



Official Gazette

City of Spokane, Washington

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

Volume 106

FEBRUARY 3, 2016

Issue 5



MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

MIKE FAGAN (DISTRICT 1)

LORI KINNEAR (DISTRICT 2)

CANDACE MUMM (DISTRICT 3)

VACANT (DISTRICT 2)

KAREN STRATTON (DISTRICT 3)

AMBER WALDREF (DISTRICT 1)

The Official Gazette

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Minutes

MINUTES OF SPOKANE CITY COUNCIL**Monday, January 25, 2016****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, Kinnear, Mumm, Stratton, and Waldref were present.

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

Advance Agenda Review

Council received input from staff on the February 1, 2016, Advance Agenda items.

Resolution 2016-0011 – Setting Hearing on Spokane Housing Ventures Annexation

Motion by Council Member Waldref, seconded by Council Member Fagan, **to defer** Resolution 2016-0011—setting hearing before the City Council for March 14, 2016, for the proposed Spokane Housing Ventures annexation and amending the City of Spokane comprehensive plan land use map and zoning map to include the Spokane Housing Ventures annexation—to February 8, 2016, agenda; **carried unanimously**.

Action to Approve February 1, 2016, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the February 1, 2016, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

Motion by Council Member Waldref, seconded by Council Member Fagan, **to approve** the Advance Agenda for Monday, February 1, 2016 (as amended); **carried unanimously**.

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council considered changes to the January 25, 2016, Current Agenda.

Recommendation to List the Eikenbary-Pierce House (1303 S. Bernard St.) on the Spokane Register of Historical Places (OPR 2016-0032)

Motion by Council Member Fagan, seconded by Council Member Waldref, **to defer** for one week (to February 1, 2016) the recommendation to list the Eikenbary-Pierce House on the Spokane Register of Historical Places; **carried unanimously**.

Resolution 2016-0008 Requesting Special Election on November 7, 2017—Proposition Regarding Immigration Status Information

Motion by Council Member Waldref, seconded by Council Member Stratton, **to defer** Resolution 2016-008—Requesting the Spokane County Auditor to hold a special election on November 7, 2017, in conjunction with the scheduled general election to submit to the electors of the City of Spokane a proposition regarding an amendment to the Spokane Municipal Code relating to immigration status information—to February 29, 2016; **carried 5-1 (Council Member Fagan voting “no”)**.

Collective Bargaining Agreement with IAFF Local 29 Firefighters (OPR 2016-0028)

Council Member Fagan requested that the Collective Bargaining Agreement with IAFF Local 29 Firefighters be considered separately.

CONSENT AGENDA

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

Low bid meeting specifications of McCurley Chevrolet, (Pasco, WA) for two Chevrolet Equinox—\$49,005 (incl. tax). (OPR 2016-0022 / BID 4206-15)

Two-year Value Blanket Order (with option for three one-year extensions) with Schaefer Systems International, Inc., (Charlotte, NC) for the purchase of semi & fully automated yard waste carts—annual estimated expenditure \$160,000 (incl. tax). (OPR 2016-0023 / BID 4158-15)

Five-year Value Blanket Order with Otto Environmental Systems, LLC, (Charlotte, NC) for the purchase of commercial plastic refuse and recycling dumpsters—estimated annual expenditure \$40,667.76 (plus tax). (OPR 2016-0026 / BID 4117-5)

Contracts for operational support and services with:

- a. Northeast Community Center Association—\$125,904.50. (OPR 2016-0029)
- b. West Central Development Association—\$111,939.50. (OPR 2016-0030)

Recommendation to list the Vinther & Nelson Hardware Building, 706 North Monroe Street, on the Spokane Register of Historical Places. (OPR 2016-0031)

Professional Services Consultant Agreement with LSB Consulting Engineers, PLLC, (Spokane, WA) for Structural On-Call Services - Federal Aid Projects—not to exceed \$200,000. (Various Neighborhoods) (OPR 2016-0033 / ENG 20160651)

Low Bid of T. LaRiviere Equipment & Excavation, Inc., (Athol, ID) for the repaving of 25th Avenue from Southeast Boulevard to 230 feet East of Lacey Court—\$349,135.25. An administrative reserve of \$34,913.53, which is 10% of the contract price, will be set aside. (Lincoln Heights) (PRO 2016-0006 / ENG 2015079)

Extensions to:

- a. Assignment of Wheelabrator Service Agreement with Brand Energy, (Tacoma, WA) for Scaffolding Services for the Waste to Energy Facility through January 31, 2016—No additional cost. (OPR 2014-0883)
- b. Contract with Helfrich Brothers Boiler Works Inc., (Lawrence, MA) for Boilermaker Services for the Waste to Energy Facility for scheduled and unscheduled outages through January 31, 2016—No additional cost. (OPR 2015-0260 / BID 4116-15)

Extensions and amendment to contract with:

- a. Online Cleaning Services, (Marysville, CA) for Boiler Blast Cleaning Services at the Waste to Energy Facility through December 31, 2016—\$213,313.50. (OPR 2015-0095)
- b. Zampell Refractories, Inc., (Newburyport, MA) for refractory installation and sandblasting services at the Waste to Energy Facility through December 31, 2016—\$640,000. (OPR 2015-0097)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through January 19, 2016, total \$9,660,788.98 (Check Nos. 520114-520651; ACH Payment Nos. 22782-23087), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$9,367,420.85.
- b. Payroll claims of previously approved obligations through January 16, 2016: \$6,030,432 (Check Nos. 525788-535946).

City Council Meeting Minutes: January 4, 2016, January 7, 2016, and January 11, 2016.

Collective Bargaining Agreement with IAFF Local 29 Firefighters (OPR 2016-0028)

Upon 5-1 Voice Vote (Council Member Fagan voting “no”), the City Council approved the authorization to enter into a collective bargaining agreement with the IAFF Local 29 firefighters bargaining unit covering wages and benefits for the years 2016-2019.

Executive Session/Council Recess

The City Council adjourned at 4:26 p.m. and immediately reconvened into an Executive Session to discuss labor negotiations for five minutes. Assistant City Attorney Erin Jacobson was present during the Executive Session. The City Council reconvened at 6:00 p.m. for the Regular Legislative Session, with Council President Stuckart and Council Members Fagan, Kinnear, Mumm, Stratton, and Waldref present. City Council's Policy Advisor Brian McClatchey and City Clerk Terri Pfister were also present.

TOWN HALL SESSION**Invocation**

Police Chaplain Ed Hoffman provided the invocation.

Pledge of Allegiance

The Pledge of Allegiance was led by Council President Stuckart.

PROCLAMATION

January 24-30, 2016

Certified Registered Nurse Anesthetists Week

Council Member Kinnear read the proclamation and presented it to representatives present on behalf of the proclamation. The proclamation encourages citizens to honor the certified registered nurse anesthetists of our community and our country and the important work they do.

COUNCIL SALUTATION**National Mentoring Month**

Council President Stuckart read a Council Salutation in recognition of National Mentoring Month. The goals of National Mentoring Month are to raise awareness of mentoring, recruit individuals to mentor, and encourage organizations to engage and integrate quality mentoring into their efforts. A mentor is a caring consistent presence who devotes time to a young person to help that young person discover personal strength and achieve their potential through a structured and trusting relationship. Quality mentoring encourages positive choices, promotes self-esteem, supports academic achievement and introduces young people to new ideas. Mentoring Programs have shown to be effective in combatting school violence and discipline problems, substance abuse, incarceration, and truancy. The City Council salutes the following organizations for their participation in National Mentoring Month in Spokane: Big Brothers and Big Sisters, Communities in Schools, College Success Foundation, U-District Foundation, Gonzaga and Whitworth University, Goodwill and the Salvation Army Kroc Center.

ADMINISTRATIVE REPORT**Riverfront Park Update**

Chris Wright, Park Board President, and Parks Director Leroy Eadie provided an update on Riverfront Park, which consists of 100 acres of land and water in the center of the City. It has an important history to our community between the Native Americans, the Pioneers who settled here, the railroad history, Expo '74, and it's been a gathering place for the community. Riverfront Park hasn't had any major investment in the structures for nearly 40 years, and there hasn't been any major overhaul of the park and it is showing its age. Mr. Wright noted that is the message that was communicated to the public in 2014 when we went out for a bond request and asked voters to approve a \$64.3 million bond. He advised that, in 2015, the Park Board has been doing a lot of pre-design work and studies (soil, geotechnical, utility, water, etc.). Meanwhile, he noted the Park Board has been hiring design teams. Mr. Wright provided an overview of the redevelopment of Riverfront Park, which is composed of five major design elements that the design teams will be focusing on, as outlined in the Master Plan: (1) design of public spaces and grounds (landscape), (2) recreational rink/skyride facility, (3) Loof Carousel building, (4) pavilion/shelters, and (5) regional playground. Mr. Eadie spoke regarding the park creation process and noted the process of creating a park and the centerpiece of our community for the next 20 years takes time and attention to detail. He provided an overview of the design work and construction timelines.

Bicycle Advisory Board 2015 Review

Ryan Patterson, Bicycle Advisory Board Chair, and Board Member Betsy Lawrence, provided an overview of the Bicycle Advisory Board's work for the past year. The Board uses what is known as the 5 E's that are consistent in making great places for bicycling: Engineering, Education, Encouragement, Enforcement, and Evaluation. She then proceeded to provide an overview for each of the 5 E areas.

CITY COUNCIL COMMITTEE REPORTS**Planning and Economic Development Committee**

Council Member Mumm reported on the Planning and Economic Development Committee meeting held earlier today (January 25, 2016). Minutes of the Planning and Economic Development Committee meeting are filed with the City Clerk's Office and are available for review following approval by the Planning and Economic Development Committee.

Public Works Committee

Council Member Waldref reported on the Public Works Committee meeting held earlier today (January 25, 2016). Minutes of the Public Works Committee meeting are filed with the City Clerk's Office and are available for review following approval by the Public Works Committee.

APPOINTMENTS**Board of Health (CPR 1981-0393)**

Motion by Council Member Mumm, seconded by Council Member Waldref, **to appoint** Council President Ben Stuckart, to the Board of Health; **carried unanimously**.

Northeast Public Development Authority (CPR 2012-0032)

Upon Unanimous Voice Vote, the City Council **confirmed** the reappointment of Craig Riley to the Northeast Public Development Authority for a term of December 12, 2015 to December 11, 2018.

Historic Landmarks Commission (CPR 1981-0122)

Upon Unanimous Voice Vote, the City Council **confirmed** the appointment of Dr. Larry Cebula to the Historian position on the Spokane City/County Historic Landmarks Commission.

Plan Commission (CPR 1981-0295)

Upon 2-4 (Council President Stuckart and Council Member Fagan voting "aye" and Council Members Kinnear, Mumm, Stratton, and Waldref voting "no"), the City Council rejected the reappointment of Evan Verduin to the Plan Commission for a term of December 31, 2015 to December 31, 2018.

TOWN HALL FORUM

Alan McDowell thanked Council Member Stratton for meeting with him today. He commented about having a scheduler at the front desk. He also commented on Police and spoke regarding the "augment filer" that describes what you feel about incident reporting.

Henry Valder displayed a video and indicated it was for troops overseas. He commented on PTSD and veterans and the Veterans Garage.

Steve Black commented on support of the Second Amendment and to not allow any legislation to usurp this amendment. He noted he is against the sanctuary city and believes it needs to be put on the ballot. In addition, he stated he is appalled at the support for Planned Parenthood; is against photo red; against STA putting in large electric buses; and against taxes, levies and fees. He encouraged de-legislation for small businesses.

Carol Black commented in support of the petition for sanctuary city and encouraged Council to put it on the ballot.

Kathy Tham, Community Minded Enterprises and CM-TV14, provided an overview of upcoming shows that will be airing. Ms. Tham noted that CM-TV is a public access channel and what better way to support our community than to allow citizens to speak their mind. She noted that starting on February 11, CM-TV will open its studio to anyone in the community who would like to speak their mind and offer an opinion on any topic they choose. She also noted that in the spring, another episode of "Successful Aging" will be launched through the generous support of the Common Wealth Agency Board.

George McGrath commented on Planned Parenthood and a recent Supreme Court ruling.

Rick Bocook stated he has been doing public records requests on our skywalks and stated some have easements on them. He stated they are public access and a pedestrian right of way, which means that we have a certain amount of constitutional rights on the skywalks.

George Taylor thanked City Council for passing the legislation to mandate up to three days of earned paid sick leave to most employees of businesses in the City of Spokane. He urged the City Council to override the Mayor's veto of the legislation for the public good.

NEIGHBORHOOD REPORTS

Heather Trautman, Director of the Office of Neighborhood Services (ONS) and Code Enforcement, provided introductory and welcoming remarks. She noted ONS and Code Enforcement will be a part of the new division which includes Planning, Economic Development, Building, Community Centers, and Community Development as we move forward in 2016. She noted there will be seven neighborhoods present this evening, one community center and a COP Shop. She noted Spokane is one of the only cities in which by charter we formally recognize neighborhood organizations by ordinance and facilitate communication with them; and they communicate with us on what the neighborhood's needs are, what are the challenges, and development and implement very specific programs. Ms. Trautman then introduced Rod Minarik of Neighborhood Services and Code Enforcement who facilitated introduction and presentation of neighborhood reports, as follows:

1. Council President Stuckart noted that Gary Pollard of the Riverside Neighborhood was unable to make it tonight. Mr. Minarik thanked Gary and his Board for all the work they have done in the Riverside Neighborhood.
2. Bridget Walden reported on West Hills.
3. Joy Sheikh reported on Grandview/Thorpe.
4. Rick Biggerstaff reported on Browne's Addition.
5. Heleen Dewey reported on Latah/Hangman Valley.
6. Patrick Striker, Spokane COPS Director, and Madison Garner, Social Media Coordinator, reported on Greater Spokane COPS.
7. Patricia Hansen reported on Cliff/Cannon.
8. Jan Loux reported on Peaceful Valley.
9. Mark Reilly, Director, reported on Southwest Spokane Community Center.

