



# Official Gazette

## City of Spokane, Washington

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

Volume 107

APRIL 19, 2017

Issue 16



### 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, April 10, 2017****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 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 April 17, 2017, Advance Agenda items.

**Action to Approve April 17, 2017, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the April 17, 2017, 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, April 17, 2017; **carried unanimously.**

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

The City Council reviewed the April 10, 2017, Current Agenda for any changes.

City Clerk Report on Initiative No. 2017-3 (LGL 2017-0011)

The City Clerk reported on Proposed Initiative No. 2017-3. On March 28, 2017, Kristine Schuler filed a proposed initiative with the Office of the City Clerk. Pursuant to SMC 2.02.230, the City Attorney's Office reviewed the measure and no changes were made. Per SMC 2.02.040, upon receiving this report from the City Clerk, the City Council may pass the measure as proposed, reject the initiative measure and propose another one dealing with the same subject to be considered as council legislation, or submit the initiative measure to the voters on its own merits.

If the City Council does not pass the measure as proposed or submit the initiative measure to the voters, the initiative and the ballot title and summary of the measure shall be forwarded by the City Clerk to the City Hearing Examiner who shall issue a formal written opinion as to the legal validity and effect of the proposed measure to the City Council, City Clerk, and initiative measure sponsor within 14 days of receiving the initiative measure from the City Clerk.

Pursuant to SMC 2.02.040, the City Clerk will forward the matter to the City Hearing Examiner for review and issuing a formal written opinion.

Resolution 2017-0023

Council Member Mumm provided an overview of Resolution 2017-0023 (establishing a decision matrix for construction projects within centers and corridors), and she noted a new version has been drafted. Subsequently, the following action was taken:

**Motion** by Council Member Mumm, seconded by Council Member Beggs, **to substitute** the updated matrix and the updated resolution (and thereby replace the previously filed resolution and matrix); **carried unanimously.**

Final Reading Ordinance C35487

Council President Stuckart noted he has scheduled an appointment with Chief Information and Technology Officer Eric Finch which will be held in approximately two weeks pertaining to Ordinance C35487 (relating to the creation of four new departments within the Innovation and Technology Services Division), and he requested a deferral of the ordinance (C35487) to May 1, 2017. Subsequently, the following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Kinnear, to so move (**to defer** Ordinance C35487) to May 1, 2017; **carried unanimously**.

City Council Letter to Mayor—Outlining Goals and Objections for the Upcoming Police Guild Collective Bargaining and Negotiations) \*(CPR 2017-0030)

Council Member Kinnear commented on a revised version of the letter (as filed with the City Clerk). The following action was taken:

**Motion** by Council Member Kinnear, seconded by Council Member Beggs, **to substitute** for the latest and greatest version (of the letter as filed with the City Clerk and thereby replace the previously filed version of the letter); **carried unanimously**.

\*(Clerical Note: This letter was initially assigned in error City Clerk File No. OPR 2017-0211. The City Clerk number has been corrected to CPR 2017-0030.)

Emergency Ordinance C35489 and C35490

Council Member Waldref introduced and provided an overview of Emergency Ordinance C35490 (imposing an immediate moratorium on the relocation of off-premises signs into areas of Spokane having center and corridor zoning designations; setting a public hearing; and declaring an emergency) and Council Member Kinnear introduced and provided an overview of Emergency Ordinance C35489 (imposing an immediate moratorium on demolition permits in the Browne's Addition neighborhood in south Spokane; setting a public hearing; and declaring an emergency). Council commentary on the items was held. The following actions were taken:

**Motion** by Council Member Waldref, seconded by Council Member Kinnear, **to suspend** the Council Rules; **carried unanimously**.

**Motion** by Council Member Waldref, seconded by Council Member Kinnear, **to place** the emergency ordinance (Emergency Ordinance C35490) on tonight's Legislative Agenda for consideration; **carried unanimously**.

**Motion** by Council Member Kinnear, seconded by Council Fagan, **to place** the emergency ordinance (Emergency Ordinance C35489) on tonight's Legislative Agenda; **carried unanimously**.

## CONSENT AGENDA

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

City Clerk Report on Initiative 2017-3 filed by Kristine Schuler regarding the public's right to speak at the Open Forum. (LGL 2017-0010) (Pursuant to SMC 2.02.040, the City Clerk will forward the matter to the City Hearing Examiner for review and issuing a formal written opinion.)

