



# Official Gazette

## City of Spokane, Washington

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

Volume 106

NOVEMBER 23, 2016

Issue 47 Part I of II



### MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

BREEAN BEGGS (DISTRICT 2)

MIKE FAGAN (DISTRICT 1)

LORI KINNEAR (DISTRICT 2)

CANDACE MUMM (DISTRICT 3)

KAREN STRATTON (DISTRICT 3)

AMBER WALDREF (DISTRICT 1)

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### INSIDE THIS ISSUE

MINUTES	1271
HEARING NOTICES	1284
ORDINANCES	1286

(ORDINANCES, JOB OPPORTUNITIES  
& NOTICES FOR BIDS CONTINUED IN  
PART II OF THIS ISSUE)

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# Minutes

**MINUTES OF SPOKANE CITY COUNCIL****Monday, November 14, 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, Council Members Beggs, Fagan, Kinnear, Mumm, Stratton, and Waldref were present.

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

**Advance Agenda Review**

The City Council received an overview from staff on the November 21, 2016, Advance Agenda items.

**Action to Approve November 21, 2016, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the November 21, 2016, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

**Motion** by Council Member Fagan, seconded by Council Member Waldref, **to approve** the Advance Agenda for Monday, November 21, 2016; **carried unanimously.**

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

The City Council considered the November 14, 2016, Current Consent Agenda items.

Council Action Memorandum regarding the City Council's rejection of Final Reading Ordinance C35449

Council President Stuckart referred to the final version of the above-referenced Council Action Memorandum with the line added (under "HH"), which reads: "In the event of a conflict between the Plan Commission and City Council findings and conclusions, the City Council's findings and conclusions shall prevail." He requested a motion to suspend the Council Rules, and the following action was taken:

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

Council President Stuckart then requested a motion to add Item No. 9 (to the November 14 Consent Agenda), which is the Council Action Memorandum regarding the City Council's rejection of Ordinance C35449 (Comprehensive Plan Amendment Application No. Z1500084COMP) and setting forth the Findings of Fact and Conclusions (which includes the additional language under "HH" referenced above). The following action was taken:

**Motion** by Council Member Mumm, seconded by Council Member Fagan, to so move (**to add** Item No. 9); **carried unanimously.**

**CONSENT AGENDA**

**Upon Unanimous Voice Vote (in the affirmative), the City Council approved Staff Recommendations for the following:**

Set Hearing for November 28, 2016 for the Citywide Capital Improvement Program, 2017-2022. (PRO 2016-0037)

Value Blanket for the purchase of Ballistic Body Armor from Galls LLC, DBA, Blumenthal Uniforms Co. utilizing NASPO Contract #07115 from August 1, 2016 through July 31, 2017—\$105,000 (incl. tax). (OPR 2016-0888)

Consultant Agreement with Alta Planning & Design (Salt Lake City, UT) for the Millwood Trail Alignment Study—\$169,167. (OPR 2016-0889; ENG 2014059; RFQ 4219-16)

Low Bid of Halme Construction, Inc. (Spokane, WA) for CS0 33-1 Control Facility—\$9,597,092.50 (plus tax). An administrative reserve of \$959,709.25 (plus tax), which is 10% of the contract price (plus tax), will be set aside. (East Central Neighborhood) (PRO 2016-0038; ENG 2013213)

Contract Amendment with Century West Engineering to increase the contract amount—\$28,500. Total Contract Amount: \$97,200. (OPR 2016-0016; ENG 2015176)

Contract Amendment with GSI Water Solutions, Inc. (Portland, OR) for phase II of evaluation, test well development, and well field planning at the Havana Street well site (southeast corner of E. 6th Avenue and S. Havana Street)—not to exceed \$414,000. (OPR 2016-0871; BID 4295-16)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through November 4, 2016, total \$7,070,546.66 (Check Nos. 530911-531204; ACH Payment Nos. 31556-31755), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$6,434,437.97. (CPR 2016-0002)
- b. Payroll claims of previously approved obligations through November 5, 2016: \$6,538,939.70 (Payroll Check Nos. 542118-542290). (CPR 2016-0003)

City Council Meeting Minutes: October 31, 2016 and November 3, 2016. (CPR 2016-0013)

Council Action Memorandum regarding the City Council's rejection of Final Reading Ordinance C35449 (Comprehensive Plan Amendment Application No. Z1500084COMP) and setting forth the Findings of Fact and Conclusions memorializing the basis for the Council's decision to deny the application. (ORD C35449)

**Council Recess/Executive Session**

The City Council adjourned at 4:01 p.m. No Executive Session was held. The City Council reconvened again at 6:00 p.m. for the Regular Legislative Session.

**LEGISLATIVE SESSION****Pledge of Allegiance**

The Pledge of Allegiance was led by Council President Stuckart.

**Invocation**

David BrownEagle, Member of the Spokane Tribe's Tribal Council, provided an invocation.

**Roll Call**

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

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

**MAYORAL PROCLAMATIONS**

November 18, 2016      *Pancreatic Cancer Day*

Council Member Kinnear read the proclamation and presented it to a representative of the Pancreatic Cancer Action Network Inland Northwest. Every year, over 50,000 people in the United States and 400,000 worldwide are diagnosed with pancreatic cancer, which is now the third leading cause of cancer death in the United States and is projected to become the second leading cause by 2020. Across the world, it is the seventh most common cause of cancer-related death. Pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just 8 percent and 71 percent of pancreatic cancer patients die within the first year of their diagnosis.

November 20, 2016      *Transgender Day of Remembrance*

Council Member Beggs read the proclamation and presented it to Tory Boston from Spokane Trans People. Trans people are disproportionately targets of violence and prejudice and this violence and prejudice often results in the injury and death of trans people and the trans community across the world has lost hundreds of people. It is important to remember those trans people who have been victims of violent crimes and the work that must be done to ensure trans people are treated fairly and equally in society. The proclamation encourages the citizens of our city to come together and join together in promoting tolerance, understanding, compassion, and acceptance of the trans community.

**BOARDS AND COMMISSIONS APPOINTMENTS****Chase Youth Commission (CPR 1985-0131) and Design Review Board (CPR 1983-0069)**

**Upon Unanimous Voice Vote**, the City Council approved (and thereby confirmed) the following appointments and reappointments:

Chase Youth Commission

- Appointments of Miranda Reed, Dylan Soth, and Abigail Moore to the Chase Youth Commission for a term of September 1, 2016, to June 30, 2017.
- Reappointments of Matthew Newberry and Jacki Patnoi to the Chase Youth Commission for a term of September 1, 2016, to June 30, 2017.

Design Review Board (CPR 1983-0069)

Appointment of Theodore Teske to the Design Review Board, as Citizen at Large, for the term of November 1, 2016, to December 31, 2018.

**ADMINISTRATIVE REPORTS****Community Housing and Human Services Affordable Housing Report**

Arlene Patton shared with the City Council some of the work and achievements that the Community Housing and Human Services Affordable Housing Committee has been involved in. The Affordable Housing Committee is a 10-member committee and on that are the expertise of many who have developed and managed affordable housing for a number of years. The goals and priorities of the affordable housing committee is to expand housing choices and increase quality, affordable housing stock and that is done with both new construction and rehabbing of some existing older housing. Prioritizing affordable housing to reduce barriers to employment and also to be conscious of where the affordable housing is placed and make sure there is public transportation nearby.

**Snow Report**

Andy Schenk, Assistant Street Director, provided an overview of the 2016-2017 snow response plan. The snow season is defined as November 15 through March 15 of each year. A Stage 1 snow event is when there is two inches of snow on the ground and four more is anticipated in that current event. A Stage 2 is when there is six inches of snow on the ground and more is anticipated in that event. If it's snowing so hard that the City can't keep up on its normal plowing operations, we'll go to the Snow Corridor Plan, which is basically north-south major arterials and east-west major arterials (ten routes) to provide access to the entire city for freight, mobility, and emergency services. The Snow Corridor Plan is identified with snow signs.

Under a Stage 1, the City's responsibilities are to notify the citizens of the snow event and City staff will start plowing the arterials in the fixed STA bus routes and supplement Street crews with street crews from other City departments and crews will plow the neighborhood business districts to the curb and plow around the hospitals and medical districts and clear the snow in the CBD. Deicer is the main tool to use downtown, but if crews have to, they will plow to center of the streets and also plow residential hill routes. As soon as it quits snowing, crews will get around shoveling City-owned property sidewalks. Citizens are asked to move their cars off of all arterials and fixed STA routes within six hours. On the residential hill routes, this year, citizens need to park on the even side of the street. Citizens need to start clearing sidewalks in front of their businesses and homes within 24 hours of the snow event.

Under a Stage 2, citizens will be notified of the change and crews will immediately embark on a full city plow and if needed will bring in the private contractors to supplement city crews and we'll start clearing sidewalks around City-owned properties within 24 hours and crews will be ready to implement the Snow Corridor Plan. Citizens are asked to keep their cars off of the arterials under a Stage 2. Downtown, there is no parking between 2 a.m. and 6 a.m., which allows crews to clear up to the curb. In the residential areas, parking this year is on the even side of the road. Citizens are asked to clear their sidewalks. In a bad snow storm, citizens need to clear snow off their vehicles and around hydrants, storm drains, and mail boxes.

Information on snow events and traffic event can be found at [www.srtmc.org](http://www.srtmc.org). City staff will also notify the local media of changing conditions. The schedule for the residential plowing can be viewed on the City's website. Mr. Schenk noted that staff will be taking out an ad that will be published in *The Spokesman* and *The Inlander* that shows the residential plow routes and you can also find it on Nextdoor.com, Instagram, Facebook, and Twitter.

Council President Stuckart inquired about the testing of the side version for plowing driveways. Mr. Schenk noted that staff tested it the last three years and found that using the boot on a grader about doubles the time for that grader, so staff get about half the amount work done.

## **COUNCIL COMMITTEE REPORT**

### **Public Works Committee**

Council Member Waldref reported on the Public Works Committee meeting held earlier today (November 14). Minutes of the Public Works Committee meetings are filed with the City Clerk's Office and are available for review following approval by the Public Works Committee.

## **OPEN FORUM**

**Kendall Bishop** commented on an incident where her daughter and friend were accosted by a homeless man while they were leaving Lewis and Clark High School and expressed concerns regarding a homeless shelter that is around 4<sup>th</sup> and McClellan.

**Stephanie Cates** commented last night she watched video of a candlelight vigil in front of the courthouse and was glad to see it was a peaceful gathering in contrast to what is happening around the country. She remarked that we need more unity and we need to drop the labels. She also remarked on rights and the recent election. She commented that what is in her heart is hope for fellow citizens to be reminded that in this great country of ours all men and women are created equal and everyone has a chance to reach their fullest potential.

**Vikki Vega** stated she is a resident of West Central, and she remarked on the condition of Broadway and stated it is rutted, pitted, and has huge cracks and the condition of the road continues to deteriorate because it is filled with transit buses going up and down it every day. Council Member Stratton noted that she will follow up and will get a report back to West Central.

**Ken Cruz** stated he is a resident of West Central, and he also remarked on Broadway. He noted that he came down in 2014 to speak about the levy lid lift and at that time he was promised that if the levy lid lift was passed that Broadway would be repaved between Maple and Chestnut.

## **Council Recess**

The City Council took a recess at 6:51 p.m. so that the Transportation Benefit District Governing Board could conduct a special meeting. The City Council reconvened at 7:06 p.m.

## **LEGISLATIVE AGENDA**

There were no **Special Budget Ordinances**

There were no **Emergency Ordinances**

**RESOLUTIONS****Resolution 2016-0091**

**Upon Unanimous Roll Call Vote**, the City Council **adopted Resolution 2016-0091** setting the assessment roll hearing on December 12, 2016, for the Downtown Parking and Business Improvement Ares (Business Improvement District - BID) and providing notice of the 2017 assessments to business and property owners.

**Resolution 2016-0093**

Upon consideration of Resolution 2016-0093, Council President Stuckart requested a motion to accept a substitute version of the resolution which reflects the date of election on April 25, 2017 (to replace the previously filed version which had the election on February 14, 2017). The following action was taken:

**Motion** by Council Member Stratton, seconded by Council Member Waldref, to so move **(to accept** the substitute version of the resolution which reflects the date of election on April 25, 2017); **carried unanimously.**

Subsequent to Council inquiry and commentary and response by staff, commentary by Spokane Public Library Board Trustee Lara Hemingway, and public testimony; the following action was taken:

**Upon 6-1 Roll Call Vote (Council Member Fagan voting “no”),** the City Council **adopted Resolution 2016-0093, as amended**, of the City of Spokane proposing an increase in the regular property tax levy for a period of seven years beginning in 2018 in an amount exceeding the limitations of Chapter 84.55 RCW to provide funding for library operations; providing for the submission of the measure to the qualified electors of the City at a special election; requesting that the Spokane County Auditor hold a special election for the measure on April 25, 2017; and providing for other matters properly related thereto.

**For Council action on Resolution 2016-0092, see section of minutes under “Hearings.”**

**FINAL READING ORDINANCES****Final Reading Ordinance C35450**

Council President Stuckart reported on Ordinance C35450 relating to earned sick and safe leave in the City of Spokane. He requested a motion to add additional language to the ordinance under Section 09.01.140 Sunset to read: “This chapter will be effective until December 31, 2017, or until the implementation by the State of Washington of the paid sick leave requirements established by the passage of I-1433, whichever occurs last.” Council President Stuckart indicated the City’s ordinance would sunset and the ordinance would go off the books when I-1433 goes into effect. Subsequently, the following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Mumm, to so move **(to add** additional language to the ordinance under Section 09.01.140 Sunset to read: “This chapter will be effective until December 31, 2017, or until the implementation by the State of Washington of the paid sick leave requirements established by the passage of I-1433, whichever occurs last.”). **Motion carried unanimously.**

The City Council received considerable public testimony on Ordinance C35450, as amended, after which Council commentary was held. The following action was then taken:

**Upon 6-1 Roll Call Vote (Council Member Fagan voting “no”),** the City Council **passed Final Reading Ordinance C35450, as amended**, relating to earned sick and safe leave in the City of Spokane; amending sections 09.01.010, 09.01.020, 09.01.030, 09.01.060, 09.01.080, and 09.01.090 of the Spokane Municipal Code and adding a new section to be numbered 09.01.140 to the Spokane Municipal Code.

**Final Reading Ordinance C35451**

**Upon Unanimous Roll Call Vote**, the City Council **passed Final Reading Ordinance C35451** relating to public records requests; amending SMC section 1.04A.030 and adopting a new section to chapter 17G.050 of the Spokane Municipal Code.

**Final Reading Ordinance C35423**

**Upon Unanimous Roll Call Vote**, the City Council **passed Final Reading Ordinance C35423** related to the vacation of portions of North Center Street, North Crescent Avenue, Ross Court, Hamlin Street and a portion of a nearby alley as requested by Avista and Riverview Retirement Community. (Logan Neighborhood)

**For Council Action on Final Reading Ordinance C35452, see section of minutes under “Hearings.”**

**For Council action on Final Reading Ordinance C35453, see section of minutes under “Hearings.”**

There were no **First Reading Ordinances**

There were no **Special Considerations**

### **Council Recess**

The City Council took a recess at 8:44 p.m. and reconvened at 8:50 p.m.

### **HEARINGS**

#### **Hearing on Possible Revenue Sources for the 2017 Budget (Continued from November 7, 2016, Agenda) and Related Resolution 2016-0092 and Final Reading Ordinance C35453**

The City Council held a hearing on possible revenue sources for the 2017 Budget. Subsequent to a presentation by Finance and Administration Division Director Tim Dunivant, public testimony from one individual, and Council inquiry and commentary, the following actions were taken:

**Motion** by Council Member Fagan, seconded by Council Member Mumm, **to close** the hearing; **carried unanimously.**

**Upon Unanimous Roll Call Vote**, the City Council **adopted Resolution 2016-0092** of the City Council of the City of Spokane, WA, declaring and finding a substantial need for purposes of setting the limit factor for the property tax levy for 2017.

**Upon Unanimous Roll Call Vote**, the City Council **passed Final Reading Ordinance C35453** updating the annual City of Spokane property tax levy for 2017.

#### **Hearing on 2017 Proposed Budget (Continued from November 7, 2016, Agenda)**

The City Council held a hearing on the 2017 Proposed Budget. Fire Chief Bobby Williams provided an overview of the 2017 Proposed Budget for Fire and Assistant Chief Justin Lundgren provided an overview of the 2017 Proposed Budget for Police, and both responded to Council inquiries. There was an opportunity for public testimony, with no individuals requesting to speak. Subsequently, the following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Beggs, **to continue** the hearing on the 2017 Proposed Budget to next week (November 21, 2016); **carried unanimously.**

#### **Hearing on Final Reading Ordinance C35452**

The City Council held a hearing on Final Reading Ordinance C35452. Subsequent to a presentation by staff; an opportunity for public testimony, with no individuals requesting to speak; and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **passed Final Reading Ordinance C35452** regarding Roadway Naming and Addressing; amending SMC sections 17A.020.120; 17A.020.180; 17A.020.190; repealing section 17D.050; and enacting a new section 17D.050A to chapter 17D of the Spokane Municipal Code.

No individuals spoke during the **Second Open Forum**.

### **ADJOURNMENT**

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 9:45 p.m.

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## **SPECIAL MEETING MINUTES OF CITY OF SPOKANE TRANSPORTATION BENEFIT DISTRICT GOVERNING BOARD**

**Monday, November 14, 2016**

A Special Meeting of the City of Spokane Transportation Benefit District (TBD) Governing Board held on the above date was called to order at 6:51 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, Board Chair Stuckart and Board Members Beggs, Fagan, Kinnear, Mumm, Stratton, and Waldref were present.

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

#### **Citizens' Transportation Advisory Board 2016 Annual Report**

John Covert, Chair of the Citizens' Transportation Advisory Board, presented an overview of the Citizens' Transportation Advisory Board's 2016 Annual Report and 2017 and 2018 TBD Program recommendations. Mr. Covert noted this is the fifth annual report, and he advised the Citizens' Transportation Advisory Board is a seven-member volunteer Board. He noted the car tab fees since they started being collected in 2011 have generated about \$13.5 million dollars. As of early November of this year, the City has spent about \$10.8 million of the \$13.5 million. Mr. Covert reported on the 2016 program accomplishments and then presented the list of projects that the Board would like to see funded for 2017 and also the projects that the Board is recommending be queued up for 2018. Council inquiry and commentary was held with response by Mr. Covert and Assistant Street Director Andy Schenk.