Mr. Minarik provided closing remarks and thanked all of the neighborhoods for their work tonight.

Roll Call

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

LEGISLATIVE AGENDA

There were no **Emergency Budget Ordinances**.

There were no **Emergency Ordinances**.

RESOLUTIONS

Resolution 2016-0009 (OPR 2016-0027)—Zonar Systems, Inc.

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2016-0009** declaring Zonar Systems, Inc. (Seattle, WA) a sole manufacturer and supplier of GPS systems for the Solid Waste Collection Department for the purpose of vehicle tracking and maintenance record keeping and authorizing GPS system data acquisition services from Zonar Systems, Inc. without public bidding—\$51,457.15 (incl. tax).

Resolution 2016-0010—2016 Legislative Agenda

Upon 5-1 Roll Call Vote (Council Member Fagan voting "no"), the City Council **adopted Resolution 2016-0010** amending the City of Spokane's 2016 Legislative Agenda (to include UDDA operating funds to catalyze and leverage strategic investments).

For Council Action on Resolution 2016-0008, see section of minutes under 3:30 p.m. Administrative Session.

FINAL READING ORDINANCE

Final Reading Ordinance C35352 Relating to Pretreatment Requirements

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35352** relating to the pretreatment requirements; amending SMC sections 13.03A.0203, 13.03A.0204, 13.03A.0210, 13.03A.0406, 13.03A.0408, 13.03A.0409, 13.03A.0502, and 13.03A.0801 of the Spokane Municipal Code; and setting an effective date.

CONSIDERATION OF MAYORAL VETO OF ORDINANCE C35300—SICK AND SAFE LEAVE

Council President Stuckart requested a motion to suspend the Council Rules to add C35300 to the City Council's agenda. Subsequently, the following action was taken:

Motion by Council Member Waldref, seconded by Council Member Stratton, **to suspend** the Council Rules; **carried 5-1 (Council Member Fagan voting “no”)**.

Motion by Council Member Waldref, seconded by Council Member Stratton, **to add** Ordinance C35300 to the (Legislative) Agenda (for consideration of the Mayor’s Veto); **carried 5-1 (Council Member Fagan voting “no”)**.

Council President Stuckart noted that Ordinance C35300 is the sick and safe leave ordinance that was passed on January 11, 2016. He noted the City Council received the Mayor’s veto of the ordinance today (January 25), and he called for public testimony on the matter. Public testimony was received and Council commentary held. Subsequently, the following action was taken:

Upon 5-1 Roll Call Vote (Council Member Fagan voting “no”), the City Council **approved an override** of the Mayor’s Veto of Ordinance C35300 (relating to earned sick and safe leave in the City of Spokane; creating a new Title 9 to the Spokane Municipal Code; amending section 1.05.170 and 4.04.50 of the Spokane Municipal Code).

FIRST READING ORDINANCES

The following ordinances were read for the First Time, with further action deferred:

- ORD C35354** Relating to charitable solicitation applications; and amending section 10.42.040 of the Spokane Municipal Code.
- ORD C35355** Relating to the City Investment Committee; adopting new section 07.15.005 to Chapter 7 of the Spokane Municipal Code, and amending sections 07.15.010 and 07.15.020 of the Spokane Municipal Code.
- ORD C35356** Relating to Council and Legislation; amending sections 02.005.010, 02.01.010, 02.01.030, 02.01.040, and 02.01.050 of the Spokane Municipal Code.

There were no **Special Considerations**.

There were no **Hearings**.

SECOND TOWN HALL FORUM

William Roswell commented on the sanctuary city (initiative petition) and feels it should go to a vote of the people.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 9:04 p.m.

STUDY SESSION MEETING MINUTES SPOKANE CITY COUNCIL Thursday, January 14, 2016

A Special Meeting of the Spokane City Council was held on the above date at 3:30 p.m. in the City Council Briefing Center, Lower Level – City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. Council President Stuckart and Council Members Fagan, Kinnear and Waldref were present. Council Members Mumm and Stratton were absent.

The following topics were discussed:

- Review priorities and discussion about 2016 Work Program
- Discuss scope of Comprehensive Plan Update project
- Discuss scope of Infill Housing Project

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

The meeting adjourned at 4:51 p.m.

Planning & Economic Development

December 14, 2015

Meeting Minutes: Meeting called to order at 11:03

Attendance

- PCED Members Present: Chairperson Mumm, Council President Stuckart; Council Members: Karen Stratton, Mike Fagan, Amber Waldref, Jon Snyder
- Council Members Not Present: Mike Allen
- Staff Present: Scott Simmons, Brian McClatchey, Louis Meuler, Richard Rush, Skyler Oberst, Adam McDaniel, Eva Everano, Jo Anne Wright, Andrew Worlock, James Richman Mark Serbousek, Jo Anne Wright, Kevin Freibott, Jacqui Halvorson, Megan Duvall, Marcia Davis

Briefing Session:

Minutes from the November 14, 2015 meeting approved unanimously

Consent Items:

1. Historic Preservation City/County Interlocal Agreement 2016-2018
 - Presentation and overview given; discussion ensued
 - Questions asked and answered
2. Commute Trip Reduction Implementation Intergovernmental Agreement
 - Presentation and overview given; discussion ensued
 - Questions asked and answered
3. Contract Amendment with Spokane Arts Commission and Spokane Arts Fund
 - Presentation and overview given
 - Questions asked and answered

Discussion Items:

1. Amendments to Section 08.15.030 Residential Targeted Areas Criteria Designation
 - Presentation and overview given; discussion ensued
 - Questions asked and answered
2. Central City Line Strategic Overlay Plan
 - Presentation and overview given; discussion ensued
 - Questions asked and answered

Adjournment:

1. Next PCED meeting is scheduled **January 25, 2015**

Hearing Notices

**Notice of City Council Public Hearing
Proposed City of Spokane Comprehensive Plan
Land Use and Zoning Amendments for
The Spokane Housing Ventures Annexation
(Proposed Ordinances C35359 and C35360)**

Notice is hereby given that the City of Spokane is seeking Comprehensive Plan Land Use Map and Zoning Map amendments for additional land proposed to be annexed into the City of Spokane. The annexation area encompasses approximately 42 acres and is bounded by 53rd Avenue on the north, the Palouse Highway on the east, 55th Avenue on the south, and Regal Street on the west. A hearing on the land use and zoning amendments for the annexation area is scheduled for **Monday, February 8, 2016 at 6:00 p.m. in the Council Chambers, Lower Level of Spokane City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201**. Adoption of land use and zoning designations for areas to be annexed usually involves two City Council Hearings at least 30 days apart, so testimony will be taken at the February 8, 2016 City

Council Hearing, with Council action deferred to a March 14, 2016 City Council Annexation Hearing. Any person may submit written comments or testify on the proposed actions or call for additional information.

City of Spokane Planning & Development, Attn: Jo Anne Wright
808 West Spokane Falls Boulevard
Spokane, WA 99201-3333
(509) 625-6017; jwright@spokanecity.org

Documents relating to this proposal are at: <https://my.spokanecity.org/projects/spokane-housing-ventures-request-for-annexation/>

Only the applicant, persons submitting written comments and persons testifying at a hearing may appeal the decision.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Chambers and the Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., are both wheelchair accessible. The Council Briefing Center is equipped with an audio loop system for persons with hearing loss. The Council Chambers currently has an infrared system and headsets may be checked out by contacting 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.

Publish: January 27 and February 3, 2016

General Notices

RESOLUTION NO. 2016-0001

A resolution amending the City Council Rules of Procedure.

WHEREAS, pursuant to Section 9(b) of the City Charter, the City Council is authorized to adopt its own rules of procedures; and

WHEREAS, Section 1.5 of the Rules of Procedure require amendments to be adopted pursuant to a resolution;

-- Now, Therefore,

BE IT RESOLVED by the City Council of the City of Spokane that the Spokane City Council Rules of Procedure are amended as follows:

Section 1. That City Council Rules of Procedure are amended as follows:

Spokane City Council Rules of Procedure

RULE 1 - GENERAL PRINCIPLES

Rule 1.1 PURPOSE

The Spokane City Council adopts these rules to provide for the conduct of its affairs. These rules do not confer upon any person who is not a member of the Council any right to a particular procedure, nor do they affect the validity or legality of any Council action.

Rule 1.2 DUTY OF MUTUAL RESPECT

It is the constant duty of each Council member to maintain and exhibit respect for each other, the City staff and the public. Likewise, the Council requires respectful behavior from all persons who attend a meeting. Mutual respect between Council members and towards staff includes, but is not limited to, not intentionally disclosing private information about a Council member or staff such as personal telephone numbers or home address without the permission of the Council member or staff.

Rule 1.3 DUTY OF ETHICAL CONDUCT

1.3.1 Every Council member must uphold the constitution, laws, and regulations of the State of Washington and the Charter and ordinances of the City.

1.3.2 No Council member shall have an interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur an obligation of any nature that may be in conflict with the proper discharge of his or her duties as an elected official or as a Council member. No Council member in his or her official capacity may participate in a transaction involving the City with a party in which the Council member, or a family member, owns a beneficial interest. Should a Council member have a conflict of interest, or become aware that he or she has or may have a conflict of interest, that Council member shall immediately inform the Council of the conflict of interest and abstain from any Council action in connection with that matter.

1.3.3

A. No Council member may accept employment or engage in any business or professional activity that might reasonably require or induce him or her to disclose confidential information acquired by reason of the Council member's official position.

B. No Council member may disclose confidential information gained by reason of his or her official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another.

C. No Council member may disclose confidential information to any person not entitled or authorized to receive the information.

D. "Confidential information" means

1. specific information, rather than generalized knowledge, received by a Council member as a result of his or her position that is not available to the general public on request; or
2. information furnished to a Council member under circumstances as to suggest the information is confidential, including when the provider of the information identifies the information as confidential; or
3. information made confidential by law, including specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy; or
4. other information made confidential by the Public Records Act (Chapter 42.56 RCW) or the Open Public Meetings Act (Chapter 42.30 RCW).

1.3.4 No Council member may use or authorize the use of facilities of the City, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the purpose of or opposition to a ballot proposition. All actions of a Council member shall comply with RCW 42.17.130.

Rule 1.4 ROBERT'S RULES OF ORDER

Matters of procedure not otherwise provided for herein are, insofar as practical, determined by reference to *Robert's Rules of Order, newly revised*.

Rule 1.5 AMENDMENT

These Rules may be amended by resolution of the City Council.

RULE 2 – MEETINGS**Rule 2.1 PLACE AND TIME OF MEETINGS**

- 2.1.1 As provided in the Spokane Municipal Code Section 2.01.010, the regular meeting of the City Council is at 3:30 p.m. every Monday in the Council Chambers, Lower Level of City Hall. If a Monday is a City Holiday, that week's regular meeting may be held on the next day that is not a holiday if a quorum is available unless cancelled at the discretion of the Council President.
- 2.1.2 The 3:30 p.m. Council session is a briefing session for the purposes of receiving staff reports on matters of interest, committee reports, background information from staff regarding matters on the advance agenda for the next week's meeting and for that day's agenda, making any adjustments to the agenda and agreeing as to any issues of procedure for that day's meeting. Once the advance agenda has been reviewed, the City Council shall approve the agenda by motion.
- 2.1.3 As the conclusion of the briefing session, there is an administrative session during which action will be taken on the items on the consent agenda. At the request of any Council member, an item on the consent agenda will be carried over to the legislative session.
- 2.1.4 At the conclusion of the administrative session, or at other time properly announced, the City Council may adjourn into executive session consistent with the Open Public Meetings Act, Chapter 42.30 RCW. The Chair shall declare, before the Council convenes in executive session, the subject matter of the executive session with as much particularity as will not frustrate the purpose of the executive session. The Council determines which persons shall attend each particular executive session.
- 2.1.5 The 6:00 p.m. Council session is the legislative session for the purpose of taking public testimony, discussing and taking action on those items which were placed on that agenda or transferred from the administrative agenda, and for holding the open forum.

Rule 2.2 OPEN FORUM

- 2.2.1 At each meeting, prior to the City Council considering its legislative agenda, an allotment of time, not to exceed thirty minutes, is devoted to public comment by citizens of the City. When all the matters on the agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. If no one has signed up or is remaining to speak at the open forum session, the open forum session shall be concluded.
- 2.2.2 At the beginning of the open forum session a designated staff member will collect the sign-up sheet upon which citizens have indicated their desire to speak at the open forum session and deliver them to the Chair so that the Chair can begin the determination of how the time of the open forum is to be allocated. In his or her discretion, the Chair will determine the order of the speakers and will impose on each speaker such time limits as may be appropriate to allocate the allotted time. Each speaker may be limited to three minutes.
- 2.2.3 Because taking action on any matter brought up during the open forum session would violate these rules relative to advance notice to and participation by the public, no action, other than a consensus to bring the matter up as a future agenda item, will be taken during the open forum.
- 2.2.4 The open forum is a limited public forum and all matters discussed shall relate to affairs of the City. No person may use the open forum to speak on such matters and in such a manner as to violate the laws governing the conduct of municipal affairs. No person shall be permitted to speak on matters related to the current or advance agendas, potential or pending hearing items, or ballot propositions for a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not make personal comment or verbal insults about any individual.
- 2.2.5 The Council President may invite the Mayor and one member of the administration's executive leadership to be present during open forum.
- 2.2.6 In an effort to encourage wider participation in open forum so that the Council can hear a wide array of citizen comment, no person shall be permitted to speak at open forum more often than once per month. However, this limitation has no effect on the public comment rules concerning items on the Council's current legislative agenda, special consideration items, hearing items, and other items before the City Council requiring Council action that are not adjudicatory or administrative in nature, as specified in Rules 5.3 and 5.4.