Purchase of two Goodyear Conveyor Belts from Applied Industrial Technologies (Spokane, WA)—\$82,245.58 (incl. tax) (First of four one-year renewal options). (OPR 2015-0908; BID 4168-15)

Purchase of House Fabric Filter Tapered Bags from National Filter Media (Winchester, VA)—\$108,831.01 (incl. tax) (First of four one-year renewal options). (OPR 2015-0909; BID 4171-15)

Contract Extension with United States Electric Corporation of Washington (Olympia, WA) to provide electrical technical and maintenance support services for the Waste to Energy Facility from May 1, 2017 through April 30, 2018—\$99,000. (OPR 2015-0374; BID 4077-14)

Contract with Nalco Company, (Spokane, WA) for chemical management program and water treatment for the Waste to Energy Facility from April 1, 2017 through March 31, 2019—\$28,772.50 plus a 10% administrative reserve of \$2,877.25 for a total of \$31,649.75 (excl. taxes). (OPR 2017-0256; RFP 4302-17)

Contract with Knight Construction & Supply, Inc., (Deer Park, WA) for mechanical repairs at the Waste to Energy Facility from April 18, 2017 through April 17, 2018—\$1,200,000 plus a 10% administrative reserve of \$120,000 for a contract total of \$1,320,000 (excl. taxes). (OPR 2017-0257; RFB 4337-17)

Contract with Dresser Rand Company to perform the overhaul of the Condensing Steam Turbine Generator at the Waste to Energy Facility under the terms of the Sole Source Resolution (RES 2015-0017) from May 1, 2017 through April 30, 2018—\$1,320,000. (OPR 2017-0258)

Five-year Contract with Rule Steel Tanks, Inc. (Caldwell, ID) for supplying new metal refuse and recycling containers—annual estimated expenditure \$300,000 (incl. tax). (OPR 2017-0260; BID 4319-17)

Contract for a public works safety program with Delta Business Training (Spokane, WA) for one year, with four optional renewals—not to exceed \$50,000 (incl. tax). (OPR 2017-0261; BID 4344-17)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through April 3, 2017, total \$13,258,646.98 (Check Nos. 535637-536010; ACH Payment Nos. 35913-36380), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$11,404,522.50. (CPR 2017-0002)
- b. Payroll claims of previously approved obligations through March 25, 2017: \$6,244,912.25 (Payroll Check Nos. 544010-544146). (CPR 2017-0003)

City Council Meeting Minutes: March 23, 2017 and March 27, 2017. (CPR 2017-0013)

Contract with Helfrich Brothers Boiler Works, Inc. (OPR 2017-0210 / RFP 4309-17) (taken separately)  
Subsequent to commentary by Council President Stuckart, the following action was taken:

**Upon Unanimous Voice Vote (in the affirmative)**, the City Council **approved** the Contract with Helfrich Brothers Boiler Works, Inc., (Lawrence, MA) for scheduled and unscheduled outages and related services for the Waste to Energy Facility from April 1, 2017 through March 31, 2018—\$600,000 plus a 10% administrative reserve of \$60,000 for a total of \$660,000 (excl. taxes).

Contract Amendment with the Firm of Keating, Bucklin & McCormack, Inc., P.S. (OPR 2016-0156) (taken separately)  
Upon consideration of the Contract Amendment with the Firm of Keating, Bucklin & McCormack, Inc., P.S., Council Member Beggs noted he would be abstaining and recuse himself (from voting on the matter). Subsequently, the following action was taken:

**Upon 6-0 Voice Vote (in the affirmative) (Council Member Beggs abstaining)**, the City Council **approved** the Contract Amendment with the firm of Keating, Bucklin & McCormack, Inc., P.S., for outside counsel services in the legal matter of Estate of Daniel Jones v. City of Spokane—\$201,660. Total Contract Amount: \$250,000.

### **Council Recess/Executive Session**

The City Council adjourned at 4:07 p.m. and immediately reconvened into an Executive Session to discuss pending litigation for approximately ten minutes. Interim City Attorney Mike Piccolo and Assistant City Attorney Nate Odle were present during the Executive Session. 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.

### **REMINDER TO VOTE**

Council President Stuckart reminded citizens to vote. He noted that if citizens live in the City of Spokane there is a library levy renewal that is up that is very important.