#### **TBD-Resolution 2016-0001 Adopting 2017 Budget Allocations and Project Prioritization**

**Upon Unanimous Voice Vote (in the affirmative)**, the TBD Governing Board **adopted TBD-Resolution 2016-0001** of the City of Spokane Transportation Benefit District Governing Board adopting 2017 budget allocations and project prioritization.

#### **Approval of Past TBD Governing Board Meeting Minutes**

**Motion** by Board Member Mumm, seconded by Board Member Fagan, **to approve** the TBD Governing Board meeting minutes for November 17, 2014; February 9 and November 30, 2015; and March 7, September 12, and November 7, 2016; **carried unanimously**.

#### **ADJOURNMENT**

There being no further business to come before the Transportation Benefit District Governing Board, the Special Meeting of the Board adjourned at 7:06 p.m.

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### **MINUTES OF SPOKANE CITY COUNCIL**

**Monday, November 7, 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, Council Members Beggs, Fagan, Kinnear, Mumm, Stratton, and Waldref were present.

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

#### **Advance Agenda Review**

The City Council received an overview from staff on the November 14, 2016, Advance Agenda items.

#### **Action to Approve November 14, 2016, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the November 14, 2016, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

**Motion** by Council Member Fagan, seconded by Council Member Waldref, **to approve** the Advance Agenda for Monday, November 14, 2016; **carried unanimously**.

#### **ADMINISTRATIVE SESSION**

#### **Current Agenda Review**

The City Council considered the November 7, 2016, Current Consent Agenda items.

#### **Final Reading Ordinances C35447 and C35448**

**Motion** by Council Member Fagan, seconded by Council Member Waldref, **to accept** revised versions of Ordinance C35447 and C35448 (and thereby replace the previously filed versions of the ordinances with the updated revised versions); **carried unanimously**.

Staff request to reschedule the hearing on vacation of the alley between 4<sup>th</sup> avenue and 5<sup>th</sup> avenue from McClellan Street to Browne Street, from November 21, 2016, to November 28, 2016. (RES 2016-0088)

**Motion** by Council Member Fagan, seconded by Council Member Waldref, **to suspend** the rules; **carried unanimously.**

**Motion** by Council Member Fagan, seconded by Council Member Waldref, **to add** to today's (November 7) Consent Agenda staff request to reschedule the hearing on vacation of the alley between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue from McClellan Street to Browne Street, from November 21, 2016, to November 28, 2016, Legislative Agenda; **carried unanimously.**

### CONSENT AGENDA

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

Value Blanket Renewals with:

- a. BHS Specialty Chemical Products (Nampa, ID) for purchase of Sodium Hydroxide 50% Membrane (Caustic Soda)—not to exceed \$33,357.86 (incl. tax). (OPR 2014-0723, BID 4058-14)
- b. Eljay Oil (Spokane, WA) for Ultra Low Sulfur #2 Dyed Diesel and supporting equipment from October 1, 2016, through September 30, 2017—\$60,000. (OPR 2014-0725, BID 4065-14)

Contract Amendment with Helfrich Brothers Boiler Works (Lawrence, MA) for installation of Superheater pendants at the Waste to Energy Facility—\$107,468.97. (OPR 2015-0739, RFB 4161-15)

Contract Extensions for the Waste to Energy Facility from January 1, 2017 through December 31, 2017 with:

- a. Zampell Refractories Inc. (Newburyport, MA) for refractory installation and sandblasting services—\$640,000. (OPR 2015-0097, RFP 4069-14)
- b. Online Cleaning Services (Marysville, CA) for boiler blast cleaning services—\$213,313.50. (OPR 2015-0095)
- c. Eastside Electric Motors, LLC, (Spokane Valley, WA) to Recondition Motors Off-site—\$48,000. (OPR 2015-0528)
- d. Big Sky Industrial of Spokane for vacuum support services—\$150,000. (OPR 2015-0096, RFP 4090-14)

Loan Agreement & other documents with Basalt Rock, LLC (Spokane, WA) for rehabilitation of a house and construction of 3 additional units at 1808 East First Avenue—\$180,000 HOME funds (East Central Neighborhood). (OPR 2016-0821)

Ninety-day Contract termination notice for CAD/RMS Maintenance Contract with Northrop Grumman (McLean, VA). (OPR 2010-0535)

Recommendation to list the Doran Building, 707 West 2nd Avenue, on the Spokane Register of Historic places. (OPR 2016-0867)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through October 28, 2016, total \$6,997,897.52 (Check Nos. 530711-530908; ACH Payment Nos. 31320-31555), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$6,759,637.39. (CPR 2016-0002)

City Council Meeting Minutes: October 24, 2016 and October 27, 2016. (CPR 2016-0013)

Staff request to reschedule the hearing on vacation of the alley between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue from McClellan Street to Browne Street from November 21, 2016, to November 28, 2016.

### Council Recess/Executive Session

The City Council adjourned at 3:48 p.m. No Executive Session was held. The City Council reconvened again at 6:00 p.m. for the Regular Legislative Session.

## LEGISLATIVE SESSION

### **Pledge of Allegiance**

The Pledge of Allegiance was led by Council President Stuckart.

### **Roll Call**

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

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

### **COUNCIL SALUTATION**

Council President Stuckart presented a Council Salutation to Julie Honekamp, Executive Director of Spokane Neighborhood Action Partners, in recognition of SNAP's 50<sup>th</sup> birthday. The Salutation commends SNAP on the positive impact it has made in Spokane as a multi-faceted nonprofit social service agency that supports a strong community where all people have the opportunity to thrive. SNAP has over thirty different programs to assist low income and vulnerable people served 41,368 people in 2015 and hundreds and thousands more over the past 50 years. SNAP, through the collaborative efforts of SNAP staff, board members, community leaders, numerous volunteers, and through the support of the City of Spokane has vitally enhanced the community by fulfilling its mission to provide access and connections to resources that create opportunities with dignity for people of low income. The Salutation, on behalf of the Mayor and the Spokane City Council on behalf of the City of Spokane, salutes Spokane Neighborhood Action Partners.

There were no **Board and Commission Appointments**.

There were no **Administrative Reports**.

### **COUNCIL COMMITTEE REPORTS**

#### **Community Health and Environment Committee Meeting**

Council Member Stratton reported on the Community Health and Environment Committee meeting held earlier today (November 7). Minutes of the Community Health and Environment Committee meetings are filed with the City Clerk's Office and are available for review following approval by the Community Health and Environment Committee.

#### **Council Recess**

The City Council took a recess at 6:05 p.m. so that a special meeting of the Transportation Benefit District Governing Board meeting could be held. The City Council reconvened at 6:06 p.m.

## OPEN FORUM

**Alan McDowell** expressed concern regarding the behavior of (City Hall) security and remarked on the location of the Ombudsman Office.

**Kathleen Russell** commented on the aquifer and encouraged City Council to not sell off the aquifer.

**Gabriel Elliot** commented on the KYRS radio station.

**Henry Valder** commented on the vets garage and code enforcement.

## LEGISLATIVE AGENDA

There were no **Special Budget Ordinances**.

There were no **Emergency Ordinances**.

There were no **Resolutions**.

**FIRST READING ORDINANCES**

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

- ORD C35450** Relating to earned sick and safe leave in the City of Spokane; amending sections 9.01.010, 9.01.020, 9.01.030, 9.01.060, 9.01.080, and 9.01.090 of the Spokane Municipal Code.
- ORD C35451** Relating to public records requests; amending SMC section 1.04A.030 and adopting a new section to chapter 17G.050 of the Spokane Municipal Code.
- ORD C35452** Regarding Roadway Naming and Addressing; amending SMC sections 17A.020.120; 17A.020.180; 17A.020.190; repealing section 17D.050; and enacting a new section 17D.050A to chapter 17D of the Spokane Municipal Code.

**HEARINGS****Hearing on Possible Revenue Sources for the 2017 Budget (FIN 2016-0001)**

The City Council held a hearing on possible revenue sources for the 2017 Budget. No individuals requested to speak. The following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Waldref, **to continue** the Hearing on possible revenue sources for the 2017 Budget to November 14, 2016; **carried unanimously**.

**Hearing on 2017 Proposed Budget (FIN 2016-0001)**

The City Council held a hearing on the 2017 Proposed Budget. No individuals requested to speak. The following action was taken:

**Motion** by Council Member Waldref, seconded by Council Member Fagan, **to continue** the Hearing on the 2017 Proposed Budget to November 14, 2016; **carried unanimously**.

**Comp Plan Amendment Hearings**

Final Reading Ordinance C35447 (as amended) (By a vote of 9 to 0, the Plan Commission recommends approval.)

The City Council held a hearing on Final Reading Ordinance C35447 (as amended during the 3:30 p.m. Administrative Session). The City Council received a staff report on Ordinance C35447, public testimony was taken, and Council commentary held. Subsequently, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **passed Final Reading Ordinance C35447 (as amended)** relating to application made by QueenB Radio Inc., planning file #Z1500085COMP and amending the Land Use Plan Map of the City's Comprehensive Plan from "Open Space" to "Centers And Corridors Core" for approximately 1.9 acres total described as: the South 150 feet of the east 600 feet of government lot 8, NE quarter of Section 4, Township 24 North, Range 43 east; and amending the zoning map from "Residential Single Family" (RSF) to "Centers And Corridors Type 2 – District Center" (CC2-DC).

Final Reading Ordinance C35448 (as amended) (By a vote of 9 to 0, the Plan Commission recommends approval.)

The City Council held a hearing on Final Reading Ordinance C35448 (as amended during the 3:30 p.m. Administrative Session). The City Council received a staff report on Ordinance C35447. No individuals requested to speak during the hearing. Subsequent to Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **passed Final Reading Ordinance C35448 (as amended)** relating to application made by Avista Corporation, planning file #Z1500078COMP and amending the Land Use Plan Map of the City's Comprehensive Plan from "Residential 15-30" to "Light Industrial" for approximately 2.78 acres total described as: ross park, holes subdivision lots 1-4, parts of 5 and 6, and all of 7-12, as well as Ross Park, Wilkinson Subdivision lots 6 and 7; and amending the Zoning Map from "Residential Multi-Family" (RMF) to "Light Industrial" (LI).

**Council Recess**

Prior to the presentation by the opponents of Final Reading Ordinance C35449, the City Council took a recess at 8:18 p.m. and reconvened at 8:25 p.m. The City Council took another recess after receiving public testimony on Ordinance C35449 at 9:59 p.m. and reconvened at 10:03 p.m.

Final Reading Ordinance C35449 (By a vote of 4 to 3 with 1 abstention, the Plan Commission recommends denial.)

The Spokane City Council held a hearing to consider approval of the above-named application to amend the Comprehensive Plan and adoption of the accompanying ordinance. The City Council received a staff report, presentations by the proponents and opponents of the application, and lengthy public testimony. Subsequently, the following actions were taken:

**Upon Unanimous Roll Call Vote**, the City Council **rejected Final Reading Ordinance C35449** relating to application made by Morningside Investments LLC, planning file #Z1500084COMP and amending the Land Use Plan Map of the City's Comprehensive Plan from "Residential 4-10" to "Residential 10-20" and "Residential 15-30" for approximately 45.5 acres described as: All Parcels and tracts within the Windhaven First Addition PUD, except Lots 1-8 Block 4, LOTS 1-13, Block 5, Lots 1-5 Block 6 Which is comprised of 260 Platted Lots; and amending the zoning map from "Residential Single Family" (RSF) to "Residential Two Family (RTF)" and "Residential Multi-Family (RMF)".

**Motion** by Council Member Mumm, seconded by Council Member Kinnear, **to deny** the application under Planning File #Z1500084COMP and the Land Use Map which was applied for by Morningside Investments; **carried unanimously**.

**Motion** by Council Member Mumm, seconded by Council Member Kinnear, **to direct** the Council attorney to draft findings (of fact) and conclusions for the denial to be voted on at the Council's next available meeting (to memorialize the bases for the Council's decision to deny the Comprehensive Plan Amendment application No. Z1500084COMP); **carried unanimously**.

No individuals requested to speak during the **second Open Forum**.

#### **ADJOURNMENT**

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 10:30 p.m.

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### **STUDY SESSION MEETING MINUTES SPOKANE CITY COUNCIL Thursday, November 10, 2016**

A Special Meeting of the Spokane City Council was held on the above date at 3:31 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 Beggs, Fagan, Kinnear, Mumm, Stratton and Waldref were present.

The following topics were discussed:

- Public Works Budget Discussion – Part One

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 5:00 p.m.

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### **Public Safety Committee, October 17th, 2016**

**Meeting minutes:** meeting called to order at 1:32

#### **Attendance:**

**PSC Members Present:** Acting Chair CM Fagan, CM Waldref, CM Beggs, CM Stratton

**Staff/Others Present:** Angie Napolitano, Sue Raymon, Chief Williams, Chief Meidl, Major King, Commissioner Conklin, Sally Stopher, Brian McClatchey, Skyler Oberst, Stephanie Zimmerman, Dr. van Wormer, David Stockdill

**Approval of minutes:** CM Beggs made a motion to approve the meeting minutes from September 19th, 2016; M/S by CM Waldref; passed unanimously.

#### **Consent Agenda:**

#### **Photo Red – Briefing Paper Only**

SPD provided the Photo Red briefing paper (attached).

**Sit and Lie – Briefing Paper Only**

SPD provided Sit and Lie briefing paper (attached).

**Council Requests****Update on Amendment to Ombudsman Ordinance – CM Beggs**

CM Beggs: Had extensive conversation last month, received community, staff, and Council input. Updated version with tracked changes provided. Been sent to various stakeholders for feedback, haven't received much. City Legal looking at ordinance now. City Legal would like us to check with lawyers for contract. CM Fagan: Any guild exposure? CM Beggs: Been on email lists, been very quiet. CM Stratton: Did OPO and OPOC weigh in? CM Beggs: Met with Bart Logue, went over many things and have things that could be worked in. CM Fagan: Any feel for when it will be dropped? CM Beggs: Not before early December. CM Fagan: Some time after budget. CM Waldref: Because some changes might have to be changed, should Council be negotiating with administration? CM Beggs: Based on feedback, it has evolved to current format. The for sure changes are not bargaining issues. Some things are more open to bargaining with Union. Ordinance could be passed without bargaining, things that could be written in that could be empowered by union agreement. Say things like "if agreed to." CM Waldref: So waiting to hear back? CM Beggs: Yes, based them on what Mike Piccolo has said, but should be run by new lawyers. CM Waldref: So there will be more Council conversations. Will go offline to talk with CM Beggs about specifics. CM Beggs: The "dormant" issues are there, but only go into effect with union approval.

**Spokane Police Department****Strategic Initiatives Update – Chief Meidl**

Chief Meidl explained that Assistant Chief Lundgren could not attend today due to being involved in the interviews for the Major and Captain positions. Chief Meidl presented the monthly Office of Professional Accountability (OPA) report (attached) to Council and highlighted: the Use of Force incident reporting "increase" was due to having expanded what we considered "use of force" (ex. pointing a gun is now considered use of force), otherwise, it is trending down; SPD's CIT has been used as a model for other agencies; public records requests are being done on overtime by Records Specialist – SPD is getting almost twice as many as King County. Questions and discussion between Council members and staff followed.

**90 Day Termination Notice – Chief Meidl**

Major King provided Council members with the Northrop/Grummon 90 termination clause briefing paper (attached). SPD would like Council approval to take advantage of that clause. No questions or discussion followed.

**Spokane Fire Department****Opticom Sole Source – Chief Williams**

The 2013 Fire Task Team Report recommended the City pursue pre-emption devices on traffic lights to improve SFD response times. At the current rate, it would take until around the year 2025 to get the entire City completed. Advanced Traffic Products is doing an upgrade in the technology and has approached SFD about a one-time offer to provide the remaining 123 devices needed, at a savings of almost \$700,000. The upgraded units are easier to install and could put the City 4-6 years ahead of the anticipated completion date.

The system is used by the City of Spokane Valley, Fire District 9, Washington DOT, and all of the surrounding areas. A sole source purchase from Advanced Traffic Products will be moving forward to allow the equipping of 124 intersections in Spokane with interoperable technology. There were neither questions nor further discussion.

**SAFER Grant – Chief Williams**

Acceptance of the SAFER Grant must be done by October 26<sup>th</sup>. Chief Williams explained why Fire has not yet formally accepted the grant. Upon acceptance, Fire will ask that the start date of the grant be January 1, rather than February, to align with quarterly performance reporting. There are no negative effects to a January 1 start date.

The plan is to have approximately ten lateral entry hires and two classes of about twenty-four entry level recruits. Labor and Management have been working to get all of the final details worked out as it relates to the operational portion. There were neither questions nor further discussion.

**Survey and Rating Analysis Report – Chief Williams**

The final report was included in the packet to the PSC committee members. Chief Williams explained factors contributing to the Class 3 rating. Questions and discussion followed.

Council Member Beggs brought up last weekend's favorable press on female firefighters. This was followed by discussion regarding minority recruitment and the benefits of national public safety testing.

**Storm Readiness – Chief Williams**

The Training Center, Combined Communications Center and Station 1 (headquarters) are all equipped with generators. Generally, not all stations will lose power at the same time, so to save costs, rather than having a generator in each station; most stations have been wired so a generator can be plugged in.

**Level of Service Study – Chief Williams**

Attorney Kinnon Williams and Chief Schaeffer finalized the scope of work for ESCi's consultant and the data gathering process has begun to establish a base-level of service for the SFD. A level of Service Study is a required first step in preparing for the Fire Benefit Charge process.

**Staff Requests****EEOP Utilization Report – Sally Stopher**

Here to present two reports done in compliance with receiving federal funding. This report is about current staffing with Police Department. Gives us regional data on makeup of ethnic diversity and then they report on specific staffing. Shows we are underutilizing female and Hispanic. Report goes on to talk about how we reach out and ensure there is no discrimination. CM Beggs: Looking at where target universities are, think there are other markets. Stopher: Not limited to ones in report, there are other avenues. CM Beggs: who would do that reaching out? Stopher: HR in coordination with department.