Rule 2.3 ADJOURNED MEETINGS

- 2.3.1 At the conclusion of the open forum, unless there is further business before the Council, the Chair shall adjourn the meeting until the next regularly scheduled Council meeting.
- 2.3.2 Any meeting may be adjourned to a place and time set by motion. Unless otherwise specified in the motion, the meeting will be adjourned to the place and time fixed for the next regular meeting. If a regular meeting be adjourned to a place and time specified, that adjourned meeting is a regular meeting.
- 2.3.3 If at the time fixed for the beginning of any meeting, or at any time in the course of a meeting, less than a quorum be present, the Council President, or in the President's absence any member, or if there be no Council members present then the City Clerk, shall declare the meeting adjourned to the next regular meeting.
- 2.3.4 If a meeting is adjourned prior to the completion of the City Council's agenda, all matters on the agenda not disposed of shall be continued to the adjourned meeting. The City Clerk or other person designated by the Clerk shall post a written notice of adjournment conspicuously on or near the main door of the place of any meeting which has been adjourned. The notice shall be posted as soon as possible after the adjournment and shall state the fact of adjournment and the place and time to which the meeting was adjourned.
- 2.3.5 At 11:00 p.m. or at any time thereafter, it shall be in order for any member to move, or for the Chair to declare, based on the opinion that the business at hand cannot be concluded within a reasonable time, that a regular meeting be adjourned.

Rule 2.4 SPECIAL MEETINGS

A special meeting may be called by the Council President or by passage of a motion made during a regular meeting. All such special meetings shall be noticed in compliance with the Washington Open Public Meetings Act (OPMA) and Rule 4.2.

Rule 2.5 STUDY SESSIONS

The Council may schedule study sessions for such purposes as receiving background information as to staff matters, briefing from staff, and discussion among Council members as to issues of concern. Such meetings are to be in a workshop format, with no public hearing, and the Council shall make no disposition of any item at a study session unless the study session was noticed as a special meeting in compliance with the Washington Open Public Meetings Act (OPMA) and Rule 4.2. A quorum of the Council is not necessary in order to proceed with a study session.

Rule 2.6 QUORUM

A quorum is four (4) or more Council members present and qualified to act, unless a particular action requires the affirmative vote of more than four. The quorum for the adoption of an ordinance making an emergency expenditure as provided in RCW 35.33.081 and .091, adoption of an ordinance effective immediately under subsection 19(a)(1) of the Charter, and override of a veto as provided in subsection 16(b) is five (5).

RULE 3 – AGENDA**Rule 3.1 FUNCTIONS OF AGENDA**

The agenda serves to introduce items to the Council, to establish the order of business and to give notice to the public. The notice of a special meeting is the agenda for such meeting.

Rule 3.2 INTRODUCTION OF ITEMS

- 3.2.1 Items may be placed on a regular legislative meeting agenda by the Council President or any Council member; provided, however, subject to Rule 5.6 (Suspension of Rules), and regardless of whether the item originates with a Council member or the administration, no item may be placed on the legislative agenda unless it has first been presented in its committee of origin as provided in Rules 7.1 and 9.3. Agenda items related to activities of a board or commission or a city Council standing committee may be placed on the agenda by the city administrator, the Council President, by any Council member, or by motion of the City Council. A Council member may not utilize administrative staff, other than of the City Council or legal department, for the preparation of an item for the agenda without direction from the Council President or the Mayor.

- 3.2.2 The agenda for every regular meeting is prepared by the office of the City Clerk in the manner and format prescribed by the City Council and consistent with administrative policies and procedures and these Rules. The Mayor determines for each kind of item which administrative officials need to sign off on the agenda sheet indicating it, and any accompanying packet material, is complete and ready for introduction by a Council member.

Rule 3.3 AGENDA PROCESS

- 3.3.1 The process of submitting agenda items and preparing the agenda for all Council meetings shall be consistent with these Rules of Procedure and Administrative Policy and Procedures No. ADMIN 0260-05-01 and all subsequent amendments thereto. In case of any conflicts between these Rules of Procedure and Administrative Policy and Procedures No. ADMIN 0260-05-01, these Rules of Procedure shall control.
- 3.3.2 An item is submitted for the agenda in the form of an agenda sheet presented to the City Clerk. The agenda sheet shall have such form and content as approved by the City Council.
- 3.3.3 The wording for the agenda and the agenda sheet is to be furnished by the person submitting the item. The City Clerk and City Attorney's office staff may edit agenda items for grammatical or typographical errors.
- 3.3.4 Each Council member is responsible to obtain and be familiar with all agenda data.

RULE 4 – TIME AND NOTICE

Rule 4.1 NOTICE BY AGENDA

Except as provided below, the agenda is the only required notice.

Rule 4.2 SPECIAL MEETINGS

Notice of every special meeting shall be given in writing to every Council member, to the Mayor, to the City Attorney, and to all parties who have on file with the City Clerk a request for such notices. The notice shall be delivered personally, electronically, by mail, by facsimile or otherwise, so as to be received at least 24 hours before the meeting or as otherwise provided for in RCW 42.30.080. The notice shall state the place and time of the meeting and the business to be conducted. The Council shall not make final disposition of any matter not included in the notice. Notices of special meetings are prepared by the City Council Office staff and issued by the City Clerk's office.

RULE 5 – CONDUCT OF MEETINGS

Rule 5.1 THE CHAIR

- 5.1.1 The Council President, or in his or her absence or incapacity that Council member elected by the Council to serve as Council President pro tem pursuant to SMC 3.01.120(A), each of whom is referred to in these Rules of Procedure as "the Chair," shall preside over meetings of the Council and cause the business of the Council to be transacted in accordance with these rules. The presiding officer may yield the Chair to a member of the Council's choice to conduct a portion of the meeting.
- 5.1.2 The Chair shall determine all questions of parliamentary procedure, subject to appeal as provided in this Rule 5.1.2, but shall liberally grant leave to the City Council Policy Advisor and/or City Attorney to speak to the question. A ruling of the Chair can be appealed, before the ruling is acted on, by any Council member's announcement of an appeal, which appeal is perfected by receiving a second. The Chair shall then state the question in terms of upholding the ruling and may state his or her reasons for the ruling. Then the member appealing has the floor to open debate on the appeal. Upon the close of debate, the Council shall vote on the appeal.
- 5.1.3 The Chair may not make a motion. The Chair may second a motion only if there is no other second and only for the purposes of discussion. The Chair may vote as any other Council member.
- 5.1.4 The Chair has the authority to recess, subject to appeal, any meeting when noise, disturbance, indecorum, or other circumstances warrant a recess to enable the Council to conduct its meeting in an appropriate manner. The Chair may direct any person disrupting the meeting to be removed from the chambers or to otherwise eliminate a source of disruption.

- 5.1.5 The Chair has the authority to recess a meeting upon the request of any Council member. Recognizing that fatigue, discomfort, and tedium detract from the quality of participation in deliberative process on the part of all participants, the Chair is encouraged to call or grant requests for recesses as such frequency as dictated by the time of day, temperature, and other factors.

Rule 5.2 ORDER OF BUSINESS

5.2.1. Briefing Session.

The ordinary order of business as a briefing session is:

- A. Roll call;
- B. Council or staff reports of matters of interest;
- C. Background information from staff regarding matters on the advance agenda;
- D. Discussion of and any adjustments to the advance agenda for the following week's meeting;
- E. Approval by motion of the advance agenda;
- F. Any new background for items on the current agenda;
- G. Discussion of and any adjustments to the current agenda.

5.2.2 Administrative Session.

The ordinary order of business at an administration session is:

- A. Reading of consent agenda items by the Clerk;
- B. Action on the items on the consent agenda.

5.2.3 Executive Session.

The business of an executive session is determined case by case within the restrictions of the Open Public Meetings Act and other provisions of state law.

5.2.4 Legislative Session.

The ordinary order of business at a legislative session is:

- A. Pledge of Allegiance, words of inspiration, special introductions;
- B. Roll call to establish the presence of a quorum;
- C. Council and Committee reports;
- D. Announcement of adjustments to the agenda;
- E. Council appointments and approval of Mayoral appointments;
- F. Administrative report;
- G. Open forum;
- H. Reading of each agenda item by the Clerk;
- I. Report by staff and questions to staff;
- J. Motion and second (except for a hearing in which case the motion is made at the close of the hearing);
- K. Comment from citizens;
- L. Deliberation by Council, and such further dialogue with staff and citizens as Council may desire;
- M. Vote;

- 5.2.5 Items shall be acted upon in the order in which they appear on the agenda, provided items may be taken out of order, combined, or separated by majority vote of the Council. Items on the agenda may be grouped under various headings or sections and entire sections may be read and acted upon at one time unless the Council decides otherwise.
- 5.2.6 All City Council appointments or Mayoral appointments which require City Council approval shall be announced and voted upon by motion during the legislative session with the following exception. Approval of appointments of department heads, the City Clerk, and the City Attorney, pursuant to Section 24 of the City Charter, shall be by resolution.

Rule 5.3 SPEAKING DURING COUNCIL MEETING

- 5.3.1 Members of the public may address the Council regarding items on the Council's legislative agenda, special consideration items, hearing items, and other items before the City Council requiring Council action that are not adjudicatory or administrative in nature. This rule shall not limit the public's right to speak during the open forum.
- 5.3.2 No one may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide his or her address as a condition of recognition. In order for a Council member to be recognized by the Chair for the purpose of obtaining the floor, the Council member shall either raise a hand or depress the call button on the dais until recognized by the Council President.
- 5.3.3 Each person speaking at the public microphone shall verbally identify him(her)self by name and, if appropriate, representative capacity.
- 5.3.4 Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded and documents submitted for the record are identified and marked by the Clerk.
- 5.3.5 In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, including but not limited to demonstrations, banners, applause, profanity, vulgar language, or personal insults will be permitted.
- 5.3.6 A speaker asserting a statement of fact may be asked to document and identify the sources of the factual datum being asserted.
- 5.3.7 When addressing the Council, members of the public shall direct all remarks to the Council President and shall confine remarks to the matters that are specifically before the Council at that time.
- 5.3.8 When any person, including members of the public, City staff, and others, are addressing the Council, Council members shall observe the same decorum and process, as the rules require among the members *inter se*. That is, a Council member shall not engage the person addressing the Council in colloquy, but shall speak only when granted the floor by the Council President. All persons and/or Council members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order, newly revised*, shall extend to all speakers before the City Council. The Council President pro-tem shall be charged with the task of assisting the Council President to ensure that all individuals desiring to speak, be they members of the public, staff, or Council members, shall be identified and provided with the opportunity to speak.

Rule 5.4 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS

- 5.4.1 The City Council shall take public testimony on all matters included on its legislative agenda. There shall be no public testimony on matters on the Council's administrative consent agenda or in regards to procedural, parliamentary, or administrative matters of the Council. There also shall be no public testimony regarding amendments to legislative agenda items. Public testimony shall be limited to the final Council action.

Public testimony shall be limited to three (3) minutes per speaker, unless, at his or her discretion, the Chair determines that, because of the number of speakers signed up to testify, less time will need to be allocated per speaker in order to accommodate all of the speakers. The Chair may allow additional time if the speaker is asked to respond to questions from the Council. At the Chair's discretion, several speakers may allot their time to one speaker who shall speak on behalf of the other individuals for a period of time determined by the Chair.

For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented:

- A. Following an assessment by the Chair of factors such as complexity of the issue(s), the apparent number of people indicating a desire to testify, representation by designated spokespersons, etc., the Chair shall, in the absence of objection by the majority of the Council present, impose the following procedural time limitations for taking public testimony regarding legislative matters:
1. There shall be up to fifteen (15) minutes for staff, board, or commission presentation of background information, if any.
 2. The designated representative of the proponents of the issue shall speak first and may include within his or her presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes shall be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the 30 minutes between or among themselves.
 3. Three minutes shall be granted for any other person not associated with the designated representative who wishes to speak on behalf of the proponent's position.
 4. The designated representative, if any, of the opponents of the issue shall speak following the presentation of the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. The designated representative(s) of the opponents shall have the same time allotted as provided for the proponents.
 5. Three minutes shall be granted for any other person not associated with the designated representative who wishes to speak on behalf of the opponents' position.
 6. Up to ten minutes of rebuttal time shall be granted to the designated representative for each side, the proponents speaking first, the opponents speaking second.
- B. In the event the party or parties representing one side of an issue has a designated representative and the other side does not, the Chair shall publicly ask the unrepresented side if they wish to designate one or more persons to utilize the time allotted for the designated representative. If no such designation is made, each person wishing to speak on behalf of the unrepresented side shall be granted three minutes to present his/her position, and no additional compensating time shall be allowed due to the fact that the side has no designated representative.
- C. In the event there appears to be more than two groups wishing to advocate their distinct positions on a specific issue, the Chair may grant the same procedural and time allowances to each group or groups, as stated previously.
- D. The time taken for staff or Council member questions and responses thereto shall be in addition to the time allotted for any individual or designated representative's testimony.

Rule 5.5 VOTING

- 5.5.1 Except where a majority plus one vote is required, (e.g., Charter section 19, RCW 35.33.081), and unless otherwise provided herein, all motions, except a motion to adjourn (which passes by a majority of votes cast), to carry must receive at least four affirmative votes.
- 5.5.2 If a motion receives a majority of favorable votes, but less than four, and if further voting cannot produce four votes for any motion, either:
- A. The matter will be continued, or
 - B. if it appears that because of disqualification or other reason the Council will not obtain four votes for any motion to dispose of the matter, it shall be declared that no action was taken and the status quo shall prevail.
- 5.5.3 Upon a tie vote, the status quo prevails and the matter upon which the vote was cast.
- 5.5.4 The votes on any ordinance or formal resolution shall be individually taken and recorded. As to any other matter, voting shall be by voice vote unless any member requests, prior to action on the next item of business, a different method, such as a show of hands or a roll call vote. Unless the Council shall order otherwise, the alternative to voice vote shall be the electronic system currently in use.

