must accompany the copy of the bid filed with the City Clerk. Successful bidder shall execute the Contract within TEN (10) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

The City of Spokane will normally award this Contract or reject bids within FORTY FIVE (45) calendar days after the time set for the bid opening. If the lowest responsible Bidder and the City of Spokane agree, this deadline may be extended. If they cannot agree on an extension by the 45-calendar day deadline, the City of Spokane reserves the right to Award the Contract to the next lowest responsible Bidder or reject all Bids.

In accordance with SMC 7.06.500 and RCW 39.04.350(1), the low bidder shall complete the Supplemental Bidder Responsibility Criteria form located in Appendix C. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

Publish December 16, 23 and 30, 2015

Notice for Bids

Supplies, Equipment, Maintenance, etc.

**CHEVROLET SUBURBAN or equal
Fire Department**

BID #4215-16

Sealed bids will be opened at 1:15 p.m., **MONDAY, JANUARY 4, 2016** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, **for one (1) CHEVROLET SUBURBAN** or equal for the City of Spokane Fire Department.

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

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

Submit one (1) original copy to:

Purchasing
4TH Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane WA 99201

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

BID AWARD WILL BE TO THE LOW RESPONSIVE BIDDER WITHOUT CONSIDERATION OF SALES TAX.

Envelope containing proposal is to be marked:
“CHEVROLET SUBURBAN or equal, BID #4215-16 DUE 1/4/16”.

Thea Prince
Purchasing Division

Publish: December 16 & 23, 2015

REQUEST FOR QUALIFICATIONS

STRUCTURAL ENGINEERING SERVICES FOR 2016 - 2017 FEDERAL AID PROJECTS

City of Spokane Engineering Services

RFQ #4217-16

Sealed Statement of Qualification Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, JANUARY 4, 2016**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for Structural Engineering Services for 2016 – 2017 Federal Aid Projects for the City of Spokane Engineering Services Department.

The Request for Qualifications 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.

Statement of Qualification Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, January 4, 2016**. Statement of Qualification 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 Statement of Qualification Proposals delivered late. **Only firm Statement of Qualification Proposals with signatures will be evaluated.**

Submit one (1) paper original, three (3) paper copies, and one (1) reproducible digital copy (CD or thumb drive) of the Statement of Qualification Proposal to:

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

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

All response packages are to be clearly marked with:
“**RFQ #4217-16, STRUCTURAL ENGINEERING SERVICES FOR 2016 - 2017 FEDERAL AID PROJECTS, DUE 1/4/2016**”

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

Publish: December 16 & 23, 2015
