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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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Minutes

MINUTES OF SPOKANE CITY COUNCIL**Monday, December 12, 2016****BRIEFING SESSION**

The Briefing Session of the Spokane City Council held on the above date was called to order at 3:30 p.m. in the Council Chambers in the Lower Level of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington.

Roll Call

On roll call, Council President Stuckart and Council Members Fagan, Kinnear, Mumm, and Stratton were present. Council Member Beggs and Waldref arrived at 3:31 p.m.

Finance and Administration Division Director Tim Dunivant and City Clerk Terri Pfister were also present on the dais. City Council's Policy Advisor Brian McClatchey arrived at 3:31 p.m.

Advance Agenda Review

The regularly scheduled City Council meetings on Monday, December 19, 2016, Tuesday, December 26, 2016, and Tuesday, January 2, 2017, are cancelled; therefore, there was no advance agenda to review.

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council considered the December 12, 2016, Current Consent Agenda items.

Suspension of the Council Rules to Add Various Items to the December 12, 2016, Current Agenda

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

Addition of Various Consent Agenda Items to the December 12, 2016, Current Agenda

Motion by Council Member Fagan, seconded by Council Member Mumm, **to add** the following items to today's December 12, 2016, Current Consent Agenda; **carried unanimously (Council Member Beggs and Waldref absent):**

- Contract Amendments with Etter, McMahon, Lamberson, Van Wert & Oreskovich, P.C., (Spokane WA) for outside counsel services in legal matters of:
 - a. Patrick and Janine Maggart v. City of Spokane. (OPR 2014-0568)
 - b. Sonya O'Brien v. City of Spokane. (OPR 2016-0668)
- Accept the JAG FY2016 grant award from Spokane County as a pass-through from the Department of Justice under the FY2016 Edward Byrne Memorial Justice Assistance Grant Program 2016-DJ-BX-0120—\$69,706 Revenue. Term is October 1, 2015 through September 30, 2019. (OPR 2016-0970)
- Accept sub-recipient funding from the Department of Justice's Office on Violence Against Women FY2016 through the YWCA who is the lead/fiscal agent—\$216,464 Revenue. Term is October 1, 2016 through September 30, 2019. (OPR 2016-0971)
- Value Blanket Amendment with BHS Specialty Chemical Products (Nampa, ID) for purchase of Sodium Hydroxide 50% Membrane (Caustic Soda)—increase for 2016: \$3,000 and increase for 2017: \$6,000 (incl. tax). (OPR 2016-0060; BID 4058-14)

(Council Member Beggs and Waldref entered the meeting at 3:31 p.m.)Addition of Various Legislative Agenda Items to the December 19, 2016, Current Agenda

Motion by Council Member Fagan, seconded by Council Member Mumm, **to add** the following items to today's Current Legislative Agenda; **carried unanimously**:

- Special Budget Ordinance C35466 to provide an additional \$1,000,000 for the purpose of operating transfer from the Solid Waste Collections Department to the Solid Waste Disposal Department due to increased tonnage processed in 2016.
- Resolution 2016-0104—Joint Resolution with Spokane County in the matter of authorizing the Airport Board to acquire property identified as Spokane County Assessor Parcels 35123.0302, .0303, .0304, .0305, and .0310 consisting of approximately 1.75 acres of land which is adjacent to Felts Field Airport property.
- Resolution 2016-0105 authorizing a sole-source contract with Exponent (Menlo Park, CA) for consulting services relative to the Waste to Energy (WTE) Facility boiler maintenance accident without issuing a Request for Proposals (RFP)—\$48,700.
- Special Considerations Item S1—Recommendations for 2017 Lodging Tax Advisory Committee Allocations.

Action to Approve December 12, 2016, Current Agenda (As Adjusted)

Following staff reports and Council inquiry and discussion regarding the additional items added to the December 12, 2016, Current Agenda, Council President Stuckart requested a motion to approve the Current agenda as adjusted:

Motion by Council Member Mumm, seconded by Council Member Waldref, **to approve** the December 12, 2016, Current Agenda, as adjusted; **carried unanimously**.

CONSENT AGENDA

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

Annual Value Blanket Orders for Cold Mix Asphalt with (BID 4305-16):

- a. Central Pre-Mix (Spokane, WA). (OPR 2016-0944)
- b. Shamrock Mfg (Spokane, WA). (OPR 2016-0945)
- c. Lakeside Industries (Issaquah, WA). (OPR 2016-0946)
- d. Kool Mix Asphalt Inc. (Yakima, WA). (OPR 2016-0947)

Total Estimated annual cost: \$200,000 (incl. tax).