- 5.5.5 In all cases of voting by other than voice vote, the City Clerk shall record the names of those voting on each side of the question and of those abstaining. In cases of voice vote, it shall be sufficient for the Chair to announce, and the record to reflect, whether the motion carried or failed. Regardless of method of voting, each Council member shall have the right, before the next matter is considered, to explain the reasons for his or her vote and such a request shall be regarded as a matter of privilege.
- 5.5.6 A Council member may abstain from voting on any matter before the Council when he or she has a direct personal or pecuniary interest not common to other members of the Council. In order to abstain from voting, a Council member must sufficiently describe to all other members of the Council during the Council meeting, the existence and nature of the interest which supports his or her abstention.

Rule 5.6 SUSPENSION OF THE RULES

These Rules may be temporarily suspended for a particular matter by five affirmative votes.

Rule 5.7 RECONSIDERATION

A Council member who voted on the prevailing side regarding an item voted on during an administrative session may move reconsideration of that item at that day's legislative session or at the next briefing session. All legislative decisions of the City Council regarding ordinances, resolutions, and hearing items are final. When permissible, a Council member may re-submit a subsequent ordinance or resolution to repeal or modify a prior City Council action.

Rule 5.8 PARTICIPATION BY TELEPHONIC COMMUNICATION

A Council member may participate telephonically in all or part of a Council meeting if:

- A. Prior approval is given by the Council President for good cause, whose approval shall not be unreasonably withheld;
- B. All persons participating in the meeting are able to hear each other at the same time, such as by the use of a speaker phone; and
- C. The Council member participating telephonically shall have reviewed all of the applicable material and participated in the relevant portion of the Council meeting related to the topic to which the Council member is voting on.

Any technical prohibitions or difficulties that prevent all parties present at the Council meeting from adequately communicating with one another will negate any authorization previously given by the Council President.

RULE 6 – ADJUDICATIVE APPEALS AND HEARINGS

Adjudicative hearings are quasi-judicial hearings involving named parties. Testimony during adjudicative hearings is limited to the parties involved in the hearing. Public testimony is not accepted in adjudicative hearings. Where procedures for appeals and hearings have been established by ordinance, the Council shall follow those procedures. If a conflict arises between the ordinance and Council rules, the ordinance shall prevail. Where there are no established procedures for an adjudicative appeal or hearing, the Council shall implement the following procedure.

- 6.1 No person shall be allowed to discuss any matter pending hearing with any member or members of the Council except in the Council Chambers in the regular course of a Council meeting. Each Council member shall vigorously strive to avoid any outside communication from anyone in any form concerning a matter pending hearing or decision. If an outside contact cannot be avoided, the Council member shall immediately make a note of the contact and shall at the beginning of the Council's hearing on the matter announce the fact of the contact, the identity of the person, and the substance of the communication. If the communication be in written form, the Council member shall as soon as possible file it with the City Clerk.
- 6.2 When the Council's discussion and vote on a hearing item is at a meeting other than the hearing, it shall be the obligation of every Council member participating in the action to be familiar with the facts in order to reach an informed, independent judgment. When a member discussing or voting on the matter was not present at the hearing, that member will have familiarized him(her)self with the hearing item based upon any audio or video recording of the hearing and all documents contained in the record. A Council member shall not be briefed by anyone except in an open meeting.

- 6.3 A Council member shall disqualify him(her)self from participating in a hearing whenever bias, interest, or other influences will prevent or appear to prevent him or her from exercising fair-minded, independent judgment on the facts and established policy. Disqualifying influences include prejudgment of the issues that cannot be swayed by the facts in evidence, a partiality or personal bias for or against a party, and a personal pecuniary interest in the subject matter. Examples of disqualifying bias include a close personal, family, or business relationship with a party, ownership of property the value of which might be affected by the decision, and a business or personal financial situation that might be affected by the decision.
- 6.4 Should a Council member be aware of circumstances which might appear to disqualify him or her, he or she can either disqualify himself or herself or explain the circumstances before the hearing and let the rest of the Council, by majority vote, decide whether he or she can participate. Should the Council be aware of circumstances which might appear to disqualify a member, the Council may, by majority vote, disqualify the member. The Council's discussion concerning disqualification of a member may occur in executive session. A disqualified member shall be absent from the dais during the hearing and during discussion and voting.
- 6.5 In all adjudicatory appeals and hearings, Council members are acting in their quasi-judicial capacity and shall comply with all applicable provisions of state law including the appearance of fairness doctrine in Chapter 42.36 RCW and the code of ethics for municipal officers in contract interests in Chapter 42.23 RCW.
- 6.6 Adjudicatory Appeal Hearing Procedures.
At the hearing on the appeal, the following rules apply:
- A. Oral argument on appeal is limited to parties of record.
 - B. Oral argument on appeal is limited to thirty minutes per side. If there is more than one appellant or more than one person wishing to present oral argument on appeal, the total time allowed to all such persons is thirty minutes. Any time reserved for rebuttal or surrebuttal is deducted from the time allowed for opening argument. Time taken to respond to questions from the City Council is not deducted from the time allowed for argument.
 - C. Argument is presented first by the appellant in support of the appeal followed by the respondent in opposition to the appeal.
 - D. No new evidence may be presented during oral argument. Matters found by the hearing officer or body to be facts in the record are presumed to be true and accurate. Oral argument is limited to stating why the record does or does not support the decision.
 - E. The City Council may not consider any new facts or evidence on appeal. The City Council's review of appeals is limited to the record prepared by the hearing officer or body, including the verbatim transcript of the hearing, the written appeal, memoranda submitted, and, if permitted, oral arguments presented in accordance with the requirements of this section. Closed record appeals before the City Council must be concluded within 90 days of the date the appeal is filed unless all parties agree to a longer period.
 - F. Supplemental documents.
 - 1. The parties to the appeal may file memoranda regarding the appeal. Such memoranda must be filed by the agenda deadline for the meeting preceding the meeting set for consideration of the appeal.
 - 2. Any replies to the memoranda must be filed by the agenda deadline for the meeting set for consideration of the appeal.
 - 3. The City Clerk distributes such memoranda and responsive documents to all parties to the appeal, the City Council, the City Attorney, the Planning Director, and the Hearing Examiner.
 - 4. Neither memoranda nor responses may contain any new facts or evidence or discuss matters outside the record. They are limited to stating why the record does or does not support the decision.
- 6.7 The City Council may supplement these rules in a case-by-case situation in order to provide due process to all participants in a hearing.

RULE 7 – ORDINANCES AND FORMAL RESOLUTIONS**Rule 7.1 FILING**

- 7.1.1 Unless impractical in a given case, ordinances and formal resolutions shall be filed with the Clerk by the advance agenda (Wednesday at 1:00 p.m.) deadline. Copies of ordinances and formal resolutions submitted by the advance agenda deadline shall be included in the Council's packet which will be made available by the second Friday preceding the meeting for which the ordinance is on the agenda. In any event, an ordinance or formal resolution must have been filed with the Clerk prior to the meeting of which it is an agenda item. No ordinance or formal resolution, except emergency measures, shall be passed until it has been on file with the Clerk for at least three (3) business days, including the day of the Council meeting.
- 7.1.2 If an ordinance or formal resolution has not been on file with the Clerk for at least three (3) business days, its reading shall be a reading in full. If an ordinance or formal resolution has been so pre-filed, it shall be sufficient reading to read its title or a summary.
- 7.1.3 Each ordinance or formal resolution shall be identified by its title and by the name of the Council Member or administration official sponsoring it (e.g., ORD Cxxxxx [Councilmember's/administration official's last name]), and every sponsor shall, when filing the same with the City Clerk, specify the committee of origin for the ordinance or formal resolution. Subject to Rule 5.6 (Suspension of Rules), every ordinance or formal resolution must be first presented to its committee of origin before it may be placed upon the Council's agenda for first reading (for ordinances) or for Council consideration (for formal resolutions).
- 7.1.4 For each ordinance or formal resolution which would have an impact on the fiscal condition of the City, the sponsor must check the box to note the fact of the fiscal impact and describe the fiscal impact of the ordinance or resolution when preparing the agenda sheet.

Rule 7.2 AMENDMENT

- 7.2.1 Amendment of the wording of an ordinance or formal resolution on file does not require repetition of all filing and reading procedures. The Council may elect to defer final action until the amendatory language has been embodied in the document and the document resubmitted, or to pass or adopt the measure as amended in which case the City Council Policy Advisor and/or City Attorney shall be responsible for redrafting or changing the document for record purposes.
- 7.2.2 A revised version of an ordinance or formal resolution may be substituted for the one in the packet between readings or between meetings when the differences between the two versions are minor. When a substituted ordinance or formal resolution makes a significant change from the earlier version, it is to be processed as an original item. That is, a substituted ordinance will be given first reading and carried over and a substituted resolution will be deferred or the Council may take action to amend and substitute the revised version for the version previously filed.
- 7.2.3 The deletion of an emergency clause converts the ordinance to a regular ordinance which requires a second reading at a subsequent meeting. The addition of an emergency clause requires the ordinance to be deferred to allow public hearing.

Rule 7.3 SUBJECT MATTER

The Council shall not consider or pass any ordinance or resolution the subject matter of which is not directly related to local affairs or municipal business if action by the City Council does not result in the adoption of a new or amendment to an existing ordinance or resolution or affect any City policy or practice.

RULE 8 – PROCESSING ORDINANCES**Rule 8.1 PUBLICATION, SIGNATURE AND RECORDING**

- 8.1.1 An ordinance passed by the City Council shall, within five days thereafter, be presented to the Mayor.
- 8.1.2 An ordinance:

- A. Making the annual tax levy,
- B. Adopting the original annual budget,
- C. Making appropriations,
- D. Implementing a local improvement district or confirming the assessments therefor,
- E. Which is an emergency budget ordinance,
- F. Which is an emergency ordinance, or
- G. Which has been approved by the electors by referendum or initiative shall become effective immediately upon passages.

8.1.3 Ordinances signed by the Mayor, and the approved parts of ordinances that have been partially vetoed, will thereupon be filed with the Clerk for recording and publication if not already published.

8.1.4 Ordinances not signed by the Mayor after ten days will be filed with the Clerk for signature, recording and publication as necessary.

Rule 8.2 VETO

If within ten (10) days of presentment the Mayor vetoes an ordinance or part of an ordinance and signs a veto message, the ordinance or part thereof, along with the veto message, is returned to the City Council, which shall provide a copy to the City Clerk. If requested by the Council President or any Council member, the City Clerk shall schedule the matter for the next available agenda. If, within thirty days of the Mayor's veto or partial veto, the ordinance receives at least five votes for passage, it shall thereupon take effect. It will be signed by the Council President, or two Council members, and filed with the City Clerk for publication and recording.

RULE 9 – COMMITTEES

Rule 9.1 STANDING COMMITTEES

There shall be five (5) standing committees: the Public Safety Committee; the Finance and Technology Committee; the Public Works Committee; the Community Health and Environment Committee; and the Planning and Economic Development Committee. Committee membership shall be comprised of a minimum of one (1) council member from each council district, and additional members as desired. Standing committees composed of more than three (3) Council members shall be noticed as meetings of the Council where no legislative action shall occur. The Council President may chair a maximum of two (2) standing committees, as determined in his or her sole discretion. All other committees shall select by majority vote the chair for each committee. No council member shall chair more than two (2) standing committees at one time.

The Council shall confirm the members of standing committees at the second meeting in January of each year or as soon thereafter as possible.

- A. The Public Safety Committee, upon the request of the City Council or Mayor shall review, consider and make recommendations to the City Council on issues related to the public safety and welfare of the citizens of Spokane specifically including, but not limited to, considering and reviewing programs, plans and other non-personnel activities involving the police and fire departments and other public safety activities of the City of Spokane, and making recommendations where appropriate.

Pursuant to SMC 4.32.110, the Public Safety Committee shall be the liaison between the City Council and the Office of Police Ombudsman and shall receive monthly reports from the Office of Police Ombudsman.

- B. The Finance and Technology Committee is charged with the responsibility to review and report its recommendations on the annual budget and on technological issues related to the City, and to this end may hold public hearings. The committee shall also consider and report on such other financial and technological matters as may from time to time be referred to it by the Council.

The Finance and Technology Committee shall meet not less than quarterly for the purposes of fulfilling its obligations.

- C. The Public Works Committee reviews subjects of a public works nature.
- D. The Community Health and Environment Committee shall act as liaison between the City Council and the various neighborhood organizations, and shall review, consider and make recommendations to the City Council on issues relating to the public and environmental health of the citizens of Spokane.
- E. The Planning and Economic Development Committee Shall review, consider and make recommendations to the City Council on issues relating to planning and economic development including land use planning and programs and policies to improve economic development.

Rule 9.2 AD HOC COMMITTEES

Ad hoc committees with specified functions may be established for a designated term by motion of the Council. Unless already determined by the Council, such matters as appointment process, the qualification for membership, the number of members, and time for report of a committee shall be determined by the committee.

Rule 9.3 ORIGIN AND REFERRAL

- 9.3.1 Each ordinance or formal resolution must be presented in the committee designated by the sponsor of the item under Rule 7.1.3 (Committee of Origin) before it may be filed for first reading.
- 9.3.2 By declaration of the Chair (subject to appeal) or by motion of the Council, any matter before the Council may be referred to a committee, except that no committee shall investigate the facts of, nor shall any member or members of the Council take independent action on, any pending or contemplated adjudicated matters.

Rule 9.4 REPORT

- 9.4.1 A committee shall advise the Council that it is ready to report by making such announcement at a briefing session, at which time the Council may decide on what agenda the matter shall be placed, or by filing the report with the Clerk for placement on an agenda in coordination with the Council President and Mayor as any other agenda item.
- 9.4.2 A report of a committee recommending that the Council take specific action shall be in writing and, except in emergencies, in the manner of a formal resolution. Such pre-filing may substitute for full reading. Any committee member disagreeing with any part of the committee's report shall be given the opportunity to express his or her disagreement, orally or in writing, prior to Council action on the matter. If it be moved and seconded that the minority report be adopted, that motion shall be voted on before a motion to adopt the committee report.