**Title VI Program – Sally Stopher**

Done to comply with DOT funding for both Public Works and Police. This report ensures non-discrimination with any of public we interact with. Details all of the assurances that we will not discriminate and how we will reach out to those who feel discriminated. Complaint process as allowed by this report. Created website for complaints. CM Waldref: Familiar through STA. STA has goals, usually about service offering, but EEOP has goal setting for percentages. Stopher: Sections 5 and 6 set goals for percentages. CM Waldref: Since we're trying to get more equity and diversity, we should think about adding in those goals to our documents. Stopher: EEOP has that piece, title VI has annual report that requires dissemination of what has been done to reach out and make sure non-discrimination goals have been met. Found that both reports are very related to funders. Because two separate funding for Title VI, had to combine two reports in order to meet requirements for both funding. Wanted to meet bigger goal of non-discrimination, but also making sure all plans in compliance to receive funding. Can broaden to accommodate City Goals. CM Waldref: Probably should set some goals, conversation to kick off with Mayor's 21<sup>st</sup> Century Workforce. Set goals as city and see if we are getting there. Maybe in 2 years include those goals. CM Stratton: Think HR person for Police will be involved with that task force to take information from study to take back to goals.

**OPOC Update – Commissioner Conklin**

Commissioner Logue at training. Highlight that there will be set of numbers for declining to certify. Those aren't going away, not because we have current complaints that aren't being resolved, but because of backlog of complaints that cannot be reopened by department. These complaints will show as declining to certify. No way to go back and fix. The current ones moving forward, there has been resolution on all of them. There is a complaint in the grey area. Complaint about behavior about those limited commission officers that do security downtown. Only formal complaint, but it has been an ongoing complaint from community. Might be area that commission spends time on and goes to SPD with proposals to deal with the fact that there are "security type" people downtown giving police officers a "bad name." CM Fagan: Ambassadors? Commissioner Conklin: No, more like private security. Several commissioners went to annual NACOL conference. Good event. Attorney, 2 commissioners, and ombudsman attended. NACOL will officially be in Spokane September 10-14<sup>th</sup> 2017. Gives us an opportunity to showcase Spokane. Becomes clear at NACOL that nobody has system down perfectly. Having it in Spokane gives chance for us to give workshops. One workshop was from LAPD who talked about how ahead of other organizations, but SPD is ahead of where LAPD is. Encourage SPD and community to think of workshops about Spokane's strengths. Thank you CM Beggs for work on ordinance. Has had some talk about ordinance, commission appreciates how the process has been inclusive. Excited about the non-bargaining and bargaining issues and their inclusion. Optimistic because there have been good conversations with Guild and Lieutenants and Captains association. Think there is room to negotiate. CM Fagan: In light of coming convention, if commission can come up with good application, could receive LTAC funds. CM Stratton: due Wednesday, talk offline.

**SRLJC Update – Dr. Van Wormer**

MacArthur Foundation Project, been building risk assessment tool to determine pre-trial if someone can be monitored in community rather than jail. 07 NOV Soft launch into different courts. Municipal Courts on board and excited. Continuing to talk about regional pre-trial work. First official day of mental health diversion project, \$300,000 grant from DSHS. If low risk, clearly mental health issue, can divert and get to mental health location. Hired mental health specialist to supervise pre-trial. Targeting 40-60 people in this first year. Municipal, District, and Superior Court. CM Waldref: How long until reaching that number? Dr. Van Wormer: At misdemeanor level, very easy to consider. Harder at felony charge level. CM Waldref: Do we have capacity to care for these individuals? Dr. Van Wormer: Yes, we've made sure by hiring coordinator. Sure we'll get these individuals into out-patient services. Another thing is strategic plan committee.

Wrapping up work and have 4 core priorities strategic areas. Forwarding proposal in December. Voted to move out of planning a creation of law enforcement only mental health stabilization facility. Have a need for this facility. CM Waldref: Dropping legislative agenda later this week, need more information about cost before sending 16 bed facilities to legislature. Dr. Van Wormer: Complex issue, with many different factors to consider. CM Waldref: Lobbyist recommendation is to keep working and get as many details as possible to compare to other facilities. May not put on agenda right now, but if something comes together in March/April, can put forward to legislature. CM Beggs: Big changes, SRLJC has bumped to higher priority. Should help move forward. CM Waldref: Lobbyists think will have support, just need to develop. Dr. Van Wormer: Last item, Law and Justice Council is moving to key performance indicator model. Similar to other departments. Mostly focusing on jail population broken down by gender, race, charge, ethnicity and tying in to bail bond data. Comparing to trends across country. Looking at prohibitive bonds and finding ways to not take up jail beds so more available. Looking at these indicators every month and will continue to develop over time.

**Action Items:** N/A.

**Adjournment:** The meeting was adjourned at 2:27pm

**Attachments/Briefing Papers:**

Photo Red Briefing Paper  
Sit and Lie Arrest/Citation Briefing Paper  
2016 October OPA Public Safety Committee Report  
90 Day Termination Notice Briefing Paper  
Title VI Plan  
EEOP Utilization Report  
EEOP and Title VI Briefing Paper  
OPO Ordinance  
OPO Ordinance Briefing Paper  
PSC Fire Department Briefing Paper  
PSC Minutes 9/19/16

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

# Hearing Notices

## RESOLUTION NO. 2016-0091

A RESOLUTION SETTING THE ASSESSMENT ROLL HEARING FOR THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA (BUSINESS IMPROVEMENT DISTRICT – BID) AND PROVIDING NOTICE OF THE 2017 ASSESSMENTS TO BUSINESS AND PROPERTY OWNERS

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

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

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

1. Notice is hereby given that the assessment rolls for businesses and properties prepared under Ordinance C-32923, as revised, will be on file in the Office of the City Clerk on the 14th day of November 2016, and are open for public inspection.

2. The City Council has fixed the 12th day of December 2016 at 6:00 p.m., or as soon thereafter as practicable in the City Council Chambers of the Municipal Building, as the time and place for hearing upon said rolls.

3. The City Council declares its intent to impose special assessments in a manner that measures special benefits from each of the purposes set forth in Ordinance C-32923, as revised. The special assessments will finance the PBIA (BID) budgets and programs approved by the City Council.

4. All persons who may desire to object to the assessment roll shall make their objections in writing and file them with the City Clerk at, or prior to the date fixed for hearing.

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

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

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

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

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Christine Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd., Spokane, WA, 99201; or [ccavanaugh@spokanecity.org](mailto: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: November 16, 23 & 30 and December 7, 2016

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#### **NOTICE OF DEVELOPMENT AGREEMENT QUEENB RADIO/KXLY**

On November 7, 2016 the City Council adopted Ordinance C35447 approving an application by QueenB Radio to amend the Comprehensive Plan Land Use Map from "Open Space" to "Centers and Corridors Core" with an attendant change to the Zoning Map from "Residential Single Family" to "Centers and Corridors Core Type 2 – District Center" for 1.9 acres located immediately southwest of the intersection of South Regal Street and the Palouse Highway (parcel 34041.0038), described as NE ¼, Section 4, T24N, R43E, WM. The approved request for a land use and zoning change was a requirement of a Purchase and Sale Agreement (OPR 2015-0920) that would result in QueenB Radio, Inc. purchasing the property from the City. That Purchase and Sale Agreement was approved by the City on November 16, 2015.

The Purchase and Sale Agreement also requires that the purchaser (QueenB) enter into a Development Agreement for the property ensuring any future development of the property is consistent with the adjacent center development. An amended Development Agreement has been proposed that would include this property in the overall Development Agreement for adjacent properties (Ordinance C34469) and would extend the term of that agreement for a further ten years. City Council will consider this Development Agreement at a public hearing scheduled for December 5, 2016. Public testimony on the proposed amended Development Agreement will be taken at this hearing. However, the land use and zoning change and the purchase and sale agreement have already be approved and are not under consideration.

Development Agreements are authorized under Chapter 17A.060 and RCW 36.70B.170. The execution of a development agreement in and of itself is an administrative act, as opposed to a quasi-judicial or legislative act, and is a proper exercise of the City's police power and contract authority. The Spokane Municipal Code, Chapter 17A.060.

Any person may call for additional information at:

*Planning & Development Services Department*

Attn: Kevin Freibott, Assistant Planner

808 West Spokane Falls Boulevard

Spokane, WA 99201-3333

Phone (509) 625-6184

[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)

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Publish November 23 &amp; 30, 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*.**

## ORDINANCE NO. C35423

An ordinance vacating a portion of Ross Court, North Crescent Avenue, North Center Street, Hamlin Street, and a portion of a nearby alley,

WHEREAS, a petition for the vacation of a portion of Ross Court, North Crescent Avenue, North Center Street, Hamlin Street, and a portion of a nearby alley, has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That the right-of-way located in the SE ¼ of Section 09, Township 25 North, Range 43 East, Willamette Meridian, and further described below, is hereby vacated. Parcel number not assigned.

All that portion of North Ross Court lying south of Lots 7 through 12, and north of Lots 13 through 18, HOLE'S SUBDIVISION OF BLOCK 13 ROSS PARK, as recorded in Volume "D" of Plats, Page 78, records Spokane County, EXCEPT Parcel "A" further described below;

TOGETHER WITH that portion of North Ross Court lying South of Lot 7 WILKINSON SUBDIVISION OF PART OF BLOCK 12 OF ROSS PARK ADDITION, as recorded in Book 3 of Plats, Page 63, records of Spokane County, and lying North of Lot 6, WALKER'S SUBDIVISION OF THE SOUTH HALF OF LOT 12, ROSS PARK, as recorded in Volume "E" of Plats, Page 88, records of Spokane County, EXCEPT Parcel "A" further described below;

TOGETHER WITH all that portion of the platted alley lying north of Block 1 and south of Block 2, HAMLIN'S SUBDIVISION OF THE EAST HALF OF BLOCK 6 IN ROSS PARK, as recorded in Volume "B" of Plats, Page 98, records Spokane County, EXCEPT Parcel "A" further described below;

TOGETHER WITH All that portion of North Crescent Avenue lying North of Lots 1 through 6, HOLE'S SUBDIVISION OF BLOCK 13 ROSS PARK, as recorded in Volume "D" of Plats, Page 78, records of Spokane County, and lying south of Block 6, ROSS PARK, as recorded in Volume "A" of Plats, Page 141, records of Spokane County, and lying south of Block 1, HAMLIN'S SUBDIVISION OF THE EAST HALF OF BLOCK 6 IN ROSS PARK, as recorded in Volume "B" of Plats, Page 98, records of Spokane County, EXCEPT Parcel "A" further described below;

TOGETHER WITH all that portion of North Center Street lying north of the North right of way of Upriver Drive and south of Parcel "A" further described below;

Parcel "A"

A parcel of land being a portion of Southwest Quarter of Section 9, Township 25 North, Range 43 East, Willamette Meridian, County of Spokane, State of Washington, more particularly described as follows:

COMMENCING AT the southeast corner of HOLE'S SUBDIVISION OF BLOCK 13, ROSS PARK, as recorded in Volume "D" of Plats, Page 78, records of Spokane County, said point being on the Northerly right of way of Upriver Drive and being common with the Southwest corner of WALKER'S SUBDIVISION OF THE SOUTH HALF OF LOT 12, ROSS PARK, as recorded in Volume "E" of Plats, Page 88, records of Spokane County;

Thence North 47°47'23" East along the Northerly right of way of Upriver Drive, a distance of 23.93 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing along said Northerly right of way North 47°47'23" East a distance of 64.01 feet;

Thence North 43°01'21" West a distance of 334.23 feet;

Thence along a tangent curve to the left with a radius of 302.00 feet, through a central angle of 62°53'44" (the long chord of which bears North 74°28'13" West a distance of 315.12 feet), for an arc length of 331.52 feet;

Thence South 74°04'55" West a distance of 512.89 feet;

Thence along a tangent curve to the left with a radius of 232.00 feet, through a central angle of 40°28'19" (the long chord of which bears South 53°50'46" West a distance of 160.49 feet), for an arc length of 163.88 feet to a point on the Northwesterly right of way of that right of way as dedicated by Resolution recorded in Auditor's file number 6037563;

Thence along said Northwesterly right of way South 33°36'36" West a distance of 9.71 feet;

Thence South 56°23'24" East a distance of 64.00 feet;

Thence North 33°36'36" East a distance of 9.71 feet;

Thence along a tangent curve to the right with a radius of 168.00 feet, through a central angle of 40°28'19" (the long chord of which bears North 53°50'46" East a distance of 116.22 feet), for an arc length of 118.67 feet;

Thence North 74°04'55" East a distance of 512.89 feet;

Thence along a tangent curve to the right with a radius of 238.00 feet, through a central angle of 62°53'44" (the long chord of which bears South 74°28'13" East a distance of 248.34 feet), for an arc length of 261.26 feet;

Thence South 43°01'21" East a distance of 333.32 feet to the **TRUE POINT OF BEGINNING**.

**Passed by City Council November 14, 2016**

**Delivered to Mayor November 16, 2016**

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**NOTICE OF REPUBLICATION  
ORDINANCE C35447**

Ordinance C35447 (passed by City Council on November 7, 2016) was published in the November 16, 2016, issue of the *Official Gazette* (Vol. 106, Issue No. 46). The previously published version of this ordinance was the incorrect version and was not the final version passed by City Council. Therefore, the correct version of Ordinance C35447, as passed by City Council, is being re-published below.

**ORDINANCE NO. C35447**

AN ORDINANCE RELATING TO APPLICATION MADE BY QUEENB RADIO INC., PLANNING FILE #Z1500085COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "OPEN SPACE" TO "CENTERS AND CORRIDORS CORE" FOR APPROXIMATELY 1.9 ACRES TOTAL DESCRIBED AS: THE SOUTH 150 FEET OF THE EAST 600 FEET OF GOVERNMENT LOT 8, NE QUARTER OF SECTION 4, TOWNSHIP 24 NORTH, RANGE 43 EAST; AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY" (RSF) TO "CENTERS AND CORRIDORS TYPE 2 – DISTRICT CENTER" (CC2-DC).

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, land use amendment application Z1500085COMP was timely submitted to the City for consideration during the City's 2016 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z1500085COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for a change from "Open Space" to "Centers and Corridors Core" for 1.9 acres of the subject property. If approved, the implementing zoning designation requested is "Centers and Corridors Type 2 – District Center" (CC2-DC); and

WHEREAS, staff requested comments from agencies and departments on December 9, 2015, and a public comment period ran from May 10, 2016 to July 25, 2016; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on August 31, 2016; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on May 11, 2016; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 23, 2016 for the Comprehensive Land Use Plan Map and Zoning Map changes ("MDNS"). The public comment period for the SEPA determination ended on September 13, 2016; and

WHEREAS, notice of the SEPA Checklist and Determination, the Land Use Plan Map changes, and the Zoning Map changes, and announcement of the September 14, 21, and 28, 2016 Plan Commission Public Hearing was published in the Spokesman-Review on August 30, 2016 and September 6, 2016; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on August 30, 2016; and

WHEREAS, the staff report for Application Z1500085COMP reviewed all the criteria relevant to consideration of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 14, 21 and 28, 2016 for the Application Z1500085COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z1400085COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 9 to 0 to recommend approval of Application Z1500085COMP; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of Application. Application Z1500085COMP is approved.
2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Plan Map is amended from "Open Space" to "Centers and Corridors Core" for 1.9 acres, as shown in Exhibit A.
3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from "RSF" to "CC2-DC" for this same area, as shown in Exhibit B.

**Passed by City Council November 7, 2016**

**Delivered to Mayor November 14, 2016**

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### **NOTICE OF REPUBLICATION ORDINANCE C35448**

Ordinance C35448 (passed by City Council on November 7, 2016) was published in the November 16, 2016, issue of the *Official Gazette* (Vol. 106, Issue No. 46). The previously published version of this ordinance was the incorrect version and was not the final version passed by City Council. Therefore, the correct version of Ordinance C35448, as passed by City Council, is being re-published below.

### **ORDINANCE NO. C35448**

AN ORDINANCE RELATING TO APPLICATION MADE BY AVISTA CORPORATION, PLANNING FILE #Z1500078COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 15-30" TO "LIGHT INDUSTRIAL" FOR APPROXIMATELY 2.78 ACRES TOTAL DESCRIBED AS: ROSS PARK, HOLES SUBDIVISION LOTS 1-4, PARTS OF 5 AND 6, AND ALL OF 7-12, AS WELL AS ROSS PARK, WILKINSON SUBDIVISION LOTS 6 AND 7; AND AMENDING THE ZONING MAP FROM "RESIDENTIAL MULTI-FAMILY" (RMF) TO "LIGHT INDUSTRIAL" (LI).

WHEREAS, the Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, land use amendment application Z1500078COMP was timely submitted to the City for consideration during the City's 2016 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z1500078COMP seeks to amend the Land Use Plan Map of the City's Comprehensive Plan for a change from "Residential 15-30" to "Light Industrial" for 2.78 acres of the subject properties. If approved, the implementing zoning designation requested is "Light Industrial" (LI); and

WHEREAS, staff requested comments from agencies and departments on December 9, 2015, and a public comment period ran from May 10, 2016 to July 25, 2016; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on August 31, 2016; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop regarding the proposed Comprehensive Plan amendment on May 25, 2016; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 23, 2016 for the Comprehensive Land Use Plan Map and Zoning Map changes ("MDNS"). The public comment period for the SEPA determination ended on September 13, 2016; and

WHEREAS, notice of the SEPA Checklist and Determination, the Land Use Plan Map changes, and the Zoning Map changes, and announcement of the September 14, 21, and 28, 2016 Plan Commission Public Hearing was published in the Spokesman-Review on August 30, 2016 and September 6, 2016; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on August 30, 2016; and

WHEREAS, the staff report for Application Z1500078COMP reviewed all the criteria relevant to consideration of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on September 14, 21 and 28, 2016 for the Application Z1500078COMP and other proposed amendments; and

WHEREAS, the Spokane Plan Commission found that Application Z1400078COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 9 to 0 to recommend approval of Application Z1500078COMP; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of Application. Application Z1500078COMP is approved.
2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Plan Map is amended from "Residential 15-30" to "Light Industrial" for 2.78 acres, as shown in Exhibit A.
3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from "RMF" to "LI" for this same area, as shown in Exhibit B.

**Passed by City Council November 7, 2016**

**Delivered to Mayor November 14, 2016**

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### ORDINANCE NO. C35450

An ordinance relating to earned sick and safe leave in the City of Spokane; amending sections 09.01.010, 09.01.020, 09.01.030, 09.01.060, 09.01.080, and 09.01.090 of the Spokane Municipal Code and adding a new section to be numbered 09.01.140 to the Spokane Municipal Code.