Purchase of miscellaneous new tires from GCR Tires Inc. (Spokane, WA) for the Fleet Services Department on an "as needed" basis using Washington State Contract #01712—\$375,000 (incl. tax). (OPR 2016-0948)

Purchase PC, Laptop and Mobile Data Hardware Equipment from Dell Marketing L.P. (Dell Financial Services, L.L.C) (Austin, TX) for replacements and additional equipment for various departments from January 1, 2017 through December 31, 2017—\$500,000 (plus tax & shipping). (OPR 2016-0949)

Purchase servers and related equipment from Lenovo, Inc. (Armonk, NY) for the ITSD Department utilizing WA State Contract #05815-007/MNWNC-117 from January 1, 2017 through December 31, 2017—\$152,000 (plus tax & shipping). (OPR 2016-0950)

Value Blanket Orders with Galls LLC, DBA, Blumenthal Uniforms Co. (Spokane, WA) for Police Jumpsuits utilizing WA State Contract #06810—\$150,000 (incl. tax). (OPR 2016-0951)

Contract Extension No. 4 with Galls LLC, DBA, Blumenthal Uniforms Co. (Spokane, WA) for police uniforms, alterations and repair services for 2017—Estimated expenses \$150,000. (This is the fourth and final extension.) (OPR 2012-0911; RFP 3883-12)

Contract Extension with Spokane C.O.P.S (Spokane, WA) to administer local Spokane policing programs from January 1, 2017 through December 31, 2017—not to exceed \$364,575. (First of two one-year renewal options.) (OPR 2015-1058)

Interlocal Agreement between the City and Spokane County for Crime Check services to be provided by the Spokane County 911/ Emergency Communications Department from January 1, 2017 through December 31, 2017—\$681,861. (OPR 2016-0952)

Interlocal Agreement between the City and Spokane Transit Authority (Spokane, WA) to provide a safe and secure environment in downtown Spokane from January 1, 2017 through December 31, 2017—\$86,900 Revenue. (OPR 2016-0953)

Purchase of the Microsoft Enterprise Agreement License Support to include Right to Use Microsoft & Software Assurance from Software One (Waukesha, WI) for the City using WA DES Contract #T11-MST-579 from January 1, 2017 through December 31, 2017—\$481,893.81. (OPR 2016-0954)

Contract Renewal No. 3 with Cerium Networks Inc. (Spokane, WA) for maintenance of Cisco equipment located in City Hall and other locations from January 1, 2017 through December 31, 2017—\$239,564.41 (plus tax & shipping). (Third of four one-year renewal options.) (OPR 2014-0008)

Low Bid of SLI, LLC dba Sharp-Line Industries (Spokane, WA) for Downtown Bicycle Network Completion - Phase 3—\$100,551.49. An administrative reserve of \$10,055.15, which is 10% of the contract price, will be set aside. (PRO 2016-0039; ENG 2016076)

Contract with KPFF Consulting Engineers (Seattle, WA) for the design of the University District Pedestrian/Bicycle Bridge—not to exceed \$62,517.77. An administrative reserve of \$6,251.78, which is 10% of the total contract amount, will be set aside. (OPR 2016-0955; ENG 2012119)

Interlocal Agreement between the City and Spokane County regarding certain Law Enforcement services and charge for rent for use of the Public Safety Building for the time of January 1, 2013 through December 31, 2014—\$27,488. (OPR 2016-0956)

Recommendation to list the Manito Methodist Episcopal Church, 3220 South Grand Boulevard, on the Spokane Register of Historic Places. (OPR 2016-0957)

Authorization to increase the administrative reserve on the Contract with West Company for Qualchan Force Main—increase of \$12,705.63 for a total administrative reserve of \$35,594.08 or 15.5% of the contract price. (PRO 2016-0010; ENG 2015129)

Contract with Varela & Associates, Inc. (Spokane, WA) for site analysis to support compliance and emergency preparedness for future stormwater events in the Indian Trail area—\$56,000. (OPR 2016-0958)

Contract with Eccovia Solutions (Salt Lake City, UT) for a subscription to ClientTrack software that supports the City's Homeless Management Information System for the CHHS Department from December 1, 2016 through November 30, 2021—\$198,918. (OPR 2016-0959)