Rule 9.5 INTER-GOVERNMENTAL COMMITTEES AND BOARDS

Unless governed by other regulations, statutes, or ordinances, appointment of full slate of Council members to inter-governmental committees or boards shall be made by the Council President to be confirmed by a majority of the City Council. All appointments shall be made consistent with the governmental documents creating the inter-governmental committee.

Rule 9.6 STANDING COMMITTEE MEETINGS

One of the functions of standing committee meetings is to provide the city administration and city staff an opportunity to update members of the committee regarding department programs, plans, and other administrative activities and future City Council administrative and legislative agenda items.

All standing committees shall be open to the public except when the committee adjourns into executive session. No public testimony will be taken during standing committee meetings. Participation in a standing committee meeting shall be limited to standing committee members, appropriate staff and other individuals recognized by the committee. Participation by Council Members, including deliberation and voting, shall be open to all Council members when the standing committee is meeting as a committee of the whole and as a special Council meeting. Participation by Council members in a standing committee that is not a committee of the whole shall be limited to just the appointed Council members.

Upon motion of the City Council, a standing committee meeting may be conducted as a meeting of the full City Council, in which case, a special meeting notice shall be issued and the meeting shall be conducted in a study session format.

RULE 10 – MISCELLANEOUS**Rule 10.1 COUNCIL POSITION VACANCY**

- 10.1.1 Upon the occurrence of a vacancy of a City Council position other than that of Council President, the Council President shall announce the vacancy within seven (7) days of the vacancy occurring and call for interested parties to submit their applications for consideration by a deadline agreed to by the Council.

Upon the close of the deadline, each member of the Council shall review the applications, interview on an individual basis whichever applicant they desire to interview, and select those individuals who they believe should be interviewed by the entire City Council.

- 10.1.2 The Council, by motion, shall establish a committee to compile the Council members' list of candidates to be interviewed. The committee shall submit to the Council the compiled list of candidates to be interviewed by the entire City Council.
- 10.1.3 The Council shall conduct interviews of each individual candidate selected for interviews. The interviews shall be open to the public.
- 10.1.4 Upon completion of the interviews, the Council, pursuant to RCW 42.30.110(1)(h), may go into executive session to evaluate the qualifications of each candidate.

The Council shall take final action appointing a candidate to fill the vacancy during an open public meeting.

- 10.1.5 Provisions regarding the selection of a candidate for a City Council vacancy not set forth by these rules shall be determined by the City Council upon a motion during an open public meeting.
- 10.1.6 If the Council President position becomes vacant, the City Council may elect to appoint one of the existing Council members to fill the position of Council President without following the selection procedure set forth above. If, upon a motion of the City Council, the City Council decides to consider someone other than an existing Council member to fill the vacant position of Council President, the City Council shall follow the selection procedure set forth above.

Amended by Resolutions:

1995-0087 (July 10, 1995)
1996-0010 (Jan. 22, 1996)
1996-0052 (April 8, 1996)
1996-0064 (April 29, 1996)
1996-0068 (May 13, 1996)
2001-0005 (Feb. 5, 2001)
2001-0084 (Oct. 1, 2001)
2002-0027 (Mar. 11, 2002)
2002-0083 (Sept. 3, 2002)
2004-0027 (Mar. 29, 2004)
2005-0148 (Dec. 19, 2005)
2009-0078 (Oct. 26, 2009)
2010-0013 (Sept. 13, 2010)
2011-0033 (May 2, 2011)
2012-0001 (Jan. 9, 2012)
2012-0002 (Jan. 17, 2012)
2013-0005 (Feb. 4, 2013)
2013-0018 (March 4, 2013)
2014-0002 (Jan. 6, 2014)
2014-0055 (May 19, 2014)
2015-0094 (August 31, 2015)
2016-0001 (January 4, 2016)

ADOPTED by the City Council on January 4, 2016.

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*.

REPUBLICATION OF ORDINANCE C35300

Ordinance C35300 is being republished below, along with the Mayor's veto message on Ordinance C35300. The Spokane City Council, during its regularly scheduled 6:00 p.m. Legislative Session on January 25, 2016, took action (upon a 5-1 roll call vote in the affirmative, with Council Member Fagan voting "no") to override the Mayor's veto of Ordinance C35300.

RECEIVED

JAN 25 2016

CITY CLERK'S OFFICE



CITY OF SPOKANE
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201
509.625.6250

January 25, 2016

Veto Message regarding Ordinance No. C35300 – Relating to earned sick and safe leave in the City of Spokane; creating a new Title 09 to the Spokane Municipal Code; amending sections 01.05.170, and 04.04.050 of the Spokane Municipal Code.

To the City Clerk, Honorable President and Members, Spokane City Council:

We share a common goal of making Spokane a strong, vibrant, and healthy community. We agree that healthy employees are good for business. In fact, the City is a model for businesses electing to provide their employees paid sick leave, as City employees used an average of 2.4 weeks of sick leave in 2014, driving us to aggressively explore the creation of a City wellness program. But the Sick and Safe Leave ordinance, no matter how well intended, does not further that goal. This is not the business of city government. The ordinance creates a whole new regulatory regime that puts the City in the shoes of private businesses, poses potential conflict with state and federal law, and could lead to an estimated \$526,000 in annual enforcement costs to City taxpayers.

It goes without saying that the core of Spokane's economic development policy is creating a friendly business climate. But just as important in this case is the fact that the process leading up to the ordinance's passage did not thoroughly analyze its fiscal and legal effects, and community dialogue on the issue was limited. Just one example of the problems this process has created is the exemption for construction labor, which was granted without any reason or criteria given for the arbitrary exclusion. For these reasons, and for those set out in my letter of January 8, 2016, I am compelled to veto Ordinance No. C35300.

I am concerned by the apparent lack of regard given to our community's small business owners, especially considering the fact that this ordinance will impact up to 15,000 Spokane businesses. I have heard a resounding objection from our community's small business owners, sensing that the Council did not engage them prior to passing the ordinance. Not only is this ordinance bad for business growth and economic development, the process undertaken by the Council did not give due consideration to a significant portion of our community. The Council's working group met only three times for two hours each, and considered sick leave policies in cities that do not reasonably compare to Spokane's business climate. The recent departure of Macy's from downtown Spokane, and the proposed move of Costco to outside the City limits, demonstrate the urgency to make Spokane more attractive to business retention and growth, not less attractive. Although I disagree with this ordinance, the Council should take more time to listen to the community and craft an ordinance that is sensible, enforceable, and responsible to our constituents.

City Clerk
January 25, 2016
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Moreover, as I detailed in my letter of January 8, there are significant concerns that this ordinance could place the City and/or businesses in legal trouble, as it may violate the Health Insurance Portability and Accountability Act (HIPPA), the Fair Labor Standards Act (FLSA), and Family Medical Leave Act (FMLA). There are also liability concerns with regard to impairing existing contracts between employers and employees.

I also remain concerned about how, if at all, this ordinance might be enforced. Seattle's paid sick leave ordinance, after which much of the Spokane ordinance is modeled, has an existing separate entity (Office of Civil Rights) which is tasked with enforcing the provisions of their earned sick leave ordinance. The City of Spokane does not have this type of infrastructure in place within its Office of Code Enforcement or elsewhere.

The proposed ordinance would have a significant financial impact to the City's operations budget and, by extension, City of Spokane taxpayers. The table below estimates both annual and one-time expense related to enforcement or compliance efforts. The expense estimates are based on an initial version of this ordinance, which proposed utilizing Code Enforcement to manage compliance. I do not believe that Code Enforcement would be the appropriate entity to enforce this type of an ordinance, as their primary function is to address building and nuisance code violations and there is no connection to business licensing. The function of this job would require a very different skill set and job description. In any event, wherever it is eventually placed, the job description and salary must be negotiated with the appropriate bargaining unit. In utilizing Code Enforcement as a base line, below are cost projections for staffing and resourcing enforcement:

ESTIMATED COST IMPLICATIONS					
Classification	Bargaining Unit	Compensation	Benefits (40%)	Auto Allowance**	Total Cost of Compensation
Certified Enforcement Specialist	Local 270	\$ 64,748.00	\$ 25,899.20	\$ 4,387.00	\$ 95,034.20
Certified Enforcement Specialist	Local 270	\$ 64,748.00	\$ 25,899.20	\$ 4,387.00	\$ 95,034.20
Clerk III	Local 270	\$ 48,936.00	\$ 19,574.40	\$ -	\$ 68,510.40
Public Information Coordinator	M&P-B	\$ 55,206.00	\$ 22,082.40	\$ 4,387.00	\$ 81,675.40
Special Program Prosecutor*	Local 270-PA	\$ 16,232.00	\$ 6,492.80		\$ 22,724.80
					\$ 362,979.00

ADDITIONAL COSTS			
Information Technology***	Computers, Printers, Phones, Licenses, Data, Application Support	\$	108,089.00
Resources	Office Space, Desks, Materials \$2,500 per employee	\$	15,000.00
Media	Brochures, Flyers, Communication & Education Pieces	\$	10,000.00
Postage	Mailing Costs	\$	5,000.00
Training	Subject Matter Expertise Conferences, COS Orientations, Safety	\$	25,000.00
		\$	163,089.00
ASSUMED COST OF FULL OWNERSHIP OF ESSL PROGRAM			\$ 526,068.00
* - Gross up of compensation to assigned Division Director to lead, manage and strategically implement the program.			
** - Assume annual mileage of 7,500 miles per year @ \$0.585 per mile = \$4,387			
*** - Based on actual 2015 costs indicated for the Code Enforcement department			

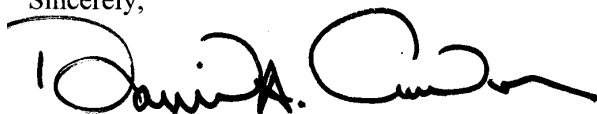
City Clerk
January 25, 2016
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I was encouraged to learn that City Council implemented the requirement of including financial impact statements with proposed legislation during its meeting of January 4, 2016. I would ask the Council to revisit this legislation, follow this requirement, and prepare a full fiscal impact statement to ensure we are well informed in discussions on the impact of the ordinance on the City's financial future, as the cover sheet for the ordinance does not include this information.

I am also in receipt of Council President Stuckart's letter of January 14, 2016. While I understand Council President Stuckart's suggestion that the City Council may "choose[] to override the veto," I urge the Council to take this opportunity not to fast track this legislation, but to exercise prudence and patience in performing a full fiscal and legal analysis of this ordinance, and making all necessary changes. I also encourage the Council to not suspend its rules to expedite an attempt to override my veto, as it did on November 16, 2015. Good policy making requires thoughtfulness, patience, and an open ear to the whole community. The process leading up to passage of the Sick and Safe Leave ordinance has resulted in uncertainty for Spokane business and employees. I strongly request that the Council pursue additional community conversations on this topic, perform a complete legal and fiscal analysis, and continue working toward a policy that is acceptable to all stakeholders.

I look forward to discussing this more with you and working with you on a cooperative path forward.

Sincerely,



David A. Condon
Mayor

ORDINANCE NO. C35300

An ordinance relating to earned sick and safe leave in the City of Spokane; creating a new Title 09 to the Spokane Municipal Code; amending sections 01.05.170, and 04.04.050 of the Spokane Municipal Code.

WHEREAS, most workers will, at some time during the year, need time off from work to take care of their own health or safety needs and/or the health or safety needs of their families and loved ones; and

WHEREAS, many workers employed in the City of Spokane must make the unreasonable choice between their paycheck and their children, because they do not have the option of taking paid time off when they, their children, or other family members, get sick or when their life or the lives of their children are potentially in jeopardy due to domestic violence, sexual assault, or stalking; and

WHEREAS, earned sick and safe leave will allow parents to provide personal care for their sick children, making children's recovery faster, preventing more serious illnesses, and improving their children's overall mental and physical health; and

WHEREAS, as many businesses in Spokane already know, providing for employees' sick and safe leave is affordable for employers and good for business because it can reduce employee turnover; improve the ability to recruit and retain talent; increase productivity; minimize the loss of firm-specific skills and human capital; reduce "presenteeism," namely, the tendency of employees to report to work sick, thereby increasing the risk of transmission of infectious diseases; and boost worker morale; and

WHEREAS, studies on implementation of paid sick leave policies around the country (San Francisco (2011); Connecticut (2013); Washington, D.C. (2013)) show repeatedly that business profitability is affected to a very small degree by implementation of paid sick leave laws; and

WHEREAS, a March, 2011 report by the Bureau of Labor Statistics estimated that the cost of implementing paid sick leave averages about 26 cents per hour overall and 14 cents per hour in the service industry specifically; and

WHEREAS, because domestic violence, sexual assault, and stalking have an impact on many workers, the availability of earned safe leave will protect victims of domestic violence, sexual assault, and stalking, as well as their families, and enable them to focus on obtaining the assistance they need; and

WHEREAS, the National Association of County and City Health Officials (NACCHO), of which the Spokane Regional Health District is affiliated, supports the passage and implementation of local legislation which requires employers to provide earned sick leave; and

WHEREAS, the City Council convened a working group made up of stakeholders from industry, public health, non-profits, government agencies, labor unions, and small business to examine the concept of enacting an earned sick and safe leave policy as well as the possible implications and unintended consequences of enacting such a policy and to recommend a framework for an earned sick and safe leave policy; and

WHEREAS, the Spokane City Council finds that Spokane's public health will be most effectively safeguarded by ensuring that workers in Spokane have access to paid earned sick and safe leave.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That there is adopted a new Title 9 of the Spokane Municipal Code to read as follows:

Title 09 Employment Standards

Chapter 09.01 Earned Sick and Safe Leave

Section 09.01.010 Definitions

For purposes of this chapter, the following definitions shall be applied. Words used in the singular shall include the plural, and vice-versa.