**COUNCIL COMMITTEE REPORTS****Public Works Committee**

Council Member Waldref reported on the Public Works Committee meeting held earlier today (April 10, 2017). Minutes of the Public Works Committee are filed with the City Clerk's Office and are available for review following approval by the Public Works Committee.

**Finance and Technology Committee**

Council President Stuckart reported on the Finance and Technology Committee meeting held earlier today (April 10, 2017). Minutes of the Finance and Technology Committee are filed with the City Clerk's Office and are available for review following approval by the Finance and Technology Committee.

**ADMINISTRATIVE REPORTS****Overview of Spark Central**

Brooke Matson, Executive Director of Spark Central, shared a video which provides an overview of Spark Central (which has a focus on igniting creativity, innovation, and imagination in people). Ms. Matson noted that one of the main things Spark Central believes is that income should never be a barrier to opportunities. She stated that all too often creativity, innovation, and imagination are luxuries that people only get to pursue if they have the money to take a class or the money to buy the technology they need to be innovative or to sign up their children for after school programs or enrichment opportunities. She noted Spark Central wants to eliminate those barriers and the biggest way Spark Central does that is by offering a membership, youth programs, and community programs at no cost so they are available to everyone. Ms. Matson also commented that Spark Central has adult workshops as well that it offers and those are at low cost, anywhere between \$5 and \$30 usually, and scholarships are offered as well if people can't afford those costs. In addition, she provided further remarks about Spark Central and its programs.

There were no **Boards and Commissions Appointments**.

**OPEN FORUM**

**Roberta Zupew** thanked Council Member Fagan for coming to her home, and she remarked on a problem home in her neighborhood

**Alfredo Llamedo** remarked on freedom and what it means.

**Julie Diltz**, a driver with Orange Cab, remarked on Uber and Lyft and stated they both perform services as "for-hire" as defined in RCW 46.72.010.

**Andrew Caudell** commented on TNC companies like Uber and Lyft and remarked on fair competition and safety and revenue for the City. He remarked that Uber and Lyft does not have the same requirements as cab companies. Council President Stuckart noted there is a bill at the State level trying to regulate the TNCs, because the Department of Licensing doesn't have a place to put Uber and Lyft.

**Andrew Hill**, CEO of Excelsior, provided an update regarding the expansion of one of Excelsior's program (LifePoint). He noted LifePoint is now recognized as the model program for integrating behavioral health services into youth homeless programs. In its first year, it had a one hundred percent diversion from psychiatric hospitalization and from unwanted law enforcement interaction.

**Jennifer Bates** remarked on janitorial workloads. She stated that in Spokane and around the state janitors have had their workloads tripled in the last 10 or so years with no set guidelines that limit the amount of square feet cleaned in an 8-hour shift.

**Bill Boomer** stated that in Seattle the Uber drivers tried to unionize and the judge passed a temporary order saying they could not do that. He stated Uber's defense in that was that their drivers are now independent contractors and they (Uber) have no control over the drivers.

**Brianna Musser** stated she is here tonight representing the North Monroe Business District (NMBD). She stated this morning at the NMBD's meeting, the District voted and took an official position on the North Monroe Corridor Project. She stated the NMBD voted in favor of it. She noted that up until now the NMBD has been hesitant to take a public and official stance on the project, wanting to be inclusive of all of the various businesses the NMBD represents and hopes to represent. However, the NMBD feels the project will be ultimately beneficial to the District and will create a thriving and booming area for commerce and the neighborhoods surrounding Monroe.

**Kelly Cruz** spoke regarding Broadway Avenue from Chestnut east to Maple Street, which is the last leg of the Bloomsday run. He noted that over the last year all the roads in the City of Spokane took a beating and have shown potholes. He noted there are some real egregious ones on Broadway. He noted Bloomsday will be four weeks from yesterday (April 9). He asked the City Council to request the Administration to make Broadway a priority project to address fixing it so the 50,000 people that will come to the City and venture on our streets and enjoy the race will not have to suffer at the end of the day stepping over potholes or bumps in the road. Council Member Stratton noted she received confirmation today from the Director of Streets and they will be doing the repair work in time for the race.