**NOW, THEREFORE**, the City of Spokane does ordain:

Section 1. That section 09.01.010 of the Spokane Municipal Code is amended to read as follows:

#### **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 or threatened by an employer against an employee including without limitation: ~~((to))~~ discharge from employment, ~~((suspend))~~ suspension, discipline, transfer, ~~((demote))~~ demotion, or ~~((deny))~~ denial of 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)))~~ Contract and Business Standards Compliance Office within the City's Department of Grants Management and Financial Assistance, and its director, who is the "code enforcement officer" designated in SMC 01.05.020(B)(1).
- ~~((C.))~~ ~~"Business" has the same meaning as stated in SMC 08.01.020(A).))~~
- ~~((D.))~~ C. "Charging Party" means a person filing a claim of violation of this chapter with the Agency.
- ~~((E.))~~ D. "City" means the City of Spokane.
- ~~((F.))~~ E. "Construction work" has the same meaning as that stated in WAC 296.155.012, as the same is amended from time to time.
- ~~((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.))~~ F. "Domestic Worker" has the same meaning as specified in RCW 51.12.020(1) and (2).
- ~~((I.))~~ G. "Earned sick and safe leave" or "leave" means paid leave accrued, utilized, and compensated for as provided in this chapter.
- ~~((J.))~~ H. "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. For purposes of this chapter, immediate family members of business owners are not included within the definition of "employee".
- ~~((K.))~~ I. "Employer" means any individual, partnership, association, corporation, business trust, entity, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee, having a permanent location in the City of Spokane, and having at least one employee ~~((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~~((-))~~; or
  5. Any federally-recognized Indian tribe.
- ~~((L.))~~ J. "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-))~~K. "Person" ~~((has the same meaning as stated in SMC 01.02.100 and includes))~~ means 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-))~~L. "Paid Time Off" ("PTO") means a combined or universal paid leave program ~~((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))~~ the purposes stated in SMC 09.01.040(A) and which either accrues at the rate required by SMC 09.01.030(A) or is provided in the amounts required by SMC 09.01.030(B).

~~((Q-))~~M. "Retaliation" means an adverse action taken by an employer against an employee because of an employee's status as a charging party or ~~((by))~~ because of an employee's exercise of rights established by this chapter.

~~((P-))~~N. "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-))~~O. "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-))~~P. "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).

Q. "Year" means calendar year, fiscal year, benefit year, employment year, or any other fixed consecutive twelve-month period established by the employer and used in the ordinary course of the employer's business for the purpose of calculating wages and benefits.

Section 2. That section 09.01.020 of the Spokane Municipal Code is amended to read as follows:

#### **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. Occasional employees who work fewer than 240 hours per year within the City of Spokane are not covered by this chapter.
- B. This chapter does not apply to work-study students, ~~((Independent Contractors or))~~ seasonal workers, or those employed by firm(s) engaged in "construction work" as defined in ~~((WAC 296-155-012))~~ SMC 09.01.010(E).

Section 3. That section 09.01.030 of the Spokane Municipal Code is amended to read as follows:

#### **Section 09.01.030 Accrual Rates, Annual Cap, Use of Leave, and Carry-Over**

- A. All employees shall, beginning with ~~((their))~~ the first day of employment, accrue leave at the rate of at least one (1) hour of leave for every thirty (30) hours worked up to the total number of hours required according to employer size as described in paragraph B below ~~((; provided that nothing in this chapter prohibits an))~~. An employer may choose to comply with this chapter by ~~((from))~~ providing earned sick and safe leave in advance of accrual such as by "front-loading" leave hours at the beginning of each year and/or a combined or universal paid leave program ("PTO") as defined in SMC 09.01.010(M).
- B. Use of leave.
1. Employees of businesses having fewer than ten (10) employees may use, in minimum increments of one (1) hour, 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, in minimum increments of one (1) hour, up to forty (40) hours of leave accrued under this chapter in any year.

3. Earned sick and safe leave shall be provided by the employer upon the request of an employee. Whenever possible, the employee's request shall include a reasonable estimate of the expected duration of the absence.
- C. ((An Employee))Employees of employers having fewer than ten (10) employees may carry over into the next year unused leave hours, up to a total of twenty-four (24) hours((~~of earned sick and safe leave which were not used in the prior year~~)). Employees of businesses having ten (10) or more employees may carry over into the next year unused leave hours, up to a total of forty (40) hours. This section does not apply to those employers choosing to "front-load" leave hours for employees at the beginning of each year in the applicable amount described in SMC 09.01.030(B)(1) and (2).
- D. Nothing in this chapter requires employers ((~~to allow employees returning from separation to~~)) reinstate a previously separated employee's ((~~the~~)) earned sick and safe leave balance which was 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.
- E. No employer shall be required to accrue leave for employees who are exempt from overtime payment under 29 U.S.C. § 201 et seq and RCW 49.46.130(2) for hours worked beyond a 40-hour work week. If an exempt employee's normal work week is less than 40 hours, earned sick and safe leave for that employee shall accrue based on the employee's normal work week.

Section 4. That section 09.01.060 of the Spokane Municipal Code is amended to read as follows:

#### **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. In any enforcement action, an employer's failure to maintain such records shall create a rebuttable presumption of a violation of this chapter.
- B. ((No less frequently than once per quarter, and upon request by any Employee, each))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, each time wages are paid.
- 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 5. That section 09.01.080 of the Spokane Municipal Code is amended to read as follows:

#### **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.))The Agency shall receive, investigate, and make determinations concerning alleged violations of this chapter; conciliate and settle the same by agreement; monitor and enforce any agreements or orders resulting from enforcement actions; and have such other powers and duties in the performance of these functions as are defined in this chapter and otherwise necessary and proper in the performance of the same and provided for by law. From January 1, 2017 to December 31, 2017, the Agency's enforcement posture shall be that of informing employers and employees of their rights and obligations under this chapter and providing technical assistance to employers in order to increase compliance with this chapter.
- B. Charge filing, timing, amendments, notice and investigation.
1. A charge alleging a violation(s) of this chapter shall be filed with the Agency in writing on a form or in a format(s) determined by the Agency, signed by or on behalf of a charging party, and shall describe the facts and circumstances of the violation complained of including a statement of the dates, places, and circumstances as well as the person(s) responsible for the alleged violation(s) of this chapter.
  2. Upon receipt of a charge of violation of this chapter, the Agency shall proceed as specified in chapter 01.05, SMC (civil infraction system).

3. In addition to any other relief authorized by this chapter, a charging party may obtain full restitution of all wages the employee lost due to the unlawful withholding of earned sick and safe leave.
4. Administrative enforcement by the Agency as specified in this chapter and in chapter 01.05, SMC, shall be the sole and exclusive remedy for violations of this chapter.

~~((B-))~~ C. 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.

~~((G-))~~ D. Penalties for violation

1. A violation of this chapter is a class 1 civil infraction, as shown in SMC 01.05.170(B).
2. ~~((The Agency or court (in the case of complaints which are resolved in a contested case hearing)))~~ The Agency is authorized to triple the applicable penalty in cases where ~~((the Employer))~~ an employer has been found to have retaliated against an ~~((Employee))~~ employee within the meaning of this chapter.
3. For repeat violations of this chapter by an employer, ~~((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)))~~ Agency is authorized to double the penalty stated in SMC ~~((09.01.080(C)(1)))~~ 01.02.950(C)(1).

Section 6. That section 09.01.090 of the Spokane Municipal Code is amended to read as follows:

**Section 09.01.090 No Waiver**

Nothing in this chapter is or shall be construed to be a waiver, limitation, or preemption, by the City or by any other person, of any other rights, whether arising under state, federal, or local law or regulation, or ~~((by))~~ due to 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 7. That a new section be added to ch. 09.01 to be numbered Spokane Municipal Code section 09.01.140 to read as follows:

**Section 09.01.140 Sunset**

This chapter shall be effective until December 31, 2017, or until the implementation by the State of Washington of the paid sick leave requirements established by the passage of I-1433, whichever occurs last.

**Passed by City Council November 14, 2016**

**Delivered to Mayor November 21, 2016**

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**ORDINANCE NO. C35451**

AN ORDINANCE relating to public records requests; amending SMC section 1.04A.030 and adopting a new section to chapter 17G.050 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That SMC section 1.04A.030 is amended to read as follows:

**1.04A.030 Prohibited Conduct**

The following shall constitute a violation of this Code of Ethics:

A. General Prohibition Against Conflicts of Interest.

In order to avoid becoming involved or implicated in a conflict of interest or impropriety, or an appearance of conflict of interest or impropriety, no current City officer or employee shall have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation

of any nature, that might be seen as conflicting with the City officer or employee's proper discharge of his or her official duties, the conduct of official City business or as adverse to the interests of the City. Performance of a legally required duty by a City officer or employee shall not be considered a violation of the Code of Ethics.

1. Any employee who becomes aware that he or she might have a potential conflict of interest that arises in the course of his or her official duties shall notify in writing his or her supervisor or appointing authority of the potential conflict.
2. Upon receipt of such a notification, the supervisor or appointing authority shall take action to resolve the potential conflict of interest within a reasonable time, which may include, but is not limited to, designating an alternative employee to perform the duty that is involved in the potential conflict. The supervisor or appointing authority shall document the disposition of the potential conflict in writing in files maintained by the appointing authority. The supervisor or appointing authority may request an advisory opinion from the Ethics Commission before addressing and resolving of the potential conflict.

B. Personal Interests in Contracts Prohibited.

No City officer or employee shall participate in his or her capacity as a City officer or employee in the making of a contract in which he or she has a personal interest, direct or indirect, or performs in regard to such a contract some function requiring the exercise of discretion on behalf of the City. Except, that this prohibition shall not apply where the City officer or employee has only a remote interest in the contract, and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract, and thereafter the governing body authorizes, approves or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the City officer(s) having the remote interest as defined below.

C. Remote Interest.

For purposes of this section, a "remote interest" means:

1. that of a non-salaried non-compensated officer of a nonprofit corporation;
2. that of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
3. that of a landlord or tenant of a contracting party;
4. that of a holder of less than one percent of the shares of a corporation, limited liability company or other entity which is a contracting party.

D. Personal Influence in Contract Selection Prohibited.

No City officer or employee shall influence the City's selection of, or its conduct of business with, a corporation, person or firm having or proposing to do business with the City if the City officer or employee has a personal interest in or with the corporation, person or firm, unless such interest is a remote interest and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract, as defined in the preceding section. Provided, however, that no City officer or employee may receive anything of value from the City as a result of any contract to which the City shall be a party except for the City officer or employee's salary or lawful compensation.

E. Representation of Private Person at City Proceeding Prohibited.

No City officer or employee shall appear on behalf of a private person, other than himself/herself or a family member or household member, as defined in this chapter, or except as a witness under subpoena, before any regulatory governmental agency or court of law in an action or proceeding to which the City or a City officer in an official capacity is a party, or accept a retainer or compensation that is contingent upon a specific action by the City. Representation of a private person pursuant to a legally required duty by a City officer or employee is permitted and shall not be considered a violation of the Code of Ethics.

F. Certain Private Employment Prohibited.

No City officer or employee shall engage in or accept private employment, or render services for, any private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties.

G. Personal Interest in Legislation Prohibited.

No City officer or employee may benefit either directly or indirectly from any legislation or contract to which the City shall be a party except for the lawful compensation or salary of the City officer or employee unless such interest is a remote interest where the facts and extent of such interest is disclosed. City council members' participation in the enactment of legislation shall be governed by chapter 42.23 RCW – The Code of Ethics for Municipal Officers and chapter 42.36 RCW – The Appearance of Fairness Doctrine. City council members shall not be prohibited from participating in the adoption of legislation when the council member has only a remote interest in the legislation, which has been disclosed, and the legislation is applicable to the general public and not unique to the council member.

H. Continuing Financial Interest.

Where a City officer, employee, or family member of a City officer or employee, has a substantial ongoing financial relationship with a corporation, firm, or person seeking a contract, or proposing to do business with the City, such City officer or employee shall not:

1. Influence or participate in the City's contract selection of or conduct business with such corporation, firm, or person; nor
2. Influence or participate in the City's contract selection of, or conduct business with, a corporation, firm, or party competing against a party that a City officer or employee has such a substantial ongoing financial relationship.
3. For purpose of this section, a substantial ongoing financial relationship is defined as: expanding beyond just a formal contractual relationship. Rather it encompasses any financial interest, direct or indirect, where a City officer, employee, or family member of a City officer or employee is involved in a client-service relationship in which:
  - a. the City officer, employee, or family member of a City officer or employee, receives a substantial portion of his or her revenue or like compensation through such relationship, whether received through his or her corporation, firm, or as an individual; or
  - b. such client-service relationship is likely to continue to provide considerable potential business or has provided substantial business in the past. This does not include prior financial relationships that are so far removed in time or rare in frequency as to be insignificant.
4. Corporations, firms or persons doing business with the City shall be advised of this provision, and shall certify, as part of any contract with the City, that they are aware of the restrictions in this policy.

I. Disclosure of Confidential Information

1. Disclosure of Confidential Information

No City officer or employee shall, except as required or reasonably believed to be required for the performance of his/her duties, disclose confidential information gained by reason of his/her official position or use such information for his/her own personal interest. "Confidential information" is all information, whether transmitted orally or in writing, that the employee has been informed, is aware, or has reason to believe is intended to be used only for city purposes, is not intended for public disclosure, or is otherwise of such a nature that it is not, at the time, a matter of public record or public knowledge.

2. Confidential information includes, but is not limited to, personal information regarding City officials and employees; private financial and other personal information provided by city taxpayers, license holders, contractors, and customers; intelligence and investigative information, including the identity of persons filing complaints; formulas, designs, drawings, and research data obtained or produced by the city and preliminary, non-final assessments, opinions, and recommendations concerning city policies and actions. Any public official who is uncertain as to whether certain information is confidential should consult the City Attorney. An employee who is uncertain as to whether certain information is confidential should consult their immediate supervisor or department head.

J. Acceptance of Compensation, Gifts, Favors, Rewards or Gratuity.

City employees shall not, directly or indirectly, solicit any gift or give or receive any gift, whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form, under the following circumstances:

1. It could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or
2. The gift was intended to serve as a reward for any official action on their part. Public officials and city employees may accept de minimis gifts such as, but not limited to, calendars, coffee mugs, flowers, candy, and other similar items that are given as a customary business practice and have no material significance to the recipient, with such gifts from any one source not to exceed one hundred dollars in value in any twelve-month period. City employees should report any gift to their immediate supervisor. This section shall not apply to gifts made to the city. All such gifts shall be given to the mayor for official disposition. This prohibition shall not apply to those items which are excluded from the definition of gift in SMC 1.04A.020.

K. Fair and Equitable Treatment.

1. No City officer or employee shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use position to secure special privileges or exceptions for himself/herself or for the benefit, gain or profits of any other persons.
2. No City officer or employee shall employ or use the employment of any person under the City officer's or employee's official control or direction for the personal benefit, gain or profit of the City officer or employee or another beyond that which is available to every other person.
3. No City officer or employee shall use City-owned vehicles, equipment, materials, money or property for personal or private convenience or profit. Use is restricted to such services as are available to the public generally, for the authorized conduct of official business (not personal use), and for such purposes and under such conditions as can be reasonably expected to be approved by City policies.
4. Except as authorized by law and in the course of his or her official duties, no City officer or employee shall use the power or authority of his or her office or position with the City in a manner intended to induce or coerce any other person to provide such City employee or any other person with any compensation, gift, or other thing of value directly or indirectly.
5. City Officers and employees are encouraged to participate in the political process on their own time and outside of the workplace by working on campaigns for the election of any person to any office or for the promotion of or opposition to any ballot proposition, but shall not use or authorize the use of City facilities or resources for such purposes except as authorized by the provisions of RCW 42.17.13.

L. False and Frivolous complaints prohibited.

No person subject to the Code of Ethics shall knowingly file a false complaint or report of a violation of this Code of Ethics. A person who files a complaint with a good faith belief that a violation of the Code of Ethics has occurred shall be protected by the City's Whistleblower Protection policy as set forth in SMC 1.04A.180.

M. Aiding others prohibited.

No City officer or employee may knowingly aid or assist any City officer or employee in the violation of any provision of this Code of Ethics.

N. Commission of Acts of Moral Turpitude or Dishonesty Prohibited.

No City officer or employee shall commit any act of moral turpitude or dishonesty relating to his or her duties or position as a City officer or employee or arising from business with the City. Conviction of a felony or a misdemeanor involving moral turpitude or dishonesty, the nature of which demonstrates lack of fitness for the position held, shall be considered conclusive evidence of a violation of this Code of Ethics. Demonstrated acts of moral turpitude or dishonesty are not limited to felony or misdemeanor criminal convictions.

O. Prohibited Conduct After Leaving City Service.

1. Disclosure of Privileged, Confidential or Proprietary Information Prohibited. No former City officer or employee shall disclose or use any privileged, confidential or proprietary information gained because of his or her City employment.
2. Participation in City Matters Prohibited.

No former City officer or employee shall, within a period of one year after leaving City office or employment:

- a. participate in matters involving the City if, while in the course of employment with the City, the former City officer or employee was officially involved in the matter, or personally and substantially participated in the matter, or acted on the matter;
  - b. represent any person as an advocate in any matter in which the former City officer or employee was involved while a City officer or employee; or
  - c. participate as or with a bidder, vendor or consultant in any competitive selection process for a City contract in which he or she assisted the City in determining the project, or work to be done, or the process to be used.
3. Duty to Inform.

Whenever a City officer or employee wishes to contract with a former City officer or employee for expert or consultant services within one year of the latter's leaving City service, advance notice shall be given to and approval received from the Ethics Commission. Said approval shall be in written form and copied to the mayor at the same time that it is given to the individual making the request.

4. Exceptions.
  - a. The prohibitions of subsections (2)(a) and (2)(b) of this section shall not apply to a former City officer or employee acting on behalf of a governmental agency if the Ethics Commission has determined that the service to the agency is not adverse to the interest of the City.
  - b. Nothing in this chapter shall prohibit an official elected to serve a governmental entity other than the City of Spokane from carrying out their official duties for that government entity.
5. Corporations, firms or persons doing business with the City shall be advised of this provision, and shall certify, as part of any contract with the City, that they are aware of the restrictions in this policy. If a firm or person doing business with the City assists an employee in violating the provisions of the Code, the firm or business may be disbarred, excluded from contracting with the City for 5 years.