- A. "Adverse action" means any action taken by an Employer to discharge from employment, suspend, discipline, transfer, demote, or deny promotion, or to threaten to do any of the foregoing.
- B. "Agency" means the City of Spokane department responsible for the enforcement of this chapter, as specified in the process described in SMC 09.01.080(A).
- C. "Business" has the same meaning as stated in SMC 08.01.020(A).
- D. "Charging Party" means a person filing a claim of violation of this chapter with the Agency.

- E. "City" means the City of Spokane.
- F. "Contractor" or "Independent Contractor" means those persons meeting all the criteria stated in RCW 51.08.195(1)-(6).
- G. "Domestic violence" has the same meaning as stated in RCW 10.99.020(5), and includes "stalking" as defined in RCW 9A.46.110 and in SMC 10.09.010(B).
- H. "Domestic Worker" has the same meaning as specified in RCW 51.12.020(1) and (2).
- I. "Earned sick and safe leave" or "leave" means paid leave accrued, utilized, and compensated for as provided in this chapter.
- J. "Employee" means an individual natural person who performs more than two hundred forty (240) hours of work in the City of Spokane for compensation for an Employer in a calendar year, but does not include seasonal or domestic workers, or independent contractors.
- K. "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee and employing at least one person for compensation in the City of Spokane. For purposes of this chapter, "Employer" does not include:
 - 1. The United States government;
 - 2. The state of Washington;
 - 3. Any city, county, or local government; or
 - 4. Any business owned and operated by one person (or one person and his or her spouse) and having zero employees.
- L. "Family member" means a:
 - 1. Spouse or domestic partner;
 - 2. Child who is:
 - a. Under 18 years of age, or;
 - b. 18 years of age or older and incapable of self-care due to a mental or physical disability;
 - 3. Parent or guardian;
 - 4. Grandparent; or
 - 5. Grandchild.
- M. "Person" has the same meaning as stated in SMC 01.02.100 and includes any individual, partnership, corporation, association, organization, trade or professional association, labor union, cooperative, legal representative, trustee, trustee in bankruptcy and receiver, firm, institution, or any other group of persons acting in concert; this definition also includes any owner, lessee, proprietor, manager, agent, or employee, whether consisting of one or more natural persons.
- N. "Paid Time Off" ("PTO") means paid leave which accrues at a regular rate and which can be used by an employee for any purpose, provided it can also be used for all purposes stated in SMC 09.01.040(A).
- O. "Retaliation" means an adverse action taken by an employer against an employee because of an employee's status as a charging party or by an employee's exercise of rights established by this chapter.
- P. "Seasonal Worker" means a worker with a term of employment expected to last less than one year and which is intermittent or recurs annually.
- Q. "Separation" means an involuntary discharge of employment, not for cause, including, without limitation, a business-related or seasonal layoff.
- R. "Staffing Agency" means any person who undertakes, with or without compensation, to recruit, refer or place individuals for employment, or to procure opportunities for work, or to with an employer.

- S. "Work-study students" means students engaged in a course of instruction and whose employment is included under the state work-study program (chapter 28B.12 RCW) or the federal work study program (42 U. S. C. 2751-2756b).

Section 09.01.020 Applicability

- A. This chapter applies to all Employers in the City of Spokane who employ employees who physically perform more than two hundred forty (240) hours of work within the City of Spokane.
- B. This chapter does not apply to Work-Study Students, Independent Contractors or seasonal workers, or those employed by a firm(s) engaged in "construction work" as defined in WAC 296-155-012.
- C. This chapter does not apply to newly licensed businesses for one (1) year following the issuance of the first City of Spokane business license.

Section 09.01.030 Accrual Rates, Annual Cap, and Carry-Over

- A. All Employees shall, beginning with their first day of employment, accrue leave at the rate of at least one (1) hour of leave for every thirty (30) hours worked; provided that nothing in this chapter prohibits an Employer from providing earned sick and safe leave in advance of accrual such as by "front-loading" leave hours at the beginning of each year.
- B. Use of leave.
1. Employees of businesses having fewer than ten (10) employees may use up to twenty-four (24) hours of leave accrued under this chapter in any year. For purposes of this section, immediate family members of the business owners are not included in the employee count.
 2. Employees of businesses with ten (10) or more employees may use up to forty (40) hours of leave accrued under this chapter in any year.
- C. An Employee may carry over into the next year up to twenty-four (24) hours of earned sick and safe leave which were not used in the prior year.
- D. Nothing in this chapter requires Employers to allow employees returning from separation to reinstate the earned sick and safe leave balance accrued during a prior period of employment or to compensate an employee for the employee's accrued and unused earned sick and safe leave upon an employee's termination, resignation, retirement, or other separation from employment.

Section 09.01.040 Permitted Uses of Leave and Compensation

- A. An Employee may use accrued earned sick and safe leave for:
1. Diagnosis, care, or treatment of the Employee's mental or physical illness, injury, or health condition;
 2. The diagnosis, care, or treatment for the Employee's Family Member's mental or physical illness, injury, or health condition;
 3. Any reason identified in RCW 49.76.030 or to seek protection or safety from events or conduct specified in SMC 10.09.010(B);
 4. Any period in which the Employer's business or the Employee's child's school or place of care is closed by order of a public official to limit exposure to an infectious agent, biological toxin, or hazardous material; or
 5. Bereavement leave in connection with a Family Member of the Employee.
- B. Compensation due to an Employee during the period of leave used by the Employee is at the same rate of pay and with the same benefits as the Employee would have earned during the time during those hours in which the Employee was scheduled to work but for which leave is taken; provided, however, that Employers are not required to compensate Employees who take leave under this chapter for tips or commissions the Employee would have earned during the leave period.
- C. An employer will be in full compliance with this chapter by allowing shift-swapping or the use of PTO for the same purposes as are required by SMC 09.01.040(A) above and in the same amounts as provided in SMC 09.01.030 above.

- D. Nothing in this chapter prohibits or requires an Employer from allowing an Employee to donate earned sick and safe leave hours to another Employee of the same employer.
- E. Nothing in this chapter prohibits an Employer from requiring that covered Employees complete a probationary period before using accrued leave; provided, however, that any such probationary period may be no longer than ninety (90) days.

Section 09.01.050 Notices and Posting

Beginning on the effective date of this chapter, Employers shall post, in a place commonly accessible to employees, the notice attached in Attachment A, summarizing employees' and employers' rights and obligations concerning earned sick and safe leave as provided for in this chapter.

Section 09.01.060 Employer Responsibilities

- A. Employers shall maintain records, consistent with the Employer's usual and customary business practices, of each Employee's earned sick and safe leave accrual and use, for three (3) years.
- B. No less frequently than once per quarter, and upon request by any Employee, each Employer shall provide information concerning the requesting Employee's accrued earned sick and safe leave, including without limitation that Employee's leave balance and amount of leave used by that Employee during the current fiscal year.
- C. Beginning on the effective date of this chapter, when making application for a new business registration or a renewal of business registration, each applicant or registrant must certify its compliance with this chapter, in the manner prescribed by the Agency.

Section 09.01.070 Effective Date

This chapter shall be effective January 1, 2017; provided, however, that businesses which receive their first business registration in the City of Spokane after the enactment of this chapter but before the effective date shall not be subject to this chapter for a period of one (1) year after the date of their first business registration in the City of Spokane. Notwithstanding the foregoing, nothing in this Chapter prohibits an employer from offering earned sick and safe leave to its employees at any point in time earlier than the effective date of this Chapter.

Section 09.01.080 Administrative Enforcement

- A. The procedures for the enforcement of the rights, duties, and obligations created by this Chapter shall be jointly determined by the City Council and the Administration and shall be in effect no later than October 1, 2016.

- B. Prohibited acts.

It shall be unlawful for any employer to retaliate against any employee covered by this chapter or to misrepresent its business activities in order to evade the requirements of this chapter.

- C. Penalties for violation

1. A violation of this chapter is a class 1 civil infraction, as shown in SMC 1.05.170(B).
2. The Agency or court (in the case of complaints which are resolved in a contested case hearing) is authorized to triple the applicable penalty in cases where the Employer has been found to have retaliated against an Employee within the meaning of this chapter.
3. For each subsequent violation of this chapter after the first, the Agency or court (in the case of complaints which are resolved in a contested case hearing) is authorized to double the penalty stated in SMC 09.01.080(C)(1).

Section 09.01.090 No Waiver

Nothing in this chapter is or shall be construed to be a waiver, limitation, or preemption of any other rights, whether arising under state, federal, or local law or regulation, or by the existence of any bona fide collective bargaining agreement entered into pursuant to chapters 41.56 or 41.80 RCW, or RCW 74.39A.270, by the City or by any other person.

Section 09.01.100 Severability

If any court of law determines that any particular provision of this chapter is void or of no legal effect, the offending provision(s) shall be deemed struck from this chapter and the remainder of the chapter shall continue unaffected.

Section 09.01.110 Effect of Other Existing Law

Nothing herein shall affect in any way any other requirement of state or federal law concerning the conditions of employment.

Section 09.01.120 More Generous Employer Policies Encouraged

- A. Nothing in this chapter prohibits Employers from implementing an earned sick and safe leave policy which exceeds the minimum standards prescribed in this chapter.
- B. Nothing in this chapter prohibits Employers from offering “all-purpose” Paid Time Off (“PTO”) in lieu of earned sick and safe leave; provided, however, that any such PTO policy shall accrue and be available for use in at least the same amounts and for at least the same purposes as is the earned sick and safe leave provided in this chapter; provided also, that any such Employer which provides “all-purpose” PTO is not be obligated to provide additional leave in excess of the earned sick and safe leave amounts described in this chapter.

Section 09.01.130 Evaluation

- A. Beginning on the effective date specified in section 09.01.070, the Agency shall track and maintain the following information:
1. Feedback from employers and employees concerning the implementation and effectiveness of this chapter;
 2. Any data concerning new business formation and business closures considered fairly attributable to the implementation of this chapter; and
 3. The number, type, and disposition of any complaints concerning the implementation or enforcement of this chapter.
- B. One (1) year after the effective date of this chapter, the Agency shall present findings and data concerning the fiscal impact and public health effectiveness of this chapter, in collaboration with public health agency(ies) and/or public health researchers, to the City Council’s Community Health and Environment Committee, as well as any recommendations concerning amendment or repeal of all or any part of this chapter.

Section 2. That section 01.05.170 of the Spokane Municipal Code is amended to read as follows:

Section 01.05.170 Penalty Schedule – Business Regulations

- A. For each subsequent violation by a person, the classification of infraction advances by one class. For each subsequent class 1 violation of the same prohibited activity after the first violation, the code enforcement officer and court (in the case of contested case hearings) are authorized to double the penalty imposed.
- B. Infraction/Violation Class.

SMC 1.05.170 PENALTY SCHEDULE – BUSINESS REGULATIONS		
Infraction		Violation Class
General		
SMC 4.04.020	Engaging in licensed activity without license	2
SMC 4.04.060	Failure to display license or insignia	3
SMC 8.01.070 SMC 10.40.020	Engaging in business without registration or itinerant vendor license or permit	1
SMC 8.12.020	No amusement device license, no amusement device operators or owners license	3
SMC 8.12.060	No current list of amusement device locations	3
SMC 10.23A.030(G)	Entertainment facility establishment operator/owner	1
SMC 10.25.010	Pruning, planting, or removing a public tree without a license	1
SMC 10.29.010(A)	Conducting an improper blasting operation	1
SMC 10.29.030	Heating mechanic	1
SMC 10.29.060(A)	Providing fire equipment service without Spokane Fire Department registration	1
SMC 10.34.020	Own, operate for-hire vehicle	2

SMC 10.34.110(D)	Owner of for-hire vehicle, allowing a non-licensed for-hire driver to operate his or her vehicle	1
SMC 10.49.040	Owning, operating or maintaining a medical cannabis collective garden	1
SMC 10.41A.040	Special police officer	2
SMC 10.45.040	Deal in used goods	2
SMC 10.48.050	Failure to register alarm system	2
SMC 10.48.170	Unlawful use of a security alarm system	3
SMC 13.02.0204	Solid waste collection or disposal	2
SMC 17G.010.100(C)(3)	Sewer installation	1
Chapter 09.01 SMC	Violation of the earned sick and safe leave ordinance	1
Fireworks		
SMC 10.33A.020(A)(2)	Conducting public display without a permit	Up to \$1,000
SMC 10.41A.040	Employ non-commissioned special police officer	3
SMC 10.41A.090	Violation of code by special police officer	1
Fire Code		
IFC 105.6.14 Chapter 33 IFC Chapter 10.33A SMC SMC 17F.080.060	Manufacture, storage, use, sale, handling of blasting agents, explosives without proper permit	1
IFC 105.6 IFC 105.7 SMC 17F.080.060	Conducting regulated code activities, operations, functions without permit	2
IFC 105.6.41	Conducting spraying or dipping application of flammable or combustible finishes (liquids or powders) for floor finishing or surfacing operations without a permit	2
IFC 2703.3	Unauthorized release, discharge of flammable, combustible liquids, petroleum waste products	1
SMC 15.01.500	Fail to comply with notice and order under Commute Trip Reduction Program	2
SMC 15.03.030	Fail to comply with requirement of posting restaurant's smoking designation	2

Section 3. That section 04.04.050 of the Spokane Municipal Code is amended to read as follows:

Section 04.04.050 Refusal to issue, revocation of, or refusal to renew business license.

- A. The license officer endeavors to issue or determine not to issue a license within fifteen days of application.
- B. The license officer has the power and authority to refuse to issue, revoke or refuse to renew any business license issued under the provisions of this chapter. The license officer shall notify such applicant or licensee of the refusal to issue, revocation of, or refusal to renew, in the same manner as orders to comply are served under SMC 4.04.080, and include on the notice what grounds such a decision was based. The license officer may refuse to issue, revoke or refuse to renew any license issued under this chapter on one or more of the following grounds:
1. The applicant or licensee has not made good tender of the license fee.
 2. The applicant or licensee has not furnished sufficient and accurate information.
 3. The applicant or licensee is not otherwise eligible.
 4. The applicant or licensee has failed to comply with any provisions of this chapter.
 5. The property at which the business is located has been determined by a court to be a chronic nuisance property as provided in chapter 10.08A RCW.
 6. The applicant or licensee has been convicted of wage theft under SMC 10.05.107 within the last ten years.