Memorandum of Understanding between the City and Spokane County Detention Services, Geiger Corrections Center for litter clean up on right of ways and public property including below railroad viaducts as part of a Community Litter Cleanup Program grant managed by Spokane County from January 1, 2016 through June 30, 2017—\$1,580.40. (OPR 2016-0960)

Accept funding recommendations from the Community, Housing and Human Services Board for the project applications submitted for the 2017 grant year and authorize CHHS to enter into multiple contracts with awarded organizations. (OPR 2016-0961)

Contract Amendment with US Bank for banking services beginning January 1, 2017 through December 31, 2021—\$780,000. (OPR 2011-0537)

Contract Extension with PSF Industries, Inc. (Seattle, WA) for boilermaker services for the Waste to Energy Facility for emergency or unscheduled outages from January 1, 2017 through March 31, 2017—\$150,000. (OPR 2016-0413; RFB 4227-16)

Contract Extension with Knight Construction & Supply, Inc. (Deer Park, WA) for the rebuild of gearboxes for the Waste to Energy Facility from January 1, 2017 through December 31, 2017—\$45,654. (OPR 2015-0014)

Contract Extension with Barr-Tech LLC (Sprague, WA) for transporting, processing, and marketing of finished product of residential and commercial yard debris and food waste from January 1, 2017 to December 31, 2017—Estimated expenditure \$1,100,000. (This is the third and final extension) (OPR 2013-0382; RFP 3916-13)

Authorization to enter into a Contract for wages and benefits between the City and AFSCME-Local 270 of the Washington Council of County and City Employees. The term of the collective bargaining agreement is January 1, 2016 and ending December 31, 2020. (OPR 2016-0962)

Site Lease Acknowledgement amendments with AT&T Wireless (Atlanta, GA) for:

- a. 1330 Grand Boulevard - Grand Blvd. Water Tank. (OPR 1996-0732)
- b. 4327 East 57th St. - Brown Park II Water Tank. (OPR 1996-0732)
- c. 3216 South Lamonte St. - 33rd & Lamonte Water Tank. (OPR-1996-0732)
- d. 3103 West 21st Avenue - 21st Avenue Water Tank. (OPR 1996-0732)
- e. 4546 West Strong Road - Five Mile Indian Trails Water Tank. (OPR 1996-0732)
- f. 3726 Little Lane - Spokane Airport. (OPR 1997-0530)
- g. 2403 East 37th Ave. - Garden Park Reservoir. (OPR 1995-0410)

Total Annual net revenue: \$250,420.68.

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through December 2, 2016, total \$5,690,679.13 (Check Nos. 531898-532085; ACH Payment Nos. 32409-32652), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$4,652,516.16. (CPR 2016-0002)
- b. Payroll claims of previously approved obligations through December 3, 2016: \$6,749,776.34 (Payroll Check Nos. 542688- 542857). (CPR 2016-0003)

City Council Meeting Minutes: November 28, 2016, December 1, 2016 and December 5, 2016. (CPR 2016-0013)

Contract Amendments with Etter, McMahon, Lamberson, Van Wert & Oreskovich, P.C., (Spokane WA) for outside counsel services in legal matters of:

- a. Patrick and Janine Maggart v. City of Spokane—increase of \$100,000. Total Contract Amount: \$250,000. (OPR 2014-0568)
- b. Sonya O'Brien v. City of Spokane—increase of \$251,300. Total Contract Amount: \$300,000. (OPR 2016-0668)

Accept the JAG FY2016 grant award from Spokane County as a pass-through from the Department of Justice under the FY2016 Edward Byrne Memorial Justice Assistance Grant Program 2016-DJ-BX-0120—\$69,706 Revenue. Term is October 1, 2015 through September 30, 2019. (OPR 2016-0970)

Accept sub-recipient funding from the Department of Justice's Office on Violence Against Women FY2016 through the YWCA who is the lead/fiscal agent—\$216,464 Revenue. Term is October 1, 2016 through September 30, 2019. (OPR 2016-0971)

Value Blanket Amendment with BHS Specialty Chemical Products (Nampa, ID) for purchase of Sodium Hydroxide 50% Membrane (Caustic Soda)—increase for 2016: \$3,000 and increase for 2017: \$6,000 (incl. tax). (OPR 2016-0060; BID 4058-14)

Council Recess/Executive Session

The City Council adjourned at 3:47 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

Rabbi Elizabeth Goldstein 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 on the dais.