P. Failure to Produce Public Records

No City officer or employee shall willfully and without just cause delay or fail to produce any city records in his or her possession or control in response to a public records request filed with the city pursuant to Chapter 42.56 RCW.

1. A "city record" is a "public record" as defined by RCW 42.56.010(3).
2. "Just cause" to delay or fail to produce means:
  - a. A reasonable belief that production of the record is exempt from public disclosure pursuant to Chapter 42.56 RCW or other statute which exempts or prohibits disclosure of specific information or records; and/or
  - b. The city record is subject to legal review to determine whether it is subject to an exemption from disclosure pursuant to Chapter 42.56 RCW; and/or
  - c. The requester has been notified in writing that additional time is required to produce the city record and/or determine whether it is subject to an exemption from disclosure pursuant to Chapter 42.56 RCW.

Section 2. That there is adopted a new section 17G.050.075 to chapter 17G.050 to read as follows:

**17G.050.075      Review of Public Records Disclosures**

- A. Upon request, the hearing examiner shall review and render a decision on the legal validity of any claim of exemption to produce a city record asserted in response to a records request filed with the city pursuant to Chapter 42.56 RCW.
- B. A request for a determination shall be made in writing with the office of the hearing examiner.
- C. No fee may be assessed for any request for a determination.
- D. A written determination on the legal validity shall be rendered within fourteen calendar days of the request.
- E. The failure to request a legal determination with the office of the hearing examiner does not constitute a failure to exhaust administrative remedies for the purpose of seeking judicial review pursuant to RCW 42.56.550.

**Passed by City Council November 14, 2016**

**Delivered to Mayor November 16, 2016**

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### **ORDINANCE NO. C35452**

**AN ORDINANCE** regarding Roadway Naming and Addressing; amending SMC sections 17A.020.120; 17A.020.180; 17A.020.190; repealing section 17D.050; and enacting a new section 17D.050A to chapter 17D of the Spokane Municipal Code.

**NOW THEREFORE**, the City of Spokane does ordain:

Section 1. That chapter 17D.050 of the Spokane Municipal Code is repealed.

Section 2. That there is enacted a new chapter 17D.050A of the Spokane Municipal Code to read as follows:

#### **Chapter 17D.050A Roadway Naming and Addressing**

##### **Section 17D.050A.010 Purpose, Goals, and Intent**

- A. The purpose and intent of this chapter is to establish a uniform method for naming roadways and assigning addresses for real property and structures within the City of Spokane.
- B. The goals of this chapter are as follows:
  - 1. To facilitate the expedient emergency response by medical, law enforcement, fire, rescue, and any other emergency services;
  - 2. To regulate the display of property address numbers and provide for accurate road name signage, installation, and maintenance thereof; and
  - 3. To provide property owners, the general public, emergency responders, and government agencies and departments with an accurate and systematic means of identifying and locating property and/or structures.

##### **Section 17D.050A.020 Applicability**

- A. This chapter applies to all public and private roadways, addresses for real property, and structures situated within the City of Spokane. The City of Spokane may name or rename roadways and assign or reassign addresses as necessary to further the purpose of this chapter.
- B. This chapter applies to the assignment of addresses to all new or existing buildings or properties within the City of Spokane.
- C. All non-conforming addresses may be changed to conform to this Code.

##### **Section 17D.050A.030 Administration**

The Development Services Center shall administer the provisions of this chapter, unless otherwise provided for herein.

**Section 17D.050A.040 Definitions**

- A. "Address" means a property location identification with the following format, and typically in the following order: address number, directional prefix, roadway name, roadway type, building designator, and unit designator (e.g., "123 W. Main St., Apt. 456"). The following elements are required: address number, roadway name, and roadway type. The following elements may be optional: directional prefix, building designator, and unit designator.
- B. "Addressing Authority" means the Development Services Center.
- C. "Address Number" means the numeric designation for an addressable structure or unit.
- D. "Addressable" means a property required to be assigned an address under this chapter.
- E. "Addressable Property, Addressable Structures, Addressable Sites or Addressable Units" means, generally, the habitable or legally occupied structure, or a lot, parcel, or tract, but may also include other structures or sites as determined necessary by the relevant addressing authority.
- F. "Addressing Database" means the computerized format for tracking assigned roadway names and addresses within the City of Spokane.
- G. "Addressing Grid System" is the address number and directional system in a particular area such as a grid system, block system, plat, or subdivision.
- H. "Administrator" means the Development Services Center Manager.
- I. "Building Designator" means a single character alphabetic descriptor for a single building within a multiple unit complex (e.g., "123 W. Main St., Bldg. A").
- J. "Department" means the Development Services Center.
- K. "Directional Prefix" means a single or double character alphabetic descriptor within a roadway name consisting of any combination of the cardinal directions of North, South, East, and West, generally used in specific roadway naming schemes (i.e., N, S, E, W, NE, NW, SE, SW).+
- L. "E911 Director" means the manager of the local 911 service.
- M. "Non-conforming Address or Roadway Name" means an address or roadway name that is not in compliance with this chapter.
- N. "Multiple Units" means the presence of two or more addressable structures, addressable sites, or addressable units on a single Spokane County tax parcel or group of undivided interest parcels.
- O. "Multiple Unit Complex" means an apartment, condominium, or business complex where there exist multiple buildings on a single site, and two or more buildings include multiple units.
- P. "Multiple Unit Structure" means a single structure which contains two or more units.
- Q. "Non-conforming Roadway Name Sign" means a roadway name sign that is not in compliance with this chapter.
- R. "Regional Public Safety Spatial Database" means the spatial format for tracking all assigned roadway names and addresses within Spokane County. This system is maintained by the Regional Public Safety Geographic Information Systems (RPSGIS) Committee for use in countywide public safety-related applications.
- S. "Roadway" means a public or private way on which vehicles travel, encompassing all roadway types.
- T. "Roadway Name" means the word or words either existing, or in the case of new or renamed roadways, which are approved by the Development Services Center, used in conjunction with a directional prefix, and/or a roadway type to identify a public or private roadway.
- U. "Roadway Type" means an abbreviated word used in conjunction with a roadway name to describe the character of the roadway and will be in accordance with USPS Publication No. 28 Appendix C1. The following are allowable roadway types:

1. Alley (Aly): a narrow service roadway that serves rear lots and where platted width is less than twenty feet.
  2. Avenue (Ave): a through local, collector or arterial roadway generally running east-west.
  3. Boulevard (Blvd): a roadway with exceptional width, length and scenic value, typically with a landscaped median dividing the roadway; or an arterial or major collector roadway that lies diagonally to the east-west, north-south grid system.
  4. Circle (Cir): a local or collector roadway having ingress and egress from the same roadway. See also "Loop".
  5. Court (Ct): a dead end or cul-de-sac that will not become an extension or a continuation of either an existing or future roadway, not longer than six hundred feet in length.
  6. Drive (Dr): a lengthy collector or arterial that does not have a definite directional course.
  7. Highway (Hwy): used to designate state or federal roadways only.
  8. Lane (Ln): a roadway used as a private local access within a development.
  9. Loop (Loop): a local or collector roadway having ingress and egress from the same roadway. See also "Circle".
  10. Parkway (Pkwy): a thoroughfare designated as a collector or arterial, with a median reflecting the park-like character implied in the name.
  11. Place (Pl): a permanently dead-end roadway, terminating in a cul-de-sac, or short through roadway, not longer than six hundred fifty feet in length.
  12. Road (Rd): typically reserved for roadways located outside the boundary of a city or town, and may be found within city/town limits due to past annexations or when a new roadway is in alignment with or within one hundred twenty five feet of an existing county road.
  13. Street (St): a through local, collector or arterial roadway generally running north-south.
  14. Way (Way): a curvilinear roadway.
- V. "Unit" means a specific dwelling or commercial space amongst a larger group of dwellings or commercial spaces (e.g., apartment, suites, etc.).
- W. "Unit Designator" means a secondary address number that is used to identify a separate unit on a single lot, parcel, tract of land, or within a multiple unit complex. A unit designator at a minimum shall consist of a unit type and a numeric identifier (e.g., 10126 W. Rutter Pkwy., Apt. 2). See also: "Multiple Units", "Multiple Unit Complex", "Multiple Unit Structure")
- X. "Unit Type" means an abbreviated word used in conjunction with a unit designator to describe the character of the unit and will be in accordance with USPS Publication No. 28 Appendix C2. The following are allowable unit types:
1. "Apt" for Apartment,
  2. "Bsmt" for Basement,
  3. "Bldg" for Building,
  4. "Dept" for Department,
  5. "Dorm" for Dormitory,
  6. "Fl" for Floor,
  7. "Frnt" for Front,
  8. "Hngr" for Hanger,

9. "Lbby" for Lobby,
10. "Lot" for Lot,
11. "Lowr" for Lower Level,
12. "Ofc" for Office,
13. "Pier" for Pier,
14. "Rear" for Rear,
15. "Rm" for Room,
16. "Slip" for Slip,
17. "Spc" for Space,
18. "Stop" for Stop,
19. "Ste" for Suite,
20. "Trlr" for Trailer,
21. "Unit" for Unit,
22. "Uppr" for Upper Level.

- Y. "Utility Site" means a parcel containing any type of utility service, located on a legal parcel of land with no association to a building and, requiring periodic maintenance or readings by utility company personnel.

#### **Section 17D.050A.050 Roadways to Which Naming Requirements Apply**

- A. New or unnamed existing roadways providing access to four (4) or more addressable parcels, structures, or units shall be named.
- B. Existing roadways for which renaming has been authorized by the City to promote the purpose of this chapter shall be renamed as provided for in the City Charter and the Spokane Municipal Code.
- C. Preapproved road names shall be identified on plat documents at the time of Final Plat submittal.
- D. Only traveled ways that qualify as roadways may be named; except that alleys in the downtown zones may be named.
- E. All roadways shall be named regardless of whether the ownership is public or private. Without limitation, this includes all roadways that are created within plats, short plats, binding site plans, PUDs and manufactured/mobile home parks.
- F. Driveways, access to parking areas and other traveled surfaces that are not considered roadways may not be named, but may have directions identified with the following method:
  1. Arrow signs indicating building or address ranges within an apartment complex or campus may be placed at the entrances and along the non-roadway traveled ways to locate the buildings.

#### **Section 17D.050A.055 Naming of Roadways**

- A. Any project permit action that results in a name being created to identify a new roadway, whether public or private, shall comply with the requirements of this chapter. The applicant will designate proposed roadway names. The Development Services Center shall review the proposed roadway names for consistency with this chapter.
- B. Other than as provided in subsection (A) of this section, a roadway name shall be established or changed by ordinance upon recommendation of the plan commission. Any proposed roadway name change shall be consistent with the roadway naming standards of SMC 17D.050A.060.

- C. Before submitting a proposed roadway name change to the plan commission, the Development Services Center shall cause the applicant to give notice to the owners of property fronting on the roadway, the United States Postal Service and emergency dispatching personnel, for the purpose of eliciting comments. The Development Services Center shall also cause the applicant to post notice pursuant to SMC 17G.060.120.

### **Section 17D.050A.060 Roadway Naming Standards**

All new, unnamed, or renamed roadways within the City of Spokane shall be named pursuant to this chapter and the following criteria:

- A. Roadway names shall be easy to read and pronounce.
- B. Roadway names shall not contain vulgarity or vulgar innuendo, nor insult to any person, group, or class of persons, or institution.
- C. Roadway names shall not sound similar to other roadway names within the City of Spokane, whether existing or currently proposed. (e.g., Links, Lynx)
- D. Duplicate roadway names will not be allowed.
1. Any roadway name shall not duplicate any county roadway names unless the new roadway is in alignment with the existing county roadway.
  2. Roadways with the same root name but different suffix (that are not in reasonable alignment with the existing roadway) will be considered as a duplicate roadway name, e.g., Chesterfield Drive or Chesterfield Lane and thus disallowed.
- E. Roadway names shall conform to the most current M.U.T.C.D. and City of Spokane Standards for maximum letter usage, font style, font height, font stroke, and layout.
- F. Roadway names shall be based on the Modern English alphabet and shall not contain special characters (periods, dashes, underscores, apostrophes, quotes, diacritic, etc.) or have frivolous, complicated, or unconventional spellings, with the following exception:
1. Alpha streets shall include quotation marks (e.g. "A" St.)
  2. Roadway names may contain a single space to separate two words (e.g. "Mount Spokane Dr.").
- G. Roadway names should not include abbreviations (e.g., "St Charles" vs. "Saint Charles").
- H. Articles (e.g., "The", "A", or "An") shall not be used to begin roadway names.
- I. Roadway names duplicating commercial or private facilities shall not to be used (e.g., "Bowling Alley" or "Tennis Court").
- J. Numbered or alphabetical roadway names shall continue in sequence (e.g., 1st adjacent to 2nd, and not adjacent to 3rd).
- K. Numbered Avenues shall be spelled out from First to Tenth. Numbered Avenues starting at 11<sup>th</sup> shall display numbers with an ordinal suffix, in lower case letters.
- L. A proposed roadway which is a continuation of, within one hundred twenty-five feet of another already existing and named roadway, or in alignment with an existing roadway, shall continue the roadway prefix direction, roadway name, and roadway type of the existing roadway whenever possible. If the proposed roadway will terminate at a cul-de-sac, the roadway type for the block containing the cul-de-sac may be Court (Ct).
- M. Roadway name integrity should be maintained for the entire length of the roadway whenever possible. Roadway names shall only change when there is a substantial intersection or significant "visual geometric cue." Generally continuous roadways shall not be subdivided into segments with different names.
- N. Roadway names shall not include a directional prefix (e.g., "W. West Washington Rd.").

- O. Roadway names shall not include words used as roadway types (e.g., "Circle St." or "Avenue Way").
- P. Roadway names shall not include the word highway (e.g., "Highway 2" or "Old Sunset Highway").
- Q. Alleys should not be named or assigned addresses, except as permitting in the Downtown.
- R. Roadways which meander from one predominant direction to another shall be assigned a directional prefix in one direction throughout the roadway length according to which general direction of such roadway is the predominant direction of travel.
- S. If a roadway forks into two roadways, the fork with the highest projected traffic volume should continue the same name.
- T. Two uniquely named roadways should not intersect more than once (e.g., Main St. should not intersect Pine Ln. at 200 W. Main St., and also intersect Pine Ln. at 400 W. Main St.). Loops and Circles will be reviewed on an individual basis and require approval from the Administrator.
- U. All proposed new or renamed roadway names which deviate from this document shall be subject to a review by the Addressing Authority and the E911 Director, or designee, for ease of use within E911 computer-aided dispatch systems, and verified against the Regional Public Safety Spatial Database.

#### **Section 17D.050A.070 Roadway Name Signs Required**

- A. All private and public roadways shall have approved roadway name signs posted at every intersection in compliance with federal, state, and local laws and regulations. Roadway name signs shall be made and installed pursuant to this chapter.
- B. Prior to the filing of a final plat, the developer shall install proper roadway name signs to be located per the jurisdiction standards and in accordance with the specifications and requirements of this chapter and shall arrange for inspection by the Administrator or designee.

#### **Section 17D.050A.080 Standards for Signage of Roadways**

- A. All public and private roadways shall be designated by names or numbers on signs clearly visible and legible from the roadway. All roadway signs, both public and private, shall be constructed, located and maintained in accordance with standards adopted by the City of Spokane.
- B. Roadway signs shall be located at intersections and be legible from all directions of vehicle travel for a distance of not less than one hundred fifty five feet, unless otherwise required by the Administrator.
  - 1. All letters and numbers shall comply with the most current M.U.T.C.D Standards for font style, font height, and font stroke.
  - 2. Sign mounting height and lateral offset shall comply with the most current Standards of the City of Spokane.
  - 3. All required roadway signs placed at the intersection of a public and private roadway shall be placed outside of the public right-of-way, and constructed and maintained by the private roadway owner(s).
  - 4. On other than through-traffic roadways, signs identifying pertinent information shall be placed at the entrance to such roadways (e.g., "No Outlet").
  - 5. Signs shall be installed in a horizontal orientation and prior to final acceptance of roadway improvements.

#### **Section 17D.050A.090 Addressing Grid Systems**

- A. The city of Spokane shall participate in the use of the addressing grid system described in this section.
- B. The City of Spokane addressing grid is defined as follows:
  - 1. Sprague Avenue or Sprague Avenue extended divides the City into north and south addresses and Division Street or Division Street extended divides the City into east and west addresses.

2. North of Sprague Avenue, addresses have even numbers on the east side of the roadway and odd numbers on the west side; south of Sprague Avenue, even numbers are on the west side of the roadway and odd numbers are on the east. West of Division Street, addresses have even numbers on the north side and odd numbers on the south side of the roadway; east of Division Street, even numbers are assigned to the south side of the roadway and odd numbers are on the north side.
3. The appropriate directional designation, or abbreviation of the word itself (e.g., "N." or "North"), is part of the address and follows the number. For example, the first lot south of Sprague Avenue on the west side of Division Street would have a street address of "10 S. Division Street."

#### **Section 17D.050A.100 Addressing Standards**

- A. Each property owner who has addressable property and has not been assigned an address has a responsibility to apply to the Addressing Authority for a physical address.
- B. Application for each address assignment prior to the issuance of a building permit shall include, at a minimum: a site map showing any proposed or existing structures, driveways, and road approach locations and shall be accompanied by an application, as determined by the Addressing Authority.
- C. The numbering of addressable properties or structures along each roadway shall begin at the appropriate grid point of origin and continue in sequence. No address shall be out of sequence in relation to the adjacent addresses.
- D. Each block along a roadway may have up to one hundred address numbers. The hundred series shall change upon crossing a roadway intersection or in best possible alignment with the established address grid if applicable, with the exception of intersecting driveways and/or alleys. The hundred series along a public roadway shall not change upon crossing a private roadway, unless deemed necessary by the Addressing Authority. Private roadways wholly contained within plats shall be assigned hundred series as if they were public roadways.
- E. Addresses along a roadway shall have even numbers on one side of the roadway and odd numbers on the other side as defined in the addressing grid.
- F. Individual address numbers shall be assigned to fit within the block range of the roadway segment to which the address is assigned (e.g. a new address that is assigned to the 200 block of Main St., must be assigned a number between 200 and 299). Individual addresses should be assigned to be consistent with adjacent blocks of the same N-S or E-W orientation.
- G. Properties only accessible via a shared driveway shall be assigned an address based on the point of origin of the driveway from the connecting roadway and shall be sequential, with the following exceptions:
  1. Commercial and Public Facility structures may be assigned an address based upon the roadway the main entrance faces and not necessarily the access roadway.
  2. Residential structures on corner lots may be assigned an address based upon the roadway the main entrance faces and not necessarily the access roadway.
- H. Fractional addresses shall not be used (e.g., "100 ½ W. Main St.").
- I. Address numbers shall not contain any non-numeric characters (e.g., "118a" or "118b").