**Amanda Higgins** addressed concerns regarding the Spokane cat killer. She stated that since August there has been a person claiming cats off of Craig's List, trapping them near schools, and torturing them days before killing them. She stated it's a matter of time before this person decides to go after a human, and she doesn't feel it's been taken very seriously by the DA or by SCRAPs. Council Member Fagan noted he did reach out to the County prosecutor with some specific questions with regard to whether or not the investigation is still ongoing and whether they will decline to prosecute; and, if so, some specific reasons why.

## LEGISLATIVE AGENDA

### SPECIAL BUDGET ORDINANCES

#### Special Budget Ordinance C35488

The City Council considered Special Budget Ordinance C35488. Subsequent to an overview by Council President Stuckart and public testimony from one individual, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **passed Ordinance C35488** amending Ordinance No. C35457 passed by the City Council November 28, 2016, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2017, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2017, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

#### General Fund

FROM: Reserve for Budget Adjustment, \$27,935;  
TO: Various Accounts, same amount.

#### Code Enforcement Fund

FROM: Contractual Services, \$1,625;  
TO: Various Accounts, same amount.

#### Water Fund

From: Reserve for Budget Adjustment, \$3,940;  
TO: Various Accounts, same amount.

(These actions implement quarterly classification and pay adjustments in accordance with approved union agreements and City policies, and as approved by management.)

### EMERGENCY ORDINANCES

**For Council action on Emergency Ordinance C35489, see section of minutes under "Special Considerations."**

**For Council action on Emergency Ordinance C35490, see section of minutes under "Special Considerations."**

### RESOLUTIONS

#### Resolution 2017-0022

Council Member Kinnear provided an overview of Resolution 2017-0022. Subsequent to public testimony and Council commentary, the following action was taken:

**Upon 6-1 Roll Call Vote (Council Member Fagan voting "no")**, the City Council **adopted Resolution 2017-0022** authorizing a parklet demonstration project for summer, 2017.

#### Resolution 2017-0023

Katherine Miller, Integrated Capital Management Department Director, provided an overview of Resolution 2017-0023, as amended, and public testimony was received. Subsequent to Council commentary, the following action was taken:



**HEARINGS****Hearing on Final Reading Ordinance C35471**

The Spokane City Council held a hearing on Final Reading Ordinance C35471. Subsequent to an overview by Council President Stuckart; 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 C35471** relating to the process for amending the unified development code; amending section 17G.025.010 of the Spokane Municipal Code.

**SECOND OPEN FORUM**

**Mark Keffeler**, with the Boilermakers, thanked the Council for its commitment to apprenticeship utilization and responsible bidder language. He spoke regarding the Waste to Energy bid (reference OPR 2017-0210 / RFP 4309-17 under the 3:30 p.m. Consent Agenda) and felt it was an unreasonably low bid and provided other remarks relating to the bid.

**ADJOURNMENT**

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 8:55 p.m.

# General Notices

**NOTICE OF ELECTION  
TO BE HELD ON APRIL 25, 2017****MEASURE NO. 1  
LIBRARY OPERATIONS LEVY****RESOLUTION NO. 2016 - 0093**

A RESOLUTION 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.

WHEREAS, the City of Spokane, Washington ("City") is a first-class city duly organized and existing by virtue of the Constitution and laws of the state of Washington and its city charter; and

WHEREAS, the City has authority to enact a regular annual property tax levy and such other levies as may be approved by the electorate of the City, subject to applicable limitations, as required by law; and

WHEREAS, Chapter 84.55 RCW reflects a limitation that the annual rate of increase of the dollar amount of the regular property tax levy set by the City Council may not exceed the lesser of the rate of inflation or one percent (1%), all as further reflected in Chapter 84.55 RCW; and

WHEREAS, RCW 84.55.050 permits an election to authorize a levy above the limit factor specified in Chapter 84.55 RCW upon majority approval by the voters, subject to any otherwise applicable statutory dollar rate limitation, said election to be held not more than twelve months prior to the date on which the proposed excess levy is to be made, except as further provided in said statute for multi-year levies; and

WHEREAS, in the February 2013 special election, 66% of the voters of the City of Spokane approved an increase in the regular property tax levy in the amount of \$0.07 per \$1,000 of property valuation, for the purpose of funding library operations beginning in 2014 and extending through 2017; and

**Upon 6-1 Roll Call Vote (Council Member Fagan voting “no”), the City Council adopted Resolution 2017-0023, as amended, establishing a decision matrix for the scoping and design of construction projects within centers and corridors and targeted investment areas.**