There were no **Proclamations**.

COUNCIL SALUTATION

Recognition of Taylor Bressler

Council President Stuckart recognized Taylor Bressler who passed away last week. Taylor was a long-time City employee who worked for the Parks Department for 35 years. Parks Department employees Al Vorderbrueggen and Garrett Jones read a salutation and presented comments in recognition of Taylor. Over his 35 years of service, Taylor has influenced parks and the landscape while respecting historical character and the story the community continues to enjoy today.

ADMINISTRATIVE REPORTS

Presentation by Ginger Ewing, Founder and Director of Window Dressing

Ginger Ewing, Founder and Director of Window Dressing, provided an overview of Window Dressing. She requested the audience to imagine a city that transforms some of its most troubled spaces – think of abandoned alleyways, boarded up buildings, vacant storefronts – into vibrant opportunities for its citizens to engage; a city that maximizes every space and sees promise and opportunity even in the areas of greatest blight. Window Dressing converts some of the most plagued locations into places of inspiration, economic activity, and community pride. She noted this is done through a two prong approach: (1) Artscapes, which is art installations in vacant storefronts and (2) Creative Enterprise, which is a business incubator also utilizing vacant storefronts. Artists are chosen through a jurying process. Ms. Ewing stated that in the last 18 months, Window Dressing has activated 12 downtown locations with the work of 36 different artists. She advised that in the occupied spaces, there has been a decrease in vandalism; surrounding businesses are routinely thankful for the work as it adds life and vibrancy to the areas they've invested in; a greater engagement with passersby; and a surprising number of passersby anticipate the next installation.

In the coming year, Window Dressing will work with property owners to place Creative Enterprise participants in vacant or underutilized spaces for up to six months at low cost. Leases are created on a month-to-month basis with the understanding that if the property manager finds a paying tenant, Window Dressing will vacate the space within 30 days.

Ms. Ewing remarked on similar initiatives and programs in other cities. She noted that Window Dressing is running into two major obstacles. The first obstacle is Window Dressing is not a city initiative. All of the program examples that were mentioned are an initiative of the city, their chamber of commerce, their business improvement district, or visitor bureau. The second obstacle is budget. She noted Window Dressing was made possible because of a private funder who agreed to pay for the program for the first two years, and she noted we are 21 days away from that funding being completely gone away. Ms. Ewing indicated she is in a position of trying to get funding for the program so it continues to exist. Ms. Ewing further indicated that City Council can help by strong advocacy of the program and financial support. She stated that Window Dressing has applied for CDBG funding for the last two years and they have not received it in the last two years.

For individuals who wish to help support Window Dressing, visit www.windowdressing.co.

COUNCIL COMMITTEE REPORTS

Public Safety Committee

Council Member Kinnear reported on the Public Safety Committee meeting held earlier today (December 12). Minutes of the Public Safety Committee meetings are filed with the City Clerk's Office and are available for review following approval by the Public Safety Committee.

Public Works Committee

Council Member Waldref reported on the Public Works Committee meeting held earlier today (December 12). 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.

BOARDS AND COMMISSION APPOINTMENTS**Design Review Board (CPR 1993-0069) and Historic Landmarks Commission (CPR 1981-0122)**

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

- Design Review Board (CPR 1993-0069)
 - Appointment of Kathy Lang as the Community Assembly representative to the Design Review Board for a term of three years, from December 31, 2016, through December 31, 2019.
- Historic Landmarks Commission (CPR 1981-0122)
 - Reappointment of Dave Shockley, Construction Specialist, for a term of three years, from December 31, 2016, through December 31, 2019.
 - Reappointment of Carl Durkoop, General Real Estate Appraiser, for a term of three years, from December 31, 2016, through December 31, 2019.
 - Reappointment of Larry Cebula, Historian, for a term of three years, from December 31, 2016, through December 31, 2019.

Park Board (CPR 1981-0402)

Council Member Mumm advised she had an opportunity to meet with one of the (Park Board) applicants, and she noted there were several applications that had come in and there are two openings. She indicated she would like to have more dialogue about the community applicants that have applied. Subsequent to Council commentary, the following action was taken:

Motion by Council Member Mumm, seconded by Council Member Stratton, **to defer** the appointment of Steve Salvatori to the Spokane Park Board (to fill an unexpired term ending February 2, 2021) to the January 23, 2017, meeting; **carried unanimously**.