#### **Section 17D.050A.110 Change in Roadway or Address Status**

- A. If a public or private roadway right-of-way is altered, the City shall review the alteration and may assign a corrected roadway name and/or address/addresses consistent with the provisions of this Code. If the access to an individual address is altered, the City shall assign a corrected address consistent with the provisions of this Code (e.g., the owners of 200 W. Cherry Ln. change the location of their driveway from Cherry Ln. to Spruce Ln. necessitating an address on Spruce Ln.).
- B. Roadway name changes should be approved only when they further the public interest or public safety, specifically in the dispatching of emergency vehicles. A change in the name of an existing roadway is subject to approval by the city council. The city council, subsequent to the recommendation of the plan commission, may grant a roadway name change if the proposed change is consistent with the policy for naming roadways found in SMC 17D.050A.060.

**Section 17D.050A.120 Multiple Units**

- A. Duplex/Triplex units shall be assigned one address for each unit when possible.
- B. Accessory dwelling units (ADU) whether attached or detached, shall be assigned a secondary address from the primary dwelling unit. The ADU shall be identified by the building designator "Unit" (e.g.; 123 W. Main St., Unit 1).
- C. Manufactured Home Parks which contain dwelling units fronting on a public or private roadway(s) shall be assigned one address for each dwelling unit. Manufactured home parks which contain dwelling units fronting on unnamed private access roadway(s) shall be assigned one address for the entire property, and a secondary address assigned for individual spaces by the manufactured home park owner subject to approval by the City (e.g.; "1520 W. Richland St., Spc. 1").
- D. Multiple unit complexes shall be assigned one address for the property based upon the roadway from which vehicular access to the structures is obtained whenever possible. If necessary, the addressing authority may assign an address based upon the roadway the main entrance faces (e.g., "1642 N. Sherman Rd., Spc. 10" or "1642 N. Sherman Rd., Bldg C").
- E. Structures within multiple unit complexes shall be assigned a building designator for each structure as opposed to a unique address (e.g., "123 W. Main St., Bldg. A") unless an exception is granted by the City.
- F. When unit designators are assigned to multiple unit structures with individual building designations, the unit designator shall include the building designation (e.g., 123 W. Main St., Apt. A200 or 123 W. Main St., Bldg. A, Apt. 200).
- G. When unit designators are assigned to buildings with multiple floors, all above ground units shall be assigned a three digit number (or higher) where the beginning number shall represent the floor upon which the unit is located (e.g., first floor units would be assigned a three digit number beginning with 1, "Apt. 101", fifteenth floor units would be assigned a four digit number beginning with 15, "Apt. 1501").
- H. Units within below grade stories shall include the alpha characters "Lowr" to indicate lower level and then be assigned a three digit number where the beginning number shall represent the floor upon which the unit is located (e.g. all units in the first level below grade would be assigned three digit numbers beginning with 1, "Apt. Lowr 101", units on the second level below grade would be assigned three digit numbers beginning with 2, "Apt. Lowr 201").
- I. Should a remodel of a multiple-unit structure alter the number or configuration of units, the addresses of units within said structure shall be updated to remain in compliance with this section.
- J. Should a remodel of a single-unit structure create a multiple-unit structure, the addresses of units within said structure shall be updated to remain in compliance with this section.
- K. When unit designators are assigned to individual multifamily dwellings (including apartments and condominiums) the units shall use the unit type for apartment: "Apt." or unit: "Unit".
- L. When unit designators are assigned to individual dwellings/spaces in manufactured home parks, the units shall use the unit type for space: "Spc.".
- M. When unit designators are assigned to individual commercial suites or tenant spaces within a commercial structure(s), the units shall use the unit type for suite: "Ste.".
- N. All other multiple unit structures not previously described shall contain a unit type which most closely identifies the unit's use and which is in accordance with current USPS Published Standards.

**Section 17D.050A.130 Residential Final Plat Addresses**

Prior to the filing of a residential final plat, all preliminary plat maps must be submitted and approved as required by the Spokane Municipal Code (SMC) 17G.080.050(C)(2), and the full physical addresses for all lots within or served by the development must be indicated on the final plat. Physical addresses will not be issued without an approved preliminary plat map.

**Section 17D.050A.140 Display of Address**

- A. On structures now existing or hereafter erected the owner of the property or structure shall conspicuously place the correct address, as required by this chapter.
- B. Addresses shall be displayed on all new and existing buildings. Letters, numbers, or symbols shall meet the following standards:
  - 1. The posted address shall be metal or other durable material.
  - 2. The numbering/lettering shall be at least four inches in height, and one-half inch in stroke width minimum.
  - 3. The posted address shall contrast with its background.
  - 4. The address shall be placed on the structure plainly legible and visible from the roadway from which vehicular access is provided to the property or structure.
  - 5. Address is visible from all directions of travel.
- C. Structures in excess of 100 feet from the roadway fronting the property shall display the address on a sign, monument, or post not less than three feet, or more than six feet above the ground and located at the entrance to the property from the nearest roadway. The structure shall display additional posting at the structure location.
- D. If two or more addressable structures share a common primary access and any one of the addressable structures is located more than 100 feet from the roadway designated in the assigned address, the addresses for each structure shall be posted at the intersection of the shared access and the named roadway on a sign or post not less than three feet nor more than six feet above the ground, and each structure shall display additional posting at the structure location.
- E. If refuse collection is elsewhere than in the fronting street of a building, the owner and occupant shall conspicuously post and maintain the street address number near the refuse receptacles clearly legible from the place where the refuse is collected.
- F. Address numbers, signage, location, and sizing shall be maintained in a manner consistent with the provision, purpose and intent of this addressing standard by the responsible property owner, including all other local, state and federal laws.

#### **Section 17D.050A.150 List of Established Roadway Names, Assigned Addressing, and Mapping**

The City of Spokane - Spokane County RPSGIS committee shall maintain the Regional Public Safety Spatial Database comprised of all public and private roadways and addresses within all of Spokane County. The aforementioned spatial database is available for viewing either online from the Spokane County website or in person within the Spokane County Public Works Building during regular business hours.

#### **Section 17D.050A.160 Deviations from Literal Compliance**

The Administrator may grant minor deviations from literal compliance with the requirements of this chapter, with the approval of the Spokane City Council. Such deviations are intended to provide relief from literal compliance with specific provisions of this chapter in instances where there is an obvious practical problem with doing so, while still adequately addressing the property for location by emergency service providers and to promote the other purposes of this chapter.

#### **Section 17D.050A.170 Appeals**

- A. The Hearing Examiner shall hear appeals of roadway naming or renaming decisions by the City, pursuant to SMC 02.005.040(C).
- B. The Manager of the Development Services Center may approve roadway names for newly established roadways or sections thereof. The manager's decision is an administrative action that may be appealed to the hearing examiner under chapter 17G.050 SMC.
- C. An appeal must be filed prior to final plat approval.

- D. Appeals must be in writing on forms provided by the department. The applicant has the burden of demonstrating that the desired roadway name satisfies the requirements of this chapter.
- E. An appeal fee as specified in chapter 8.02 SMC must be submitted with the completed appeal form and any supporting documentation.

### **Section 17D.050A.180 Severability**

If any provision of this chapter is held invalid, the remainder of the chapter is not affected.

Section 3. That SMC section 17A.020.120 is amended to read as follows:

### **17A.020.120 "L" Definitions**

- A. Land Surveyor.  
An individual licensed as a land surveyor pursuant to chapter 18.43 RCW.
- B. Land Use Codes.  
Those provisions of this code that relate to:
  - 1. zoning,
  - 2. subdivision,
  - 3. shorelines management,
  - 4. stormwater control,
  - 5. flood zones,
  - 6. critical areas,
  - 7. signs,
  - 8. skywalks, andinclude chapter 17D.020 SMC, chapter 17D.050A SMC, chapter 17D.060 SMC, chapter 17D.090 SMC, chapter 17E.010 SMC, chapter 17E.020 SMC, chapter 17E.030 SMC, chapter 17E.040 SMC, chapter 17E.060 SMC, chapter 17E.070 SMC, and chapter 17G.080 SMC.
- C. Landscape Plan.  
A scale drawing showing site improvements and landscaping required under chapter 17C.200 SMC the following elements:
  - 1. Footprint of all structures.
  - 2. Final site grading.
  - 3. All parking areas and driveways.
  - 4. All sidewalks, pedestrian walkways, and other pedestrian areas.
  - 5. Location, height, and materials for all fences and walls.
  - 6. Common and scientific names of all plant materials used, along with their size at planting and location of all plant materials on the site.
- D. Landslide.  
Rapid sliding of large masses of rock, soil, or material on steep mountain slopes or from high cliffs.

- E. **Latah Formation.**  
Sedimentary layer of claystone to fine-grained sandstone in which very finely laminated siltstone is predominant. The fresh rock ranges in color from various shades of gray to almost white, tan and rust. Much of the finer grained layers contain leaf imprints and other plant debris. Because of its generally poorly consolidated state, the Latah rarely outcrops. It erodes rapidly and therefore is usually covered with later deposits or in steeper terrain hidden under the rubble of overlying basaltic rocks.
- F. **Launch Ramp.**  
An inclined slab, set of pads, rails, planks, or graded slope used for launching boats with trailers or by hand.
- G. **"Ldn" means a day-night average sound level and serves as a basic measure for quantifying noise exposure, namely, the A-weighted sound level averaged over a twenty-four hour time period, with a ten decibel penalty applied to nighttime (ten p.m. to seven a.m.) sound levels.**
- H. **Leak Detection.**  
A procedure for determining if the material in a primary container has escaped into the outside environment or has invaded an interstitial space in a multiple containment system.
- I. **Levee.**  
A natural or artificial embankment on the bank of a stream for the purpose of keeping floodwaters from inundating adjacent land. Some levees have revetments on their sides.
- J. **Level of Service Standard.**  
The number of units of capacity per unit of demand. The level of service standards used on concurrency tests are those standards specified in the adopted City of Spokane comprehensive plan.
- K. **Lighting Methods.**
1. **Direct.**  
Exposed lighting or neon tubes on the sign face. Direct lighting also includes signs whose message or image is created by light projected onto a surface.
  2. **Indirect.**  
The light source is separate from the sign face or cabinet and is directed to shine onto the sign.
  3. **Internal.**  
The light source is concealed within the sign.
- L. **Lighting Plan.**  
A general site plan that includes:
1. location of all lighting fixtures on the site;
  2. manufacturer's model identification of each lighting fixture;
  3. manufacturer's performance specifications of each fixture;
  4. a photometric plan of the installed fixtures, which demonstrates that all illumination is confined within the boundaries of the site.
- M. **Limited Industrial.**  
Establishments primarily engaged in on-site production or assembly of goods by hand manufacturing involving the use of hand tools and small-scale equipment and may have the incidental direct sale to consumers of those goods produced on-site. Typical uses include:
1. on-site production of goods by hand or artistic endeavor;
  2. placement of digital or analog information on a physical or electronic medium;
  3. manufacture, predominantly from previously prepared materials, of finished products or parts, provided the noise, light, smell, or vibration does not extend beyond the site; and

4. research of an industrial or biotechnical nature.

All activity must be conducted totally within the structure with no outdoor storage.

N. Listed Species.

A fish or wildlife species on a state or federal species of concern list. Possible designations could include endangered, threatened and sensitive.

O. Littoral Drift.

The natural movement of sediment, particularly sand and gravel, along shorelines by wave action in response to prevailing winds or by stream currents.

P. Local Access Street.

A street that provides access from individual properties to collector and minor arterials.

Q. Lot.

1. "Lot" is a parcel or tract of land so designated on a recorded plat or assessors plat, or:

- a. in an unplatted area, a tract having frontage on a public street or private street within a planned unit development or binding site plan and having the minimum size and dimensions required for a building site by the zoning code; or
- b. a building site designated as such on an approved planned development plan; or
- c. an unplatted area, legally created, and having the minimum size and dimensions required for a building site by the zoning code, but that does not have frontage on a public street.

2. A tract consisting of more than one contiguous lot may be considered as one lot for development purposes, subject to interpretation of the location of the front and rear yards.

3. A "corner lot" is a lot bounded on two adjacent sides by intersecting public streets.

4. An "inside lot" is a lot other than a corner lot.

5. A "through lot" is a lot bounded on opposite sides by parallel or approximately parallel public streets.

R. Lot Depth.

The depth of a lot is the horizontal distance between the front lot line and the rear lot line measured in the mean direction of the side lot lines.

S. Lot Lines.

The property lines along the edge of a lot or site.

1. "Front lot line" means a lot line, or segment of a lot line, that abuts a street.

- a. On a corner lot, the front lot line is the shortest of the lot lines that abut a street. If two or more street lot lines are of equal length, then the applicant or property owner can choose which lot line is to be the front.
- b. However, a through lot has two front lot lines regardless of whether the street lot lines are of equal or unequal length.

2. "Rear lot line" means a lot line that is opposite a front lot line.

- a. A triangular lot has two side lot lines but no rear lot line.
- b. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line.

3. "Side lot line" means a lot line that is neither a front nor rear lot line.

- a. On a corner lot, the longer lot line, which abuts a street, is a side lot line.

4. "Side street lot line" means a lot line that is both a side lot line and a street lot line.
5. "Street lot line" means a lot line, or segment of a lot line, that abuts a street.
  - a. "Street lot line" does not include lot lines that abut an alley.
  - b. On a corner lot, there are two (or more) street lot lines.
  - c. Street lot lines can include front lot lines and side lot lines.
- T. Lot Width.

The width of a lot is the horizontal distance between the side lot lines measured on a line intersecting at right angles the line of the lot depth thirty feet from the front lot line.
- U. Low Impact Development (LID).

LID is a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.
- V. Low Visual Impact Facility.

For the purposes of administration of this code, a low visual impact facility includes a small diameter (three feet or less) antenna or antenna array located on top of an existing pole or on a replacement pole. (See also SMC 17A.020.010, Alternative Tower Structure.)
- W. Lowest Floor.

The lowest floor of the lowest enclosed area (including the basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of SMC 17E.030.140.

Section 4. That SMC section 17H.010.030 is amended to read as follows:

#### **17H.010.030 Street Layout Design**

- A. Street design is governed by the comprehensive plan and city design standards.
- B. Streets shall be designed in light of topography and existing and planned street patterns. It is encouraged that low impact development principles be considered, evaluated and utilized where practical as described in the Eastern Washington Low Impact Development Guidance Manual.
- C. Adequate access shall be provided to all parcels of land. The street system shall facilitate all forms of transportation including pedestrians, bicycles, vehicles and emergency services.
- D. When property is divided into large parcels, streets shall be laid out so as to allow the addition of future streets in a consistent pattern in the event of redivision.
- E. Street names should be logical, consistent and understandable to satisfy the needs of emergency and delivery vehicles. Street names must be approved by the City and comply with the requirements of chapter 17D.050A SMC, Roadway Naming.
- F. The layout of new streets shall provide for the continuation of existing streets in adjoining subdivisions. If a public street or right-of-way terminates at a plat boundary, provisions shall be made for the extension of the public street to the adjacent property or to another public street in a manner consistent with public mobility and utility infrastructure needs.
- G. Street layout shall provide for future extension of streets into areas which are presently not subdivided.
- H. Traffic generators within the project should be considered and the street system designed appropriately. Individual projects may require a traffic study subject to chapter 17D.080 SMC, Voluntary Impact Fees, chapter 17D.010 SMC, Concurrency Certification, or chapter 17E.050 SMC, SEPA.

- I. The minimum centerline distance between intersections shall be one hundred fifty feet.
- J. Bordering arterial routes should be considered and design continuity provided.
- K. When any parcels in a subdivision adjoin an existing or proposed arterial street, the hearing examiner may require access by way of frontage streets and may restrict access to the arterial.
- L. Subdivisions comprised of more than thirty lots shall include two access points acceptable to the city fire department and the director of engineering services.
- M. A grid pattern featuring more street intersections and shorter block lengths should be implemented wherever possible.
- N. Block lengths should not exceed six hundred sixty feet.
- O. A block width should allow for two tiers of lots between parallel streets and double frontage lots should be avoided.
- P. Permanent dead-end or cul-de-sac streets may be allowed when the property is isolated by topography or the configuration of existing platted lots and streets. Dead-ends and cul-de-sacs will be reviewed in every case for connectivity

Section 5. That SMC section 17A.020.180 is amended to read as follows:

**17A.020.180 “R” Definitions**

- A. RCW.  
The Revised Code of Washington, as amended.
- B. Real Estate Sign.  
A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent.
- C. Reasonable Cause.  
A reasonable basis to believe or suspect that there is storage, seepage, spillage, accumulation, or use of critical materials or the pursuit of critical materials activities at a site or premises.
- D. Reconsideration – Request For.  
A request to the appeal body to consider again or reverse the decision on the permit application.
- E. Recreational Vehicle.  
A vehicle, which is:
  - 1. Built on a single chassis;
  - 2. Four hundred square feet or less when measured at the largest horizontal projection;
  - 3. Designed to be self-propelled or permanently towable by a light duty truck; and
  - 4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- F. Recycling Drop-off Center.  
A facility for the drop-off and temporary holding of materials such as paper, cardboard, glass, metal, plastic, batteries, and motor oil.
  - 1. Processing of materials is limited to glass breaking and separation.
  - 2. Recycling materials are not sold to a recycling drop-off center.
  - 3. A recycling drop-off center is intended for household or consumer use.
  - 4. Use by commercial or industrial establishments is not included.
  - 5. Unattended drop-off stations for single materials, such as newsprint, are also not included.