**Resolution 2017-0027 (Cross-reference: OPR 2017-0259 / OPR 2017-0268)**

Mike Sloon, Information and Technology Services Director, provided an overview of Resolution 2017-0027. Subsequent to public testimony from one individual, the following action was taken:

**Upon Unanimous Roll Call Vote, the City Council adopted Resolution 2017-0027** declaring eSuite case management software system a sole source, authorizing its procurement without a public request for proposals; and authorizing staff to negotiate and execute a contract with Journal Technologies, Inc., 915 East First Street Los Angeles, CA 90012 at an estimated implementation cost of \$290,000, not including taxes if applicable and an annual licensing and maintenance fees cost of \$123,000, not including taxes if applicable, and a network environment cost of \$72,277 not including taxes if applicable for a total cost of \$485,277, not including taxes if applicable.

**FINAL READING ORDINANCES**

**Final Reading Ordinance C35486**

The City Council considered Final Reading Ordinance C35486. Subsequent to an overview of the ordinance by Council Member Beggs, public testimony, and Council commentary, the following action was taken:

**Upon 5-2 Roll Call Vote (Council Members Fagan and Stratton voting “no”), the City Council passed Final Reading Ordinance C35486** relating to the asset forfeiture policy of the City of Spokane.

**For Council action on Final Reading Ordinance C35487, see section of minutes under 3:30 p.m. Briefing Session.**

There were no **First Reading Ordinances**.

**SPECIAL CONSIDERATIONS**

**City Council Letter to the Mayor (Upcoming Police Guild Collective Bargaining and Negotiations) (CPR 2017-0030)**

The City Council considered the Letter (as revised – see section of minutes under the 3:30 p.m. Administrative Session). Subsequent to an overview of the letter (as revised) by Council Member Kinnear, public testimony, and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote, the City Council approved** the Letter (as revised) which outlines the City Council’s goals and objectives for the upcoming collective bargaining negotiations with the Police Guild.

**Emergency Ordinances C35489 and C35490**

The City Council considered Emergency Ordinances C35489 and C35490. Following a full reading of the respective ordinances by the City Clerk, Council Member Kinnear provided an overview of Ordinance C35489. Subsequent to the 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 Emergency Ordinance C35489** imposing an immediate moratorium on demolition permits in the Browne’s Addition neighborhood in south Spokane; setting a public hearing; and declaring an emergency.

Council Member Waldref provided an overview of Emergency Ordinance C35490. Subsequent to an opportunity for public testimony, with no individuals requesting to speak, and Council and staff commentary, the following action was taken:

**Upon Unanimous Roll Call Vote, the City Council passed Emergency Ordinance C35490** imposing an immediate moratorium on the relocation of off-premises signs into areas of Spokane having center and corridor zoning designations; setting a public hearing; and declaring an emergency.



WHEREAS, on July 28, 2016, the Spokane Public Library Board of Trustees voted unanimously to recommend the City Council place a measure on the February 14, 2017 ballot that would allow for the renewal of the current levy lid lift in order to continue the improvements to library services resulting from the passage of the 2013 levy lid lift and to implement new practices to make the Library more efficient and responsive to its customers' educational, business and cultural interests; and

WHEREAS, the City Council desires to continue the levy lid lift approved by the voters in February 2013 to continue funding for library operations by submitting to the voters a measure to increase the regular property tax levy in excess of the amount permitted by state law of \$0.07 per \$1,000 of assessed valuation in 2018 and to have the increased levy amount remain in place for seven years to raise approximately \$1,200,000 per year; and

WHEREAS, pursuant to Section 84 of the City Charter, the City Council of its motion may submit to popular vote for adoption or rejection at any election any proposed ordinance or measure.

NOW, THEREFORE, BE IT RESOLVED, by the Spokane City Council that:

Section 1. The Spokane County Auditor is hereby requested pursuant to RCW 29A.04.330 to hold a special election on April 25, 2017, in conjunction with the scheduled special election for the purpose of submitting to the voters of the City of Spokane for the approval or rejection of a property tax levy to provide funding for library operations.