7. The applicant or licensee is a person subject within the last ten years to a court order entering final judgment for violations of chapters 49.46, 49.48 or 49.52 RCW, and the judgment was not satisfied within 30 days of the later of either:
 - a. the expiration of the time for filing an appeal from the final judgment order under the court rules in effect at the time of the final judgment order, or
 - b. if a timely appeal is made, the date of the final resolution of that appeal and any subsequent appeals resulting in final judicial affirmation of the findings of violations of chapters 49.46, 49.48 or 49.52 RCW.
8. The applicant or licensee is a person subject within the last ten years to a final and binding citation and notice of assessment from the Washington State Department of Labor and Industries for violations of chapters 49.46, 49.48 or 49.52 RCW, and the citation amount and penalties assessed therewith were not satisfied within 30 days of the date the citation became final and binding.
9. The applicant has violated the City's earned sick and safe leave ordinance, chapter 09.01 SMC, 5 times within the past 10 years.

Attachment is on file for review in the Office of the City Clerk.

Passed by City Council January 11, 2016

Delivered to Mayor January 15, 2016

Mayor Veto January 25, 2016

Veto Overridden by Council January 25, 2016

ORDINANCE NO. C35352

AN ORDINANCE relating to the pretreatment requirements; amending SMC sections 13.03A.0203, 13.03A.0204, 13.03A.0210, 13.03A.0406, 13.03A.0408, 13.03A.0409, 13.03A.0502, and 13.03A.0801 of the Spokane Municipal Code; and setting an effective date.

The City of Spokane does ordain:

Section 1: That SMC section 13.03A.0203 is amended to read as follows:

13.03A.0203 State Requirements

- A. State requirements and limitations on discharges to the POTW shall be met by all users subject to such items whenever they are more stringent than federal or local pretreatment requirements and limitations. Washington State Pretreatment Standards and Requirements, located at chapter 173-216 WAC, were developed under authority of the State Water Pollution Control Act, chapter 90.48 RCW and are hereby incorporated. All wastewaters discharged from a commercial or industrial operation as determined by the superintendent into the POTW must satisfy the provisions of chapter 173-216 WAC.
- B. Any person who constructs, modifies or proposes to construct or modify wastewater treatment facilities must first comply with the regulations for submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC. Until the City is delegated the authority to review and approve such plans and reports under RCW 90.48.110, sources of non-domestic discharges (industrial wastewater) shall request approval for such plans and reports through the department of ecology. To ensure conformance with this requirement, proof of the approval of such plans and reports, and one copy of each approved plan and report shall be provided to the superintendent before commencing any such construction or modification. Said plans and reports must be filed with the superintendent, together with such information as required by the superintendent, signed by an authorized representative and certified as provided in SMC 13.03A.0305(B), and include the fee as provided in SMC 13.03A.1401. (Cross reference: WAC 173-216-050(1))
- C. All users shall apply all known, available, and reasonable treatment methods (AKART) to prevent and control wastewater releases into the waters of the state. (Cross reference: WAC 173-216-050(3))
- D. Discharge restrictions of chapter 173-303 WAC (Dangerous Waste) shall apply to all users.

- E. All required monitoring data shall be analyzed by a laboratory or person accepted by the superintendent as qualified to perform such services, in the superintendent's sole discretion. The lab or person shall be registered or accredited under the provisions of chapter 173-50 WAC. The superintendent may determine this is not required for flow, temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters. However, if the laboratory analyzing samples for conductivity, pH, and turbidity must otherwise be accredited, it shall be accredited for these parameters as well.
- F. Persons applying for a new permit or a permit renewal or modification which allows a new or increased pollutant loading shall publish notice for each application in the format provided by the City. The notices shall fulfill the requirements of WAC 173-216-090. These requirements include publishing:
1. The name and address of the applicant and facility/activity to be permitted;
 2. A brief description of the activities or operations which result in discharge;
 3. Whether any tentative determination has been reached with respect to allowing the discharge;
 4. The address and phone number of the office of the superintendent where persons can obtain additional information;
 5. The dates of the comment period (which shall be at least thirty days); and
 6. How and where to submit comments or have any other input into the permitting process, including requesting a public hearing.
- G. The superintendent may require the applicant to also mail this notice to persons who have expressed an interest in being notified, to state agencies and local governments with a regulatory interest, and to post the notice on the premises. If the superintendent determines there is sufficient public interest, the City shall hold a public meeting following the rules of WAC 173-216-100. The superintendent may assume responsibility for public notice requirements for any persons, and may waive this requirement for any user not classified as CIU or ~~((SU))~~ SIU by the superintendent.
- H. Permit terms shall include, wherever applicable, the requirement to apply All Known, Available and Reasonable methods of prevention, control, and Treatment (AKART).

Section 2: That SMC section 13.03A.0204 is amended to read as follows:

13.03A.0204 Local Limits [2.4]

- A. The following limits are established as local limits, expressed as ~~((maximum daily ("Daily Maximum") concentrations ("Daily Maximum Limits")))~~ Maximum Allowable Discharge Limits. No user or other person may discharge wastewater into the POTW in excess of the following concentrations:
1. Arsenic: 0.41 mg/L.
 2. Benzene, toluene, ethylbenzene, and xylene (BTEX): A sum of these four constituents' analytical results not to exceed 1.4 mg/L.
 3. Cadmium: 0.11 mg/L.
 4. Total Chromium: ~~((147))~~ 5.0 mg/L.
 5. Copper: 1.9 mg/L.
 6. Cyanide: 1.9 mg/L.
 7. Fats, oils and, grease: See SMC 13.03A.0201(B)(19).
 8. Lead: 0.32 mg/L.
 9. Mercury: 0.05 mg/L.
 10. Nickel: 3.98 mg/L.

11. Non-polar material (or total petroleum hydrocarbons): Not to exceed 100 mg/L.
12. Silver: 1.7 mg/L.
13. Zinc: 5.6 mg/L.
14. The pH limit set in SMC 13.03A.0201(B)(2) may also be enforced as a local limit.
15. Molybdenum: 1.5 mg/L.
16. Selenium: ~~((1.7))~~ 1.0 mg/L.

B. Users that discharge wastewater into any sewer that conveys wastewater to Spokane County Regional Water Reclamation Facility must comply with the limits set forth in Spokane County Code Chapter 8.03A 0204.

~~((B-))~~ C. All concentrations for metallic substances are for “total” metal unless indicated otherwise. The superintendent may impose mass limitations in addition to or in place of the concentration-based limitations shown in subsection (A) of this section. Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit applies as the applicable pretreatment standard.

~~((C-))~~ D. Limits may be established for all users, groups, or specific users. They may be designed to ameliorate temporary or permanent discharge characteristics, or to accommodate any new or special temporary or permanent condition of the POTW, its effluent receiving water, or other environmental problem. The superintendent may set limits as instantaneous maximums or for other durations (e.g., daily maximum or monthly average limits) where deemed proper.

~~((D-))~~ E. Whenever determined appropriate, the superintendent may develop best management practices (BMPs) for general application, in individual discharge permits or general discharge permits, to implement local limits and the requirements of article II of this chapter and require documentation of compliance. Failure to follow such requirements is a violation of this chapter.

NOTE: Bracketed enumerations reference the numbering in the EPA Region 10 Model

Section 3: That SMC section 13.03A.0210 is amended to read as follows:

13.03A.0210 Additional Pretreatment [2.10]

Whenever deemed necessary, the superintendent may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage (domestic wastewater) from industrial wastestreams (industrial wastewater), and such other conditions deemed necessary to protect the POTW and determine a user's compliance with this chapter.

Each user discharging greater than one hundred thousand gallons per day, or lower volumes where determined by the superintendent, shall install and maintain, on its property and at its expense, a suitable storage and flow-control facility to insure equalization of flows over a twenty-four hour period. The facility shall have a capacity for at least twenty-five percent of the daily discharge volume of the user and shall be equipped with alarms and a rate of discharge controller, subject to superintendent approval and regulation. A wastewater discharge permit may be issued solely for flow equalization.

Grease, oil, and sand interceptors (interception units) shall be provided whenever determined necessary by the superintendent for proper handling of wastewater containing excessive amounts of such substances, except that such interceptors shall not be required for residential users. Interception units are subject to the control and regulation of the superintendent and must be inspected, cleaned, and kept in good repair by the user.

Users with a potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

All users are required to adhere to the City of Spokane Department of Wastewater Management Industrial Pretreatment Program Mercury Control and Abatement Plan.

NOTE: Bracketed enumerations reference the numbering in the EPA Region 10 Model

Section 4: That SMC section 13.03A.0406 is repealed:

~~((**13.03A.0406 Hazardous Waste Notification [4.6]**))~~

~~((A. Any user or user facility discharging more than fifteen kilograms of hazardous waste as defined in 40 CFR 261 (listed or characteristic wastes) in any calendar month or any user or user facility discharging any amount of acutely hazardous waste as specified in 40 CFR 261.30 (d) or 261.33(e) must give written notice to the superintendent and the EPA Region 10 office of air, waste, and toxics director, and to the Washington State department of ecology director of the hazardous waste and toxics reduction program.~~

~~B. The notification in subsection (A) of this section must include the information specified in 40 CFR § 403.13(p). This does not apply to pollutants already being reported under self-monitoring requirements. All submittals under this section must be signed as provided in SMC 13.03A.0305(A) and accompanied by a review fee as provided in SMC 13.03A.1401.~~

~~NOTE: Bracketed enumerations reference the numbering in the EPA Region 10 Model Ordinance of December 20, 2007.))~~

Section 5: That SMC section 13.03A.0408 is amended to read as follows:

13.03A.0408 Non-compliance Reporting [4.8 modified]

If sampling performed by a user indicates a violation, the user must notify the superintendent ((with)) within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of a repeat analysis to the superintendent within thirty days after becoming aware of the violation. Resampling by the industrial user is not required if the City performs sampling at the user's facility at least once a month, or if the City performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the City received the results of this sampling, or if the City has performed the sampling and analysis in lieu of the industrial user. (See 40 CFR §403.12(g)(2)).

NOTE: Bracketed enumerations reference the numbering in the EPA Region 10 Model

Section 6: That SMC section 13.03A.0409 is amended to read as follows:

13.03A.0409 Notice of Changed Discharge [4.9]

A. Users must notify the superintendent in writing at least thirty days before any substantial change in volume or character of pollutants in their discharge, and any significant manufacturing process changes which could be reasonably expected to result in such a pollutant change. ((Such notice also includes any change in wastes subject to the hazardous waste notification requirement in SMC 13.03A.0406.)) As used herein, a substantial or significant change is a change of twenty percent or more in production levels or levels of any pollutant or other parameter specified by the superintendent. Where advance notice is not possible or has not been given, notice shall be given as required in SMC 13.03A.0407, but that does not excuse compliance with this section. All submittals under this section must be signed as provided in SMC 13.03A.0305(A) and accompanied by a review fee as provided in SMC 13.03A.1401.

B. Additionally, the user must submit a permit modification application as provided in SMC 13.03A.0310, which must include an engineering report detailing the features of the change, including pertinent data and analysis.

Section 7: That SMC section 13.03A.0502 is amended to read as follows:

13.03A.0502 Analytical Requirements [5.2]

All pollutant analyses, including sampling techniques, must be performed by a laboratory accredited by the Washington State Department of Ecology in accordance with the techniques prescribed in 40 CFR Part 136 unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the Pollutant in question, sampling and analyses must be performed in accord with procedures approved by the EPA.

NOTE: Bracketed enumerations reference the numbering in the EPA Region 10 Model

Section 8: That SMC section 13.03A.0801 is amended to read as follows:

13.03A.0801 Annual Publication of Violators [8.1]**A. Publishing.**

The superintendent publishes within sixty days of the new year a list of the users which, at any time during the previous calendar year, were in significant noncompliance with applicable pretreatment standards and requirements. The list is published in a newspaper of general circulation in Spokane County. Costs of publication will be billed to the users listed as an additional cost of utility service.

B. The term “significant noncompliance” means:

1. Any violation of a pretreatment standard or requirement, including numerical limits, narrative standards, and prohibitions that the superintendent determines has caused, alone or in combination with other causes, interference or pass through, or otherwise endangered the health of POTW personnel or the general public.
2. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the superintendent's exercise of emergency authority to halt or prevent such a discharge.
3. Any violation(s), including of BMPs, which the superintendent determines will adversely affect the operation or implementation of the local pretreatment program.
4. Chronic violations of wastewater discharge limits, defined here as those in which sixty six percent or more of all of the measurements taken for the same pollutant parameter taken during a rolling six-month period exceed, by any magnitude, a numeric pretreatment standard or requirement, including instantaneous limits.
5. Technical review criteria (TRC) violations, defined here as those in which thirty three percent or more of wastewater measurements taken for each pollutant parameter during a rolling six-month period equal or exceed the product of the numeric pretreatment standard or requirement, (including instantaneous limits, as referenced in Article II, multiplied by the applicable criteria. Applicable criteria are 1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH. [“1.4” and “1.2” as used herein mean one hundred forty percent or one hundred twenty percent respectively of applicable permit limits.]
6. Failure to meet, within ninety days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.
7. Failure to provide any required report within (~~thirty~~) forty-five calendar days after the due date. This includes initial and periodic monitoring reports and reports on initial compliance and on meeting compliance schedules.
8. Failure to accurately report noncompliance.

C. Applicability.

The criteria in subsections (B)(1) through (3) of this section are applicable to all users, whereas the criteria in subsections (B)(4) through (8) of this section are only applicable to SIUs.