- G. **Recycling Operation.**  
A use where one or more recycling materials are accumulated, stored, sorted, or processed.
1. A recycling operation may get recycling materials from drop-off centers, from a household or business pick-up operation, or from commercial or industrial uses.
  2. Materials may be processed on site or accumulated in large quantities for eventual sale or transfer to other processors.
  3. Recycling operation does not include the processing of yard debris or other decomposable material except for clean paper products.
- H. **Redivision.**  
The redivision of a lot located within a previously recorded plat or short plat.
- I. **Regional Shopping Mall – Enclosed.**  
A group of retail and other commercial establishments that is planned, developed, and managed as a single property, with on-site parking provided around the perimeter of the shopping center, and that is generally at least forty acres in size and flanked by two or more large “anchor” stores, such as department stores. The common walkway or “mall” is enclosed, climate-controlled and lighted, usually with an inward orientation of the stores facing the walkway.
- J. **Registered Neighborhood Organization.**  
A community development block grant (CDBG) neighborhood steering committee, a neighborhood council, or other neighborhood or community group within the City that:
1. Represents a specifically designated geographic area;
  2. Is governed by bylaws and has elected officers; and
  3. Has registered as such with the City and is on the current list of registered neighborhood organizations.
- K. **Regularly.**  
Occurring consistently and repeatedly on an ongoing basis.
- L. **Regulated Substance.**  
A critical material as referred to in 42 U.S.C. 6991(2).
- M. **Related Persons.**  
One or more persons related either by blood, marriage, adoption, or guardianship, and including foster children and exchange students; provided, however, any limitation on the number of residents resulting from this definition shall not be applied if it prohibits the City from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendment Act of 1988, 42 U.S.C. 3604(f)(3)(b) and the Washington Housing Policy Act, RCW 35.63.220.
- N. **Repair (see also “Maintenance”).**  
An activity that restores the character, scope, size, and design of a serviceable area, structure, or land use to its previously authorized and undamaged condition. Activities that change the character, size, or scope of a project beyond the original design, and drain, dredge, fill, flood, or otherwise alter additional wetlands are not included in this definition.
- O. **Reservoir.**  
A body of water collected and stored in an artificial pool that is intended for future use.
- P. **Residential Zone.**  
Those zones from RA through RHD.
- Q. **Responsible Party.**  
A person who is either:
1. The property owner or person authorized to act on the owner’s behalf; or

2. Any person causing or contributing to a violation of this chapter.

R. Restoration.

See "Compensatory Mitigation" (SMC 17A.020.030).

S. Revetment.

A sloped wall constructed of riprap or other suitable material placed on stream banks or other shorelines to slow down bank erosion and minimize lateral stream movement.

T. Right-of-way.

A public or private area that allows for the passage of people or goods.

1. Right-of-way includes passageways such as:

- a. freeways,
- b. streets,
- c. bike paths,
- d. alleys, and
- e. walkways.

2. A public right-of-way is a right-of-way that is dedicated or deeded to the public for public use and under the control of a public agency.

U. Riparian.

1. Riparian habitat is defined as an area that contains elements of both aquatic and terrestrial ecosystems, which mutually influence each other.
2. It is the area where the vegetation, water tables, soils, microclimate, and wildlife inhabitants of terrestrial ecosystems are influenced by perennial or intermittent water, and the biological and physical properties of the adjacent aquatic ecosystems are influenced by adjacent vegetation, nutrient, and sediment loading, terrestrial wildlife, and organic debris from the land.
3. Riparian vegetation includes not only streamside vegetation that is dependent upon presence of water, but also on the upland vegetation that is part of the zone of influence in the riparian area.
4. Riparian habitats have high wildlife density and high species diversity. They serve as important wildlife breeding and seasonal ranges. They are important movement corridors and are highly vulnerable to habitat alteration.

V. Riparian Habitat Area (RHA).

A defined area used to manage and buffer impacts to wildlife habitat and consists of landscape features that support fish and wildlife in areas near water bodies such as streams, rivers, wetlands and lakes.

W. Riparian Wetland.

Wetlands located at the shore of a lake or river. The transitional area between aquatic and upland ecosystems that is identified by the presence of vegetation that requires or tolerates free or unbound water or conditions that are more moist than normally found in the area.

X. Riprap.

A layer, facing, or protected mound of stones placed to prevent erosion, scour, or sloughing of a structure of embankment; also, the stone so used.

Y. River Delta.

Those lands formed as an aggradational feature by stratified clay, silt, sand, and gravel deposited at the mouths of streams where they enter a quieter body of water. The upstream extent of a river delta is that limit where it no longer forms distributary channels.

- Z. Riverine.  
Situating alongside or associated with a river.
- AA. Roadway.  
  1. Curbed roadways within the City limits and other urbanized areas are commonly and generically referred to as "streets." Roadways outside the urban areas are most often not curbed, and are commonly and generically referred to as "roads."
  2. Within the context of this code, "roadway" refers to any traveled way, either public or private, that has been platted or otherwise specifically dedicated for the purpose of circulation and will require a name in accordance with chapter 17D.050A SMC.
- AB. Roadway Name.  
Roadway names consist of three parts:  
  1. Direction.
  2. Root name; and
  3. Suffix.
- AC. Rock Shore.  
Those shorelines whose bluffs and banks are typically composed of natural rock formations.
- AD. Rockfall.  
The falling of rocks from near vertical cliffs.
- AE. Roof Line.  
The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys, or other projections.
- AF. Roof Top Sign.  
A sign on a roof that has a pitch of less than one-to-four.
- AG. Root Name.  
A maximum of two words, which are not considered part of the directional or suffix.
- AH. Runoff.  
Water that travels across the land surface, or laterally through the ground near the land surface, and discharges to water bodies either directly or through a collection and conveyance system. It includes stormwater and water from other sources that travels across the land surface.
- AI. Runoff and Infiltration Controls.  
Measures adopted to prevent damage due to flooding and erosion problems.

Section 6. That SMC section 17A.020.190 is amended to read as follows:

**17A.020.190 "S" Definitions**

- A. Salmonid.  
Belonging to the family of Salmonidae, including the salmons, trouts, chars, and whitefishes.
- B. Sandwich Board Sign.  
A self-supporting A-shaped freestanding temporary sign with only two visible sides that are situated adjacent to a business, typically on a sidewalk.
- C. Scrub-shrub Wetland.  
An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height at the uppermost strata.
- D. Secondary Building Walls.  
Exterior building walls that are not classified as primary building walls.

- E. Secondary Containment.  
A means of spill or leak containment involving a second barrier or tank constructed outside the primary container and capable of holding the contents of the primary container.
- F. Sediment.  
Mineral or organic matter deposited as a result of erosion.
- G. Sedimentation.  
The settling and accumulation of particles such as soil, sand, and gravel, suspended in water or in the air.
- H. SEPA Rules.  
Chapter 197-11 WAC adopted by the department of ecology.
- I. Service Area.  
A geographic area defined by the City, which encompasses public facilities that are part of a plan.
- J. Serviceable.  
Means presently useable.
- K. Setback.  
The minimum distance required between a specified object, such as a building and another point. Setbacks are usually measured from lot lines to a specified object. In addition, the following setbacks indicate where each setback is measured from:
1. "Front setback" means a setback that is measured from a front lot line.
  2. "Rear setback" means a setback that is measured from a rear lot line.
  3. "Side setback" means a setback that is measured from a side lot line.
  4. "Street setback" means a setback that is measured from a street lot line.
- L. Sex Paraphernalia Store.  
A commercial establishment that regularly features sexual devices and regularly advertises or holds itself out, in any medium, as an establishment that caters to adult sexual interests. This definition shall not be construed to include:
1. Any pharmacy, drug store, medical clinic, any establishment primarily dedicated to providing medical or healthcare products or services; or
  2. Any establishment located within an enclosed regional shopping mall.
- M. Sexual Device.  
Any three dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.
- N. Shall.  
Unless the context indicates otherwise, the term "shall" means:
1. In reference to the obligations imposed by this title upon owners or occupants of premises or their agents, a mandatory obligation to act, or when used with a negative term to refrain from acting, in compliance with this code at the risk of denial of approval or civil or criminal liability upon failure so to act, the term being synonymous with "must";
  2. With respect to the functions of officers and agents of the City, a direction and authorization to act in the exercise of sound discretion; or
  3. The future tense of the verb "to be."

- O. Shallow Groundwater.  
Naturally occurring water within an unconfined (water table) aquifer, partially confined aquifer or perched groundwater aquifer, and which is present at depth of fifteen feet or less below the ground surface, at any time, under natural conditions.
- P. Shorelands.  
Or "shoreline areas" or "shoreline jurisdiction" means all "shorelines of the state" and "shorelands" as defined in RCW 90.58.030. Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high-water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the entire shoreline master program; the same to be designated as to location by the department of ecology.
- Q. Shoreline and Ecosystems Enhancement Plan and Program.  
See SMC 17E.020.090, Habitat Management Plans.
- R. Shoreline Buffer.
1. A designated area adjacent to the ordinary high-water mark and running landward to a width as specified by this regulation intended for the protection or enhancement of the ecological function of the shoreline area.
  2. The buffer will consist primarily of natural vegetation or planted vegetation which maintains or enhances the ecological functions of the shoreline area.
  3. The term "buffer area" has the same meaning as "buffer."

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(Note: For the remainder of Ordinance No. C35452 and for Ordinance C35453, Job Opportunities and Notices for Bids, see Part II if this Issue (Issue 47) of the *Official Gazette*.)

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# Official Gazette

## City of Spokane, Washington

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

Volume 106

**NOVEMBER 23, 2016**

Issue 47 Part II of II



### MAYOR AND CITY COUNCIL

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COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

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### INSIDE THIS ISSUE

ORDINANCES 1318

JOB OPPORTUNITIES 1327

NOTICES FOR BIDS 1330

(CONTINUED FROM PART I OF THIS  
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# Ordinances

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

**ORD C35452****(Continued from Part I of this issue.)****S. Shoreline Enhancement.**

Any alteration of the shoreline that improves the ecological function of the shoreline area or any aesthetic improvement that does not degrade the shoreline ecological function of the shoreline.

**T. Shoreline Environment Designations.**

The categories of shorelines established by local shoreline master programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. The basic recommended system classifies shorelines into four distinct environments (natural, conservancy, rural, and urban). See WAC 173-16-040(4).

**U. Shoreline Habitat and Natural Systems Enhancement Projects.**

1. Shoreline habitat and natural systems enhancement projects include those activities proposed and conducted specifically for the purpose of establishing, restoring, or enhancing habitat for propriety species in shorelines.
2. Provided that the primary purpose of such actions is clearly restoration of the natural character and ecological functions of the shoreline, projects may include shoreline modification actions such as:
  - a. Modification of vegetation,
  - b. Removal of nonnative or invasive plants,
  - c. Shoreline stabilization, dredging, and filling.

**V. Shoreline Jurisdiction.**  
See "Shorelands."**W. Shoreline Letter of Exemption.**

Authorization from the City which establishes that an activity is exempt from shoreline substantial development permit requirements under SMC 17E.060.300 and WAC 173-14-040, but subject to regulations of the Act and the entire shoreline master program.

**X. Shoreline Master Program.**

1. The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.
2. For the City of Spokane, the shoreline master program includes the:
  - a. Shoreline Goals and Policies (Comprehensive Plan Chapter 14),

- b. Shoreline Regulations (chapter 17E.060 SMC),
- c. City of Spokane Shoreline Restoration Plan (stand-alone document), and
- d. Shoreline Inventory and Analysis (Comprehensive Plan Volume III).

Y. Shoreline Mixed Use.

Combination of water-oriented and non-water oriented uses within the same structure or development area.

Z. Shoreline Modifications.

Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

AA. Shoreline Protection.

1. Structural and nonstructural methods to control flooding or address erosion impacts to property and dwellings or other structures caused by natural processes, such as current, flood, wind, or wave action.
2. The terms "Shoreline protection measure" and this term have the same meaning.
3. Substantial enlargement of an existing shoreline protection improvement is regarded as new shoreline protection measure.

AB. Shoreline Recreational Development.

Recreational development includes commercial and public facilities designed and used to provide recreational opportunities to the public. Water-dependent, water-related and water-enjoyment recreational uses include river or stream swimming areas, boat launch ramps, fishing areas, boat or other watercraft rentals, and view platforms.

AC. Shoreline Restoration.

1. The re-establishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, re-vegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials.
2. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

AD. Shoreline Stabilization.

Structural or non-structural modifications to the existing shoreline intended to reduce or prevent erosion of uplands or beaches. They are generally located parallel to the shoreline at or near the ordinary high-water mark. Other construction classified as shore defense works include groins, jetties, and breakwaters, which are intended to influence wave action, currents, and/or the natural transport of sediments along the shoreline.

AE. Shoreline Structure.

A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels.

AF. Shorelines Hearings Board (SHB).

The shorelines hearings board is a quasi-judicial body with powers of de novo review authorized by chapter 90.58 RCW to adjudicate or determine the following matters:

1. Appeals from any person aggrieved by the granting, denying, or rescinding of a permit issued or penalties incurred pursuant to chapter 90.58 RCW.
2. Appeals of department rules, regulations, or guidelines; and
3. Appeals from department decisions to approve, reject, or modify a proposed master program or program amendment of local governments which are not planning under RCW 36.70A.040.

AG. Short Plat – Final.

The final drawing of the short subdivision and dedication, prepared for filing for record with the Spokane county auditor and containing all elements and requirements set forth in this chapter and chapter 58.17 RCW.

- AH. Short Plat – Preliminary.
1. A neat and approximate drawing of a proposed short subdivision showing the general layout of streets, alleys, lots, blocks, and other elements of a short subdivision required by this title and chapter 58.17 RCW.
  2. The preliminary short plat shall be the basis for the approval or disapproval of the general layout of a short subdivision.
- AI. Short Subdivision.  
A division or redivision of land into nine or fewer lots, tracts, parcels, or sites for the purpose of sale, lease, or transfer of ownership. (RCW 58.17.020(6)).
- AJ. Sign.
1. Materials placed or constructed or light projected, but not including any lawful display of merchandise, that:
    - a. Conveys a message or image, and
    - b. Is used to inform or attract the attention of the public
  2. Some examples of signs are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs, placards, A-boards, posters, murals, diagrams, banners, flags, or projected slides, images, or holograms.
  3. The scope of the term sign does not depend on the content of the message or image conveyed.
- AK. Sign – Animated Sign.  
A sign that uses movement, by either natural or mechanical means, to depict action to create a special effect or scene.
- AL. Sign – Electronic Message Center Sign.  
An on-premises sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means including signs using a video display method.
- AM. Sign Face.  
The portion of a sign which contains lettering, logo, trademark, or other graphic representations. (See SMC 17C.240.140, Sign Face Area.)
- AN. Sign – Flashing Sign.
1. A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated in a strobe-like fashion for the purpose of drawing attention to the sign.
  2. Time and temperature signs are excluded from this definition.
  3. For the purpose of this title, electronic message centers consistent with the standards of SMC 17C.240.240(J) shall not be considered flashing signs.
- AO. Sign Maintenance.  
Normal care needed to keep a sign functional, such as cleaning, painting, oiling, and changing of light bulbs.
- AP. Sign – Off-premises.  
A sign relating, through its message and content, to a business activity, use, product, or service not available on the premises upon which the sign is erected.
- AQ. Sign Repair.  
Fixing or replacement of broken or worn parts. Replacement includes comparable materials only. Repairs may be made with the sign in position or with the sign removed.
- AR. Sign Structure.  
A structure specifically intended for supporting or containing a sign.
- AS. Significant Vegetation Removal.  
The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation.

1. The removal of invasive or noxious weeds does not constitute significant vegetation removal.
  2. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.
- AT. Single-family Residential Building.  
A dwelling containing only one dwelling unit.
- AU. Single-room Occupancy Housing (SRO).  
A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities.
1. The structure may or may not have separate or shared cooking facilities for the residents.
  2. SRO includes structures commonly called residential hotels and rooming houses.
- AV. Site.  
Any parcel of land recognized by the Spokane County assessor's office for taxing purposes. A parcel may contain multiple lots.
- AW. Site – Archaeological.
1. A place where a significant event or pattern of events occurred. It may be the:
    - a. Location of prehistoric or historic occupation or activities that may be marked by physical remains; or
    - b. Symbolic focus of a significant event or pattern of events that may not have been actively occupied.
  2. A site may be the location of a ruined or now non-extant building or structure if the location itself possesses historic, cultural, or archaeological significance.
- AX. Slump.  
The intermittent movement (slip) of a mass of earth or rock along a curved plane.
- AY. SMC.  
The Spokane Municipal Code, as amended.
- AZ. Soil.  
The naturally occurring layers of mineral and organic matter deposits overlaying bedrock. It is the outer most layer of the Earth.
- BA. Sound Contours.  
A geographic interpolation of aviation noise contours as established by the 2010 Fairchild AFB Joint Land Use Study and placed on the official zoning map. When a property falls within more than one noise zone, the more restrictive noise zone requirements shall apply for the entire property.
- BB. Sound Transmission Class (STC).  
A single-number rating for describing sound transmission loss of a wall, partition, window or door.
- BC. Special Drainage District (SDD).  
An area associated with shallow groundwater, intermittent standing water, or steep slopes where infiltration of water and dispersion of water into the soils may be difficult or delayed, creating drainage or potential drainage problems. SDDs are designated in SMC 17D.060.130.
- BD. Special Event Sign.  
A temporary sign used to announce a circus, a carnival, festivals, or other similar events.
- BE. Species of Concern.  
Species native to Washington State listed as state endangered, state threatened, state sensitive, or state candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.
- BF. Specified Anatomical Areas.  
They are human:

1. Genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, when such areas are less than completely and opaquely covered;
2. Male genitals in a discernibly turgid state, even if completely and opaquely covered.

BG. Specified Sexual Activities.  
Any of the following:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse, or sodomy; and
3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

BH. Spokane Regional Stormwater Manual (SRSW).  
A technical document establishing standards for stormwater design and management to protect water quality, natural drainage systems, and down-gradient properties as urban development occurs.

BI. Spokane Register of Historic Places.  
The register maintained by the historic preservation office, which includes historic landmarks and districts in the City and County.

BJ. Sports Field.  
An open area or stadium in which scheduled sports events occur on a regular basis. Sports events include both competitive and noncompetitive events such as track and field activities, soccer, baseball, or football games.

BK. Stabilization.  
The process of establishing an enduring soil cover of vegetation or mulch or other ground cover and may be in combination with installation of temporary or permanent structures.