Section 2. The following measure shall be submitted in the following form:

**CITY OF SPOKANE**

**MEASURE NO. 1**

**LIBRARY OPERATIONS LEVY**

THE CITY OF SPOKANE ADOPTED RESOLUTION NO. 2016-0093 PROVIDING FOR AN INCREASE IN THE REGULAR PROPERTY TAX LEVY IN EXCESS OF STATE LAW BEGINNING IN 2018 IN WHICH THE FUNDING WOULD BE ALLOCATED ONE HUNDRED PERCENT FOR LIBRARY OPERATIONS. THIS MEASURE AUTHORIZES AN INCREASE IN THE REGULAR PROPERTY TAX LEVY FOR 2018 BY \$0.07 PER \$1,000 OF ASSESSED VALUATION FOR A LEVY RATE NOT TO EXCEED \$3.52. THE INCREASE IN THE PROPERTY TAX LEVY WOULD REMAIN IN EFFECT FOR A PERIOD OF SEVEN YEARS.

SHOULD THIS MEASURE BE APPROVED?

YES .....

NO .....

Section 3. In the event the measure specified in Section 2 above is approved by the qualified electors of the City as required by the Constitution and laws of the state of Washington, there shall be levied and collected annual excess property tax levies in the amount as authorized by said voter approval. Such tax levies will be in excess of the regular annual tax levies permitted by law without voter approval.

Section 4. The City hereby requests pursuant to RCW 29A.04.330 the Spokane County Auditor, as *ex officio*, Supervisor of Elections of the City, to call, conduct and hold within the City a special election on Tuesday, April 25, 2017, for the purpose of submitting to the qualified electors of the City for their approval or rejection, the proposal set forth above. The City Clerk of the City of Spokane is hereby authorized and directed to deliver a certified copy of this resolution to the Spokane County Auditor, as *ex officio* Supervisor of Elections for the City, no later than February 24, 2017.

Section 5. If any one or more of the provisions of this resolution shall be declared by any court of competent jurisdiction to be unconstitutional or invalid for any reason, then such provision shall be null and void, and shall be deemed separable from the remaining provisions of this resolution, and shall in no way affect the validity of the other provisions of this resolution.

Section 6. The levy lid lift in the property tax levy rate shall be a temporary single year increase, which shall begin in 2018 and continue through 2024.

Section 7. The City Attorney is authorized to make such minor adjustments to the wording of the measure as may be necessary to effectuate the intent of the resolution or upon recommendation of the Spokane County Auditor, as long as the intent of the measure remains clear and consistent with the intent of this resolution as approved by the City Council.

Section 8. This resolution shall take effect and be in full force immediately upon its passage.

ADOPTED by the City Council this 14<sup>th</sup> day of November, 2016.

Publish April 5, 12, & 19, 2017

# 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. C35471

An ordinance relating to the process for amending the unified development code; amending section 17G.025.010 of the Spokane Municipal Code.

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

Section 1. That section 17G.025.010 of the Spokane Municipal Code is amended to read as follows:

### Section 17G.025.010 Text Amendments to the Unified Development Code

#### A. Initiation.

Text amendments to this code may be initiated by any of the following:

1. Property owner(s) or their representatives;
2. Any citizen, agency, neighborhood council, or other party; or
3. A City department, the plan commission, or the city council.

#### B. Applications. Applications shall be made on forms provided by the City.

#### C. Application Submittal.

1. After submittal of an applicant-initiated application, the application shall be subject to a pre-application conference, counter-complete determination, and fully complete determination pursuant to chapter 17G.060 SMC.
2. After submittal, the application shall be placed on the next available plan commission agenda.

#### D. Notice of Public Hearing.

Amendments to this code require a public hearing before the plan commission.

##### 1. Contents of Notice.

A notice of public hearing shall include the following:

- a. The citation, if any, of the provision that would be changed by the proposal along with a brief description of that provision;
- b. A statement of how the proposal would change the affected provision;
- c. The date, time, and place of the public hearing;
- d. A statement of the availability of the official file; and
- e. A statement of the right of any person to submit written comments to the planning commission and to appear at the public hearing of the planning commission to give oral comments on the proposal.

2. Distribution of Notice.

The department shall distribute the notice to the applicant, newspaper, City Hall and the main branch of the library. The applicant is then responsible for following the public notice requirements outlined in SMC 17G.060.120, Public Notice – Types of Notice.