OPEN FORUM

Alan McDowell stated that tonight he finished up his third disabled vets court trial. He remarked on a diagnostic manual and interactive medical Miranda rights.

George McGrath referenced an article in Sunday's newspaper about snow plowing and the snow and remarked on snow plowing in the City and not putting enough in the budget to handle the snow removal for people who can use it.

Gene Frazier noted he's from the Vets Garage and stated he's hearing a lot of good things about programs that are starting to help the veterans. He noted there are a whole bunch of vets who want to shovel snow and are looking for some donations of snow removal stuff so vets can get out in the community and help bring good things to the community.

Gabrielle Elliot made reference to the president elect and stated he thinks the United States Government is having a mid-life crisis and provided other remarks. He provided an invitation reminder that all are welcome to the Sunday meditation classes at the South Spokane Unity Spiritual Center at 29th and Bernard.

Judith Gilmore thanked the Council for accepting the recommendations of the Community, Housing and Human Services Board. She noted she is in particular support of the Associated General Contractors program known as Head Start to the Construction Trades, which during a pilot project earlier this year proved to be very successful in providing employable skills to low income and unemployed persons and beyond the class room and hands on training to ensure that a number of the persons completing and graduating from HCT program went on to enroll in full apprenticeships and / or went directly to work for local contractors. She provided further remarks regarding the program. She also expressed thanks to the CHHS RFP Committee for the work in reading, reviewing, and scoring of all the applications submitted and then determining the amount of dollars for each project and program selected for funding out of so many very good applications. In addition, she thanked Ozzie Knezovich who has been a supporter and community cheerleader for the program.

Sheriff Ozzie Knezovich also thanked City Council for passing the recommendations (as referenced by Judith Gilmore). He recognized Judith Gilmore for her hard work to make the difference that we need to see. He referenced a meeting he had with Reverend Happy Watkins, Judith Gilmore, and Breean Beggs about two years ago and the drawing of a game plan on the board to help at risk youth. He indicated Judith Gilmore made that game plan work and this is the ultimate

end of that game plan. He noted this program (HCT Program) will give these kids hope. He expressed extreme gratitude to City Council for helping this effort.

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCE

Special Budget Ordinance C35466

Subsequent to public testimony and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Special Budget Ordinance C35466** amending Ordinance No. C35322 passed by the City Council November 23, 2015, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2016, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2016, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Solid Waste Collections Fund

FROM: Unappropriated Reserves, \$1,000,000;

TO: Operating Transfer Out—Disposal, same amount.

(This action provides an additional \$1,000,000 for the purpose of operating transfer from the Solid Waste Collections Department to the Solid Waste Disposal Department due to increased tonnage processed in 2016.)

There were no **Emergency Ordinances**

RESOLUTIONS

Resolution 2016-0098

Council President Stuckart and Council Member Beggs provided an overview of Resolution 2016-0098. Public testimony was taken and Council discussion ensued. Council Member Waldref presented proposed changes to the resolution, as follows:

- To remove the portions that talk about adding additional speed zone cameras and strike the paragraph about installing additional speed cameras at Stevens and Lincoln Heights (under the fifth "Whereas" clause in the Resolution) and then at the bottom of Section 4 place a period after "...the community in order to weight the effectiveness of using school zone cameras to reduce speed and whether additional cameras should be considered for other school zones" (and thereby deleting the following language: "including planning to honor the request from Spokane Schools to add additional speed zone cameras at Lincoln Heights Elementary and Stevens Elementary schools by September 1, 2017.
- To add in Section 3, "...at least \$247,940 and at least...\$220,800 will be spent for previously approved Traffic Calming Projects..." (thereby adding the words "at least" before \$247,940 and before "FY 2018 \$220,800).
- At the end of Section 1, add the words "or excess General Fund balance" (so it reads: "...or excess General Fund balance at the end of 2017 will be returned to this fund..." to help fund four neighborhood resource officers.