BL. Standard Plans.  
Refers to the City of Spokane's standard plans.

BM. Standard References.  
Standard engineering and design references identified in SMC 17D.060.030.

BN. State Candidate Species.  
Fish and wildlife species that WDFW will review for possible listing as state endangered, threatened, or sensitive.

BO. State Endangered Species.  
Any wildlife species native to the State of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.

BP. State Register.  
The register maintained pursuant to chapter 195, Laws of 1977, 1st ex. sess., section 6 (chapter 27.34 RCW).

BQ. State Sensitive Species.  
Any wildlife species native to the State of Washington that is vulnerable or declining and is likely to become endangered or threatened throughout a significant portion of its range within the state without cooperative management or removal of threats.

BR. State Threatened Species.  
Any wildlife species native to the State of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.

BS. Stealth Facilities.  
Any cellular telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities include:

1. Architecturally screened roof-mounted antennas;
2. Building-mounted antennas painted to match the existing structure;
3. Antennas integrated into architectural elements; and

4. Antenna structures designed to look like light poles, trees, clock towers, bell steeples, or flag poles.

BT. Stewardship.

Acting as supervisor or manager of the City and County's historic properties.

BU. Stormwater.

1. Any runoff flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
2. "Stormwater" further includes any locally accumulating ground or surface waters, even if not directly associated with natural precipitation events, where such waters contribute or have a potential to contribute to runoff onto the public right-of-way, public storm or sanitary sewers, or flooding or erosion on public or private property.

BV. Stormwater Management Program (SWMP).

A set of actions and activities designed to reduce the discharge of pollutants from the regulated MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of the Eastern Washington Phase II Municipal Permit (WAR04-6505) and any additional actions necessary to meet the requirements of applicable TMDLs.

BW. Story.

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except:

1. The topmost story is that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above;
2. That portion of a building between the eaves and the ridge, when over twenty feet in height, is considered a story;
3. That portion of a building below the eaves which exceeds fourteen feet in height is considered a story, each fourteen feet of height (or major part of fourteen feet) being an additional story; and
4. A basement or unused under-floor space is a story if the finished floor level directly above is either more than:
  - a. Six feet above grade for more than half of the total perimeter, or
  - b. Twelve feet above grade at any point.

BX. Stream.

A naturally occurring body of periodic or continuously flowing water where the:

1. Mean annual flow is greater than twenty cubic feet per second; and
2. Water is contained with a channel (WAC 173-22-030(8)).

BY. Street.

See "Public Way" (SMC 17A.020.160).

BZ. Street Classifications.

1. Arterial and local access streets are classified in section 4.5 of the comprehensive plan as follows:
  - a. Principal arterial.
  - b. Minor arterial.
  - c. Collector arterial.
  - d. Local access street.
  - e. Parkway.
2. Definitions of all of the above classifications are included herein. Private streets are not classified but are defined under SMC 17A.020.160, "P" Definitions.

- CA. Street Frontage.  
The lot line abutting a street.
- CB. Strobe Light.  
A lamp capable of producing an extremely short, brilliant burst of light.
- CC. Structural Alteration.
1. Modification of a sign, sign structure, or awning that affects size, shape, height, or sign location.
  2. Changes in structural materials; or
  3. Replacement of electrical components with other than comparable materials.
  4. The replacement of wood parts with metal parts, the replacement of incandescent bulbs with light emitting diodes (LED), or the addition of electronic elements to a non-electrified sign would all be structural alterations.
  5. Structural alteration does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, exchanging painted and pasted or glued materials on painted wall signs, or exchanging display panels of a sign through release and closing of clips or other brackets.
- CD. Structure.  
Any object constructed in or on the ground, including a gas or liquid storage tank that is principally above ground.
1. Structure includes:
    - a. Buildings,
    - b. Decks,
    - c. Fences,
    - d. Towers,
    - e. Flag poles,
    - f. Signs, and
    - g. Other similar objects.
  2. Structure does not include paved areas or vegetative landscaping materials.
- CE. Structure – Historic.  
A work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by man, it is often an engineering project.
- CF. Subdivision.  
A division or redivision of land into ten or more lots, tracts, or parcels for the purpose of sale, lease, or transfer of ownership (RCW 58.17.020).
- CG. Subject Property.  
The site where an activity requiring a permit or approval under this code will occur.
- CH. Sublevel Construction Controls.  
Design and construction requirements provided in SMC 17F.100.090.
- CI. Submerged Aquatic Beds.  
Wildlife habitat area made up of those areas permanently under water, including the submerged beds of rivers and lakes and their aquatic plant life.
- CJ. Substantial Damage – Floodplain.  
Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-existing condition would equal or exceed fifty percent of the assessed value of the structure before the damage occurred.

**CK. Substantial Development.**

For the shoreline master program, shall mean any development of which the total cost or fair market value exceeds the dollar amount set forth in RCW 90.58 and WAC 173-26 for any improvement of property in the shorelines of the state.

**CL. Substantial Improvement – Floodplain.**

1. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the assessed value of the structure either:
  - a. Before the improvement or repair is started, or
  - b. If the structure has been damaged and is being restored, before the damage occurred.
2. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
3. The term does not, however, include either any:
  - a. Project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
  - b. Alteration of a structure listed on the National Register of Historic or State Inventory of Historic Places.

**CM. Suffix.**

Describes the roadway type and is located after the root roadway name (i.e., street, avenue, court, lane, way, etc.). The appropriate suffix shall be used in accordance with SMC 17D.050A.040(U)((020(C))).

**Passed by City Council November 14, 2016**

**Delivered to Mayor November 16, 2016**

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**ORDINANCE NO. C35453**

An ordinance updating the annual City of Spokane property tax levy for 2017.

WHEREAS, the Spokane City Council, the governing body of the City of Spokane, a taxing district (“District” or “City”) of the State of Washington, has met and considered its budget for the calendar year 2017, holding public hearings thereon; and

WHEREAS, the District’s actual regular levy amount from the previous year (2016) was \$56,074,954.63 not including administrative refunds; and

WHEREAS, the City Council, after hearing and after duly considering all relevant evidence and testimony presented, has determined that the City of Spokane requires a regular levy as provided hereafter, as well as an EMS levy as provided hereafter, both of which include an increase in property tax revenue from the previous year, and amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, and authorized refunds, in order to discharge the expected expenses and obligations of the City and in its best interest; and

WHEREAS, the District population is more than 10,000; Now, Therefore,

The City of Spokane does ordain:

**Section 1. Regular Levy.**

- A. An increase in the regular annual property tax levy is hereby authorized for the levy to be collected in the 2017 tax year, said increase to be in the amount of \$560,749.55, which is a percentage increase of 1% from the previous year’s actual levy, prior to the inclusion of administrative refunds in the 2016 levy.
- B. This increase is exclusive of additional revenue in 2017 resulting from new construction, improvements to property, newly constructed wind turbines, increases in the value of state assessed property, and any annexations that have occurred and refunds made or amounts as required or permitted by law. The total regular property tax levy for 2017,

including amounts estimated for new construction, annexations, refunds, and any other add-ons, is estimated at \$57,525,000 and is a percentage increase of 2.59% from the previous year's actual levy prior to the inclusion of 2016 administrative refunds. Inclusive of administrative refunds in the 2016 levy, the 2017 levy represents a 2.39% increase.

## **Section 2. Existing GO Bonds.**

In the case of the tax levied to raise \$5,458,450 for Principal and Interest on the City of Spokane's outstanding General Obligation Bonds, the County Assessor, in spreading the tax upon the rolls shall determine the dollar rate required.

## **Section 3. EMS Levy.**

Ordinance C-35366 concerning a levy for emergency medical services (EMS), passed by the Spokane City Council on February 22, 2016 and approved by the voters in the election of April 26, 2016, provides for a levy for six consecutive years beginning in 2017, with the rate in the first year being 50 cents per \$1,000 of assessed valuation. This will provide for a levy amount estimated at \$8,360,000 in 2017.

## **Section 4. Certification; Filing.**

The City Council certifies all information as stated herein. Appropriate City staff is directed to transmit all required information required to the Clerk of Spokane County Board of County Commissioners and County Assessor, including budget estimates of amounts to be raised by taxation on assessed value of property (RCW 84.55.020), estimated beginning and ending cash balances (RCW 84.52.025), and the amount of taxes levied on assessed value within the City (RCW 84.52.070). Pursuant to Section 19 of the City Charter, this measure takes effect immediately on first reading and passage.

**Passed by City Council November 14, 2016**

**Delivered to Mayor November 21, 2016**

# **Job Opportunities**

**The City of Spokane is an Equal Employment Opportunity Employer**

## **SECRETARY II SPN 020 PROMOTIONAL**

**DATE OPEN:** Monday, November 21, 2016      **DATE CLOSED:** Sunday, December 4, 2016 at 11:59 p.m.  
**SALARY:** \$34,034.40 annual salary, payable bi-weekly, to a maximum of \$48,963.60

### **DESCRIPTION:**

Performs secretarial and minor supervisory work or difficult and varied, general clerical work in a variety of offices.

### **MINIMUM QUALIFICATIONS:**

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

Completion of at least one year of experience with the City as a Secretary I (SPN: 019), or higher, clerical classification. Ability to type accurately at a rate of 250 keystrokes (50 words) per minute, and develop skill in the operation of standard office machines.

NOTE: All applicants must have passed a typing performance test with a certified speed of 50 WPM *prior* to the written examination. Please contact Civil Service to schedule this test at your convenience. You will not be admitted to the written examination until Civil Service has a record that you have met this requirement within the last 12 months.

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

- Copy of unofficial college transcripts, including name of institution, applicant name, courses/credits taken, and GPA. – if applicable.

### **EXAMINATION DETAILS:**

Applicants must pass the examination for this classification to be eligible for promotion by the City of Spokane. This exam will consist of a written test and a performance evaluation, with weights assigned as follows: written test 80%, performance evaluation 20%.

**WRITTEN TEST DETAILS:**

The written test will be conducted in the Civil Service Test Room on **Tuesday, December 13, 2016 at 9:00 a.m.** The approximate duration of the test is 2 1/2 hours.

**If your application is accepted, you must self-schedule your test time. You will receive an e-mail with complete instructions.**

The written test may include such subjects as:

Business Mathematics  
Vocabulary  
Business English  
Proofreading  
Office Administration  
Computer Knowledge  
Reading Comprehension

**PROMOTIONAL EVALUATION DETAILS**

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

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

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

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 completed online at: <http://my.spokanecity.org/jobs> by 11:59 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: [civilservice@spokanecity.org](mailto:civilservice@spokanecity.org) with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4<sup>th</sup> 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 16th day of November 2016.

CRAIG HULT  
Chair

GITA GEORGE-HATCHER  
Chief Examiner

**AMENDMENT****AMENDMENT****AMENDMENT****SENIOR PROJECT MANAGER (OPEN AND PROMOTIONAL)**

SPN 131

(Announcement of 11/7/2016)

The above titled announcement is hereby amended to read:

**CLOSE DATE:** Sunday, December 11, 2016 at 11:59 p.m.

**FLEET WARRANTY AND PROGRAM SPECIALIST SPN 183  
OPEN ENTRY**

**DATE OPEN:** Monday, November 21, 2016      **DATE CLOSED:** Sunday, December 11, 2016 at 11:59 p.m.  
**SALARY:** \$37,416.96 annual salary, payable bi-weekly, to a maximum of \$54,162.72

**DESCRIPTION:**

Provides administrative support in the warranty and maintenance programs for the City fleet of vehicles and related equipment; duties require independent action and attention to detail, using specialized knowledge of vehicle/parts warranty programs and related industry and OEM standards.

**MINIMUM QUALIFICATIONS:**

**All requirements must be met at the time of application.**

**Open Entry requirements:** High School Diploma or equivalent, and at least 3 years of clerical or administrative work experience in a vehicle and/or heavy equipment environment - such as production support, order processing, sales administration, or service writing.

**Substitution:** A two-year degree from an accredited college or vocational school in Vehicle Maintenance or a closely related field will substitute for two years of the experience requirement.

**Additional Requirements:** Ability to type accurately at a rate of 200 keystrokes (40 words) per minute.

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

- Copy of unofficial college transcripts, including name of institution, applicant name, courses/credits taken, and GPA. – if applicable.
- 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 with final score weight assigned as follows: T&E Evaluation: 100% of final score.

**T&E EVALUATION DETAILS**

The T&E examination consists of a Supplemental Questionnaire. The questions may be viewed online under the tab marked "**QUESTIONS**" on the job announcement page. The T&E must be submitted online at the time of application.

- Responses to your T&E questions should be consistent with the information given in your application details. Answers are subject to verification.
- Resumes or questionnaires uploaded as attachments to the application will not be accepted in lieu of completing each question online.
- "See Resume" or "See above," etc., 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.

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

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

**TO APPLY:**

Applications must be completed online at: <http://my.spokanecity.org/jobs> by 11:59 p.m. on the filing cut-off date. Qualified applicants are encouraged to apply immediately. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: [civilservice@spokanecity.org](mailto:civilservice@spokanecity.org) with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4<sup>th</sup> 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 15th day of November 2016.

CRAIG HULT  
Chair

GITA GEORGE-HATCHER  
Chief Examiner

## AMENDMENT

## AMENDMENT

## AMENDMENT

## VIDEO PRODUCTION TECHNICIAN (OPEN)

SPN 597

(Announcement of 11/7/2016)

The above titled announcement is hereby amended to read:

**CLOSE DATE:** Sunday, December 4, 2016 at 11:59 p.m.

# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

## REQUEST FOR BIDS

**REPROGRAPHICS CENTER SUPPLIES – PRINTING PAPER**  
City of Spokane Communications – Reprographics Center**BID #4298-16**

Sealed Bids will be opened at the 1:15 p.m. public bid opening on **MONDAY, DECEMBER 5, 2016**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **REPROGRAPHICS CENTER SUPPLIES – PRINTING PAPER** for City of Spokane Communications – Reprographics Center.

The Request for Bids document is available by contacting Connie Wahl at City of Spokane Purchasing, 4<sup>th</sup> Floor, City Hall, 808 West Spokane Falls Blvd, Spokane, WA 99201 or [purchasinghelp@spokanecity.org](mailto:purchasinghelp@spokanecity.org).

Bid Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, December 5, 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 Bid Proposals delivered late. **Only firm Bid Proposals with signatures will be tabulated.**

**Submit one (1) paper original, one (1) paper copy, and one (1) reproducible digital copy (CD or thumb drive) of the Bid to:**

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

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

All response packages are to be clearly marked with:

**“BID #4298-16, REPROGRAPHICS CENTER SUPPLIES – PRINTING PAPER, DUE 12/5/2016”**

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

Publish: November 16 & 23, 2016

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**GROUNDWATER MONITORING DATA ANALYSIS AND REPORT WRITING SERVICES**  
**Solid Waste Disposal Department****RFQ #4304-16**

Sealed SOQs will be acknowledged at 1:15 p.m., **MONDAY, DECEMBER 5, 2016** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington **99201**, for **GROUNDWATER MONITORING DATA ANALYSIS AND**

**REPORT WRITING SERVICES** 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](mailto:purchasinghelp@spokanecity.org)

**Submittal Instructions:**

SOQs 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  
4<sup>th</sup> Floor – City Hall  
808 W. Spokane Falls Blvd.  
Spokane WA 99201**

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

Envelopes containing SOQs are to be marked:

**“GROUNDWATER MONITORING DATA ANALYSIS AND REPORT WRITING SERVICES, RFQ #4304-16, DUE 12/5/16”.**

Thea Prince  
Purchasing Department

Publish: November 16 & 23, 2016

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**REQUEST FOR PROPOSALS****CONSULTANT SERVICES FOR HUMAN RESOURCES/PAYROLL PEOPLESOFT SYSTEM UPGRADE  
City of Spokane Innovation and Technology Services Division****RFP #4307-16**

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, DECEMBER 5, 2016**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **CONSULTANT SERVICES FOR HUMAN RESOURCES/PAYROLL PEOPLESOFT SYSTEM UPGRADE** for the City of Spokane Innovation and Technology Services Division.

The Request for Proposals document is available by contacting Connie Wahl at City of Spokane Purchasing, 4<sup>th</sup> Floor, City Hall, 808 West Spokane Falls Blvd, Spokane, WA 99201 or [purchasinghelp@spokanecity.org](mailto:purchasinghelp@spokanecity.org).

Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, December 5, 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 evaluated.**

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

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

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

All response packages are to be clearly marked with:

**"RFP #4307-16, CONSULTANT SERVICES FOR HUMAN RESOURCES/PAYROLL PEOPLESOFT SYSTEM UPGRADE, DUE 12/5/2016"**

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

Publish: November 16 & 23, 2016

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**REQUEST FOR BIDS****CARNATION BUILDING ASBESTOS REMOVAL  
City of Spokane Asset Management Department****BID #4313-16**

Sealed Bids will be opened at the 1:15 p.m. public bid opening on **MONDAY, DECEMBER 5, 2016**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **CARNATION BUILDING ASBESTOS REMOVAL** for the City of Spokane Asset Management Department.

The Request for Bids document is available by contacting Connie Wahl, City of Spokane Purchasing, 4<sup>th</sup> Floor, City Hall, 808 West Spokane Falls Blvd, Spokane, WA 99201 at [purchasinghelp@spokanecity.org](mailto:purchasinghelp@spokanecity.org).

Bid Proposal documents should be submitted to City of Spokane Purchasing no **later than 1:00 p.m. on Monday, December 5, 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 tabulated.**

**Submit one (1) paper original to:**

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

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

All response packages are to be clearly marked with:

**"BID #4313-16, CARNATION BUILDING ASBESTOS REMOVAL, DUE: MONDAY, DECEMBER 5, 2016."**

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

Publish: November 23 & 30, 2016

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**FERTILIZER AND TURF CHEMICALS  
Parks & Recreation Department****BID #4315-16**

Sealed bids will be opened at 1:15 p.m., **MONDAY, DECEMBER 19, 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](mailto: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  
4<sup>th</sup> Floor – City Hall  
808 W. Spokane Falls Blvd.  
Spokane WA 99201**

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

Envelopes containing proposals are to be marked:

**“FERTILIZER AND TURF CHEMICALS, BID #4315-16, DUE DECEMBER 19, 2016”.**

Thea Prince  
Purchasing Division

Publish: November 23, 30 & December 7, 2016

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