NOTE: Bracketed enumerations reference the numbering in the EPA Region 10 Model

Section 9: Effective Date.

This ordinance shall take effect and be in force on February 1, 2016.

Passed by City Council January 25, 2016

Delivered to Mayor February 1, 2016

Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

ASSISTANT PARKS & RECREATION DEPARTMENT MANAGER (RIVERFRONT PARK) SPN 066 PROMOTIONAL EXAMINATION

DATE OPEN: Monday, February 1, 2016 **DATE CLOSED:** Sunday, February 14, 2016 at 11:59 p.m.
SALARY: \$67,546.80 annual salary, payable bi-weekly, to a maximum of \$82,998.00

DUTIES:

Performs responsible administrative work by assisting in directing or administering a department of the parks and recreation division. Employee works under general direction and assumes full responsibility for own actions and those of the division within their area of responsibility. Has staff responsibilities for program planning and coordination. Assists in directing the activities of a department.

MINIMUM QUALIFICATIONS:

NOTE: This recruitment is to generate an eligible list to fill vacancies occurring in the Riverfront/Entertainment department of the Parks and Recreation division.

Promotional Requirements: (Must be met by date of examination.)

Education: Graduation from a four-year college or university with a degree in a field related to park and/or recreation programs, or administration.

Experience: Two years of experience in the classification of Riverfront Park Training Supervisor (SPN 079), Park Security Supervisor (SPN 693), or Food and Beverage Supervisor (SPN 682), and currently employed in the Parks and Recreation Division.

REQUIRED ADDITIONAL DOCUMENTS: Must be received in our office by the closing date, preferably attached to application.

- A copy of unofficial college transcripts identifying completion of required coursework for a four-year degree in a field noted above must be uploaded through NEOGOV at the time of application or emailed to civilservice@spokanecity.org no later than the closing date.
- DD Form 214 (Member-4) or NGB Form 22, if applicable. (See RCW 41.04.010 as to how Veterans' Preference is applied.)

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 Training and Experience (T&E) Evaluation and Promotional Evaluation, with weights assigned as follows:

- T&E Evaluation 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.

T&E EVALUATION DETAILS

The T&E Evaluation is designed to elicit sufficient job-related information and will be used to evaluate the amount and quality of the applicant's previous job-related experience, as well as any other information deemed important to performing the duties of the position.

TIP: It is more efficient to develop your responses in a word processing document and then paste them into the online questionnaire to be submitted. The questions are located online in the tab marked "Supplemental Questions" on the job announcement.

- The T&E Evaluation is the Civil Service examination for this position and must be completed online at the time of application.
- Responses should be consistent with the information on your application and are subject to verification. "See Resume" or "See Application" are not qualifying responses and will not be considered.
- Changes or corrections to your responses cannot be made once your application packet has been submitted. Duplicate applications will be disqualified.
- Failure to complete all of the questions or incomplete responses will result in a lower score; therefore, it is advantageous for you to provide a full and complete response to each supplemental question.
- Resumes or questionnaires uploaded as attachments to the application will not be accepted in lieu of completing each question online.

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.

TO APPLY:

An application is required for promotional applicants. 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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 1st day of February 2016.

CHERYL BECKETT
Chair

GITA GEORGE-HATCHER
Chief Examiner

FIRE LIEUTENANT SPN 936 PROMOTIONAL EXAMINATION

DATE OPEN: Monday, February 1, 2016 **DATE CLOSED:** Sunday, February 14, 2016 at 11:59 p.m.
SALARY: \$92,626 annual salary, payable bi-weekly, to a maximum of \$103,731

DUTIES:

Performs first level supervisory, skilled firefighting, and emergency medical techniques as a station shift commander or a company officer.

MINIMUM QUALIFICATIONS:

Promotional Requirements: (Must be met by date of examination.)\

Completion of four years combined service with the Fire Department in subordinate positions of the uniformed Fire Service.

License: Applicants must possess a valid driver's license.

REQUIRED ADDITIONAL DOCUMENTS: Must be received in our office by the closing date, preferably attached to application.

- DD Form 214 (Member-4) or NGB Form 22, if applicable. (See RCW 41.04.010 as to how Veterans' Preference is applied.)

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, assessment center, and promotional evaluation (PER). Weights are assigned as follows: written test 35%, assessment center 50%, PER 15%.

The top 40 candidates as initially determined by the written test score (85%) and PER (15%) will advance to the assessment center.

WRITTEN TEST DETAILS:

The written test will be conducted at the Fire Training Center, located at 1618 N Rebecca, on Thursday, February 25, 2016, at 9:00 am. The approximate duration of the test is 2 hours. Upon acceptance of online applications, applicants will receive an email invitation to appear for the written test.

The written test will be based upon the promotional bibliography for 2016:

1. Truck Company Operations, Mittendorf 2006 edition
2. Building Construction for the Fire Service, Brannigan, 4th Edition
3. IFSTA Company Officer for Emergency Services 4th Edition, Chapters 1 to 21
4. Spokane County Field Operations Guide (FOG)
 - a. Chapter 5 Command
 - b. Chapter 6 Operations
5. The following City Policies (PL's)
 - a. Admin 0620-05-35 Sexual Harassment
 - b. Admin 0620-05-53 General Harassment
 - c. Admin 0620-05-55 Email
6. SFD modified NWCG Wildland Fire Suppression Tactics Reference Guidebook; April 1996

ASSESSMENT CENTER DETAILS:

The assessment center will be in two parts and will include exercises and weights (of the total 50% exam weight) as follows: command problem 30%, interpersonal problem 20%.

Candidates will be notified of the time and place to appear for their assessment exercises, to be held between March 7 and March 18, 2016.

PERFORMANCE EVALUATION DETAILS:

Pursuant to Civil Service Rule VI, Section 9, an evaluation of an employee's job performance shall be a subject in all promotion exams. The evaluation should be administered by the employee's supervisor within the past year.

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

Qualified applicants are encouraged to apply immediately using the online application system. All applicants must complete and submit the online City of Spokane employment application 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.

TO APPLY:

An application is required for promotional applicants. 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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 1st day of February 2016.

CHERYL BECKETT
Chair

GITA GEORGE-HATCHER
Chief Examiner

Notice for Bids

Paving, Sidewalks, Sewer, etc.

CALL FOR BIDS

Hazel's Creek Downstream Improvements Project Engineering Services File No. 2013055

This project consists of the construction of approximately 31,000 cubic yards of excavation and embankment, 4,500 linear feet of storm sewer, 22 drainage structures, 22,000 square yards of landscaping and planting, 8,000 square yards of HMA pavement, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201-3316, will receive sealed bids until 1:00 p.m., February 22, 2016 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. 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.

It is anticipated that this project will be funded in part by the Washington State Department of Ecology. Neither the State of Washington nor any of its departments or employees are, or shall be, a party to any contract or any subcontract resulting from this solicitation for bids.

The Successful bidder will be required to conform to the wage requirements prescribed by the federal Davis-Bacon and Relate Acts which requires that all laborers and mechanics employed by contractors and subcontractors performing on contracts funded in whole or in part by SRF appropriations in excess of \$2000 pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits, and determined by the Secretary of Labor, for corresponding classes of laborers and mechanics employed on similar projects in the area.

Publish: February 3, 10, and 17, 2016

CALL FOR BIDS

CSO Basin 12 Control Facility and Pettet Drive from T J Meenach Drive to Augusta Avenue

Engineering Services File No. 2013211 (lead) & 2015099

This project consists of the construction of approximately a +700,000 gallon CSO tank with mechanical and electrical facilities, structural excavation including haul, shoring, and retaining wall construction, roadway construction with approximately $\pm 6,400$ c.y. of roadway excavation, $\pm 1,250$ c.y. of roadway embankment, $\pm 6,240$ l.f. of sanitary and storm sewer pipe installation, stormwater bio-infiltration facility construction, $\pm 1,560$ l.f. of water main installation, $\pm 20,720$ s.y. of 3 inch and 5 inch HMA paving, trail construction, sidewalk and curb installation, communication conduit installation, landscaping and irrigation work, 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., February 8, 2016 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. 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 FIVE (5) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

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

A prebid conference will be held at Spokane City Hall in the Council Briefing Center the office of the (808 W. Spokane Falls Boulevard) at 9:45 a.m. on January 26, 2016.

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.

******Time is of the essence due to the length of the construction window and/or the time of year in which the project is being constructed. Please note that various award phase steps have shorter than normal time frames as detailed in section 1-03.3, 1-08.4, and 1-08.5.**

"It is anticipated that this project will be funded in part by the Washington State Department of Ecology. Neither the State of Washington nor any of its departments or employees are, or shall be, a party to this contract or any subcontract."

*"The Successful bidder will be required to conform to the wage requirements prescribed by the federal Davis-Bacon and Relate Acts which requires that all laborers and mechanics employed by contractors and subcontractors performing on contracts funded in whole or in part by SRF appropriations in excess of \$2000 pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits, and determined by the Secretary of Labor, for corresponding classes of laborers and mechanics employed on similar projects in the area."*****

Publish: January 20, 27 and February 3, 2016

CALL FOR BIDS

I04 Control Facility (Bridge CSO) Engineering Services File No. 2013215

This project consists of the construction of an 800,000 gallon combined sewer storage facility tank with mechanical, odor control, and electrical facilities, over 4,000 vertical square feet of shoring, approximately 21,000 cubic yards of excavation and embankment, 4,900 cubic yards of rock removal, 550 linear feet of 21-inch to 30-inch combined sanitary/storm sewer, 100 linear feet of 8-inch water line, drainage structures, 600 gpm duplex sanitary/storm lift station, 250 linear feet of sidewalk, 1,350 square yards of 3-inch to 6-inch thick pavement, sundry utility adjustments, and other related miscellaneous items. Quantities are approximate.

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., February 22, 2016 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. 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.

A pre-bid conference will be held at the Spokane City Hall (W. 808 Spokane Falls Blvd. Spokane, WA 99201) in the Council Briefing Center at 10:00 a.m. on Thursday February 11, 2016. Attendance is highly encouraged.

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: February 3, 10 and 17, 2016

Notice for Bids

Supplies, Equipment, Maintenance, etc.

BREAK-OUT DISTRIBUTORS **Street Department – Signs & Markers**

BID #4223-16

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 15, 2016** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **BREAK-OUT DISTRIBUTORS** for the City of Spokane Street 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 Department **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 response 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:
“BREAK-OUT DISTRIBUTORS, BID #4223-16, DUE 2/15/16”.

Thea Prince
Purchasing Department

Publish: February 3 & 10, 2016

BOILERMAKER SERVICES FOR SCHEDULED OUTGAGES AND EMERGENCY OUTAGES **Solid Waste Disposal Department**

BID #4227-16

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 29, 2016** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **BOILERMAKER SERVICES FOR SCHEDULED OUTGAGES AND EMERGENCY OUTAGES** for the City of Spokane Solid Waste Disposal Department.

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

A pre-proposal walk through will be held on Thursday, February 18, 2016 at 10:00 a.m at the Waste to Energy Facility, 2900 S Geiger Blvd – Meet at the Administration Bldg.

Submittal Instructions:

Bid proposal forms may be submitted to the Purchasing Department **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) paper original 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:

“BOILERMAKER SERVICES FOR SCHEDULED OUTAGES AND EMERGENCY OUTAGES, BID #4227-16, DUE 2/29/16”.

Thea Prince
Purchasing Department

Publish: February 3 & 10, 17

**LIGHT BARS
Fleet Services Department**

BID #4228-16

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 22, 2016**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **LIGHT BARS** for the City of Spokane Fleet Services 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) paper original 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:
"LIGHT BARS, BID #4228-16, DUE FEBRUARY 22, 2016".

Thea Prince

February 3 & 10, 2016

REQUEST FOR PROPOSALS

GARMENT/LINEN RENTAL AND LAUNDRY SERVICES

City of Spokane Purchasing

RFP #4229-16

The City of Spokane is requesting information regarding Garment/Linen Laundry and Supply Services. Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, FEBRUARY 15, 2016**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **GARMENT/LINEN RENTAL AND LAUNDRY SERVICES** for City of Spokane Purchasing Department.

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

Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, February 15, 2016**. 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 reviewed.**

Submit one (1) paper original, five (5) paper copies, and one (1) reproducible digital copy (CD or thumb drive) of the Proposal to:

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

All response packages are to be clearly marked with:

"RFP #4229-16, GARMENT/LINEN RENTAL AND LAUNDRY SERVICES, DUE 2/15/2016"

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

Publish: February 3 & 10, 2016

TYPE IV PRISMATIC STOP SIGNS & ALUMINUM SIGN BLANKS

Street Department – Signs & Markers

BID #4230-16

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 22, 2016** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for three (3) or more **TYPE IV PRISMATIC STOP SIGNS & ALUMINUM SIGN BLANKS** for the City of Spokane Street Department – Signs & Markers.

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.**

Envelope containing proposal is to be marked:

“TYPE IV PRISMATIC STOP SIGNS & ALUMINUM SIGN BLANKS, BID #4230-16 DUE 2/22/16”.

Thea Prince
Purchasing Division

Publish: February 3 & 10, 2016

**CHEVROLET SILVERADO ¾ TON PICKUP or equal
Fire Department**

BID #4231-16

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 15, 2016** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for three (3) or more **CHEVROLET SILVERADO ¾ TON PICKUPS** 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 SILVERADO ¾ TON PICKUP or equal, BID #4231-16 DUE 2/15/16”.

Thea Prince
Purchasing Division

Publish: February 3 & 10, 2016

FERTILIZER AND TURF CHEMICALS
Parks & Recreation Department

BID #4232-16

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 22, 2016**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **FERTILIZER AND TURF CHEMICALS** for the City of Spokane Parks and 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) paper original and one (1) reproducible digital copy (thumb drive or CD) 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:

“FERTILIZER AND TURF CHEMICALS, BID #4232-16, DUE FEBRUARY 22, 2016”.

Thea Prince
Purchasing Division

Publish: February 3 & 10, 2016