The following action was taken:

Motion by Council Member Waldref, seconded by Council Member Mumm, **to make the changes** (as presented by Council Member Waldref); **rejected 3-4 (Council Members Mumm, Stratton, and Waldref voting "aye" and Council President Stuckart and Council Members Beggs, Fagan, and Kinnear voting "no").**

Further Council commentary was held and the following action was taken:

Motion by Council Member Waldref, seconded by Council Member Mumm, **that the final sentence read:** "... whether additional cameras should be considered for other school zones, including considering whether to add additional speed zone cameras at Lincoln Heights Elementary and Stevens Elementary Schools" and strike the date of "by September 1, 2017." **Motion rejected 3-4 (Council Members Mumm, Stratton, and Waldref voting "aye" and Council President Stuckart and Council Members Beggs, Fagan, and Kinnear voting "no").**

After an opportunity for final Council commentary, the following action was taken:

Upon 6-1 Roll Call Vote (Council Member Waldref voting "no"), the City Council **adopted Resolution 2016-0098** determining the use of funds received by the City in connection with traffic zone infractions issued under the school speed zone traffic camera pilot program.

Resolution 2016-0099

Bridget Walden, Chair of Westhills Neighborhood, and Kevin Freibott of Planning and Development provided an overview of Resolution 2016-0098. Subsequent to public testimony and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2016-0099** recognizing the Ft. George Wright Drive Station and Corridor Plan as a declaration of the West Hills neighborhood's desired future condition, providing direction for neighborhood-based improvement activities, as well as neighborhood priorities involving future projects.

Resolution 2016-0100

Subsequent to public testimony and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2016-0100** allowing the use of a drone for aerial photography at the Normandie Complex. Section 1.08.060 of the Spokane Municipal Code requires a City Council Resolution for any City department utilizing surveillance equipment.

Resolution 2016-0101

Council Member Fagan introduced Resolution 2016-0101. He stated what is before the City Council is a development agreement that will hopefully extend the expiration of a preliminary plat and planned unit development approval for a project known as the Vistas at Beacon Hill located approximately at North Havana Street just north of east Longfellow Avenue in East Hillyard. Council Member Fagan stated the resolution would extend the plat approval expiration from December 14, 2016, to December 14, 2021. Developer Pete Rayner provided an overview of the Beacon Hill project. Council inquiry and commentary ensued, with response by Planning Director Lisa Keys and Assistant City Attorney James Richman. Mr. Richman stated that if the City Council does approve this request (Resolution 2016-0101) tonight, he would encourage the City Council to ask the Plan Commission to take a look at this and develop criteria for when the City enters into development agreements. The following actions were then taken following Council debate:

Motion by Council Member Mumm, seconded by Council Member Kinnear, **to extend** it (the development agreement) for one year and develop the criteria within that (time period); **rejected 1-6 (Council Member Mumm voting "aye" and Council President Stuckart and Council Members Beggs, Fagan, Kinnear, Stratton, and Waldref voting "no")**.

Upon 6-1 Roll Call Vote (Council Member Mumm voting "no"), the City Council **adopted Resolution 2016-0101** approving a Development Agreement between the City and Beacon Hill Spokane, Inc.

Resolution 2016-0102

Subsequent to public testimony from one individual, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2016-0102** setting hearing before the City Council for January 9, 2017 for the vacation of the alley between Main Avenue and Spokane Falls Boulevard - from the east line of Wall Street to the west line of Howard Street as requested by owners having an interest in real estate abutting the above right-of-way. (Riverside Neighborhood)

Resolution 2016-0103

Subsequent to public testimony from two individuals and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2016-0103** declaring a RevolveAir Charge Station surplus and authorizing its transfer to Spokane County Fire District 8 as authorized by RCW 39.33.010.

Resolution 2016-0104

Subsequent to a brief overview of Resolution 2016-0104 by Council President Stuckart and public testimony, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2016-0104** with Spokane County in the matter of authorizing the Airport Board to acquire property identified as Spokane County Assessor Parcels 35123.0302, .0303, .0304, .0305, and .0310 consisting of approximately 1.75 acres of land which is adjacent to Felts Field Airport property.

Resolution 2016-0105 (CR: OPR 2016-0974)

Subsequent to public testimony from one individual and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2016-0105** authorizing a sole-source contract with Exponent (Menlo Park, CA) for consulting services relative to the Waste to Energy (WTE) Facility boiler maintenance accident without issuing a Request for Proposals (RFP)—\$48,700.

FINAL READING ORDINANCES

For Council action on Final Reading Ordinance C35465, see section of minutes under "Hearings."

FIRST READING ORDINANCES

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

ORD C35463 Relating to the parking and business improvement area, amending SMC sections 4.31.050.

ORD C35464 Amending Chapter 3.01A of the Spokane Municipal Code to change the titles of various City Departments.

SPECIAL CONSIDERATIONS

Recommendations for 2017 Lodging Tax Advisory Committee Allocations (OPR 2016-0975)

Council Member Stratton provided an overview of the recommendations for 2017 Lodging Tax Advisory Committee Allocations, and she responded to Council inquiries. Public testimony was received and Council commentary held. Council Member Beggs presented a motion to adjust for final passage the advice of the Committee and limit the Sports Commission to \$20,000 and add \$14,000 to Hoopfest, \$3,000 to Music Northwest, and \$3,000 to the Cork District. The motion failed for lack of a second. Subsequent to additional Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **approved** the 2017 Lodging Tax Advisory Committee Allocations.

HEARINGS

2017 Downtown Business Improvement District Management Plan and Final Reading Ordinance C35465

The City Council held a hearing on the 2017 Downtown Business Improvement District Management Plan and Final Reading Ordinance C35465. Downtown Spokane Partnership President Mark Richard provided a brief review of the Business Improvement District and the DSP in 2016, and he presented the 2017 Downtown Business Improvement District Management Plan. Subsequent to public testimony and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council (1) **accepted** the 2017 Downtown Business Improvement District Management Plan and (2) **passed Final Reading Ordinance C35465** approving and confirming the 2017 assessments and assessment roll for the Downtown Parking and Business Improvement Area prepared under Ordinance No. C32923, as amended.

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 9:15 p.m.

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. C35465

AN ORDINANCE APPROVING AND CONFIRMING THE 2017 ASSESSMENTS AND ASSESSMENT ROLL FOR THE DOWNTOWN SPOKANE PARKING AND BUSINESS IMPROVEMENT AREA, PREPARED UNDER ORDINANCE C-32923, AS AMENDED.

WHEREAS, the Spokane City Council on November 14, 2016 passed Resolution 2016-0091, which provided notice and set a date for hearing on the assessments to be levied under the above identified ordinance; and

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

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

THE CITY OF SPOKANE DOES ORDAIN:

Section 1. The 2017 assessments and the assessment roll of the Downtown Spokane Parking and Business Improvement Area, established under Ordinance C-32923, as amended, are hereby approved and confirmed. The assessments and assessment roll are attached hereto, available in the Office of the City Clerk, City Treasurer.

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

Section 3. Pursuant to SMC 4.31.100, the projects, programs, activities and budget for the 2017 Downtown Spokane Parking and Business Improvement Area as presented to the City Council are hereby approved.

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

Section 5. That the assessments shown on the roll on file in the Office of the City Clerk may be paid in two installments, with the first half of the assessment due and payable on the 31st day of January, 2017, and the second half of the assessment due and payable on the 31st day of July, 2017. Prior to the due date, ratepayers shall be sent a bill stating the amount of the assessment due and payable. If the assessment is not paid within thirty (30) days after its due date, a delinquency charge shall be added in the amount of ten percent (10%) of the assessment, not to exceed one hundred dollars (\$100.00) in addition to the processing fee. All unpaid assessments, or part thereof, shall also bear interest at the rate of twelve percent (12%) per annum. The City Treasurer or his designee shall send a late notice thirty days after each assessment is due assessing appropriate interest, penalty and fees. Interest, penalties and other fees will be collected on any unpaid balance or portion thereof from the date the account became due. If an assessment is paid in two installments, a ten-dollar (\$10.00) processing fee shall be added to each assessment.

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

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

Passed by City Council December 12, 2016

Delivered to Mayor December 14, 2016

ORDINANCE NO C35466

An ordinance amending Ordinance No. C-35322, passed the City Council November 23, 2015, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2016, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2016, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2016 budget Ordinance No. C-35322, as above entitled, and which passed the City Council November 23, 2015, it is necessary to make changes in the appropriations of the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

FROM:	4480-99999- 99999	Solid Waste Collections Unappropriated Reserves	<u>\$ 1,000,000</u>
TO:	4500-45100- 97109-80101	Solid Waste Collections Operating Transfer Out—Disposal	<u>\$ 1,000,000</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to provide an additional \$1,000,000 for the purpose of operating transfer from the Solid Waste Collections Department to the Solid Waste Disposal Department due to increased tonnage processed in 2016; and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council December 12, 2016
Delivered to Mayor December 14, 2016