E. Plan Commission Recommendation – Procedure.

Following the public hearing, the plan commission shall consider the proposal and shall prepare and forward a recommendation to the city council. The plan commission shall take one of the following actions:

1. If the plan commission determines that the proposal should be adopted, it may, by a majority vote, recommend that the city council adopt the proposal. The plan commission may make modifications to any proposal prior to recommending the proposal to city council for adoption;
2. If the plan commission determines that the proposal should not be adopted, it may, by a majority vote, recommend that the city council not adopt the proposal; or
3. If the plan commission is unable to take either of the actions specified in subsection (E)(1) or (2) of this section, the proposal will be sent to city council with the notation that the plan commission makes no recommendation.

F. Approval Criteria.

The City may approve amendments to this code if it finds that:

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and
2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

G. City Council Action.

Within sixty days of receipt of the plan commission's findings and recommendations, the city council shall consider the findings and recommendations of the commission concerning the application and shall hold a public hearing pursuant to council rules. Notice of city council hearings must be published in the *Official Gazette*. The applicant shall also publish a legal notice in the newspaper at least two weeks prior to the hearing by the city council. By a majority vote, the city council shall:

1. Approve the application;
2. Disapprove the application;
3. Modify the application. If modification is substantial, the council must either conduct a public hearing on the modified proposal; or
4. Refer the proposal back to the plan commission for further consideration.

H. Transmittal to the State of Washington.

At least sixty days prior to final action being taken by the city council, the Washington ((State)) department of ((community, trade and economic development (CTED)))commerce ("commerce") shall be provided with a copy of the amendments in order to initiate the sixty-day comment period. No later than ten days after adoption of the proposal, a copy of the final decision shall be forwarded to ((CTED))commerce.

I. Inapplicability to certain chapters.

This section does not apply to the following chapters of the Spokane Municipal Code: 17F.040 (International Building Code, International Residential Code, International Energy Conservation Code), 17F.050 (National Electrical Code), 17F.080 (International Fire Code), 17F.090 (International Mechanical Code), and 17F.100 (Uniform Plumbing Code) (collectively referred to as the "construction standards"). The construction standards specified in this subsection may be amended, after notice to the Plan Commission, pursuant to the City Council's regular legislative process, subject to the requirements of Chapter 43.21C RCW, if any, and further subject to RCW 19.27.040 and 19.27.060, and shall, to the extent they apply to single-family or multifamily residential buildings, be submitted for the approval of the State Building Code Council pursuant to RCW 19.27.074(1)(b).

**Passed by City Council April 10, 2017.  
Delivered to Mayor on April 17, 2017.**

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**ORDINANCE NO. C35486**

An ordinance relating to the asset forfeiture policy of the City of Spokane; enacting a new chapter 08.19 of the Spokane Municipal Code.

WHEREAS, the long and well-established laws of the State of Washington provide for law enforcement agencies to seize and subsequently, through legal process, cause the forfeiture of assets used in, or gained from, illegal activity to be disposed of; and

WHEREAS, in 2014, the Spokane Police Department implemented comprehensive policies and ethical standards in regards to seizing property; and

WHEREAS, the Spokane Police Department undergoes annual audits by the Washington State Auditor's Office regarding the receipt and use of proceeds of those seizures; and

WHEREAS, Section 12 of the Spokane City Charter provides that "[a]ll legislation and appropriations of money shall be by ordinance;" and

WHEREAS, Washington law provides for the process of seizure, forfeiture, and distribution of assets for the purpose of the "expansion and improvement" of law enforcement activity and may not supplant pre-existing funding sources; and

WHEREAS, the Washington State Auditor's Office has confirmed that the Legislature has not provided a definition beyond the plain meaning of "law enforcement activity"; and

WHEREAS, the Washington State Legislature, in enacting seizure and forfeiture laws, recognized that "state and local governmental agencies incur immense expenses in the investigation, prosecution, adjudication, incarceration," resulting from criminal conduct that are not adequately resourced by existing funding sources; and

WHEREAS, police youth programs are proven methods of expanding and improving law enforcement activity to reduce the crimes targeted by the above forfeiture statutes, particularly youth drug diversion, prevention, and mitigation strategies; and

WHEREAS, police participation in community court programs is also a proven method of expanding and improving law enforcement activity to reduce the crimes targeted by the above forfeiture statutes, recidivism and overall criminal justice expenditures; and

WHEREAS, police participation in units devoted to monitoring and engaging with persons with a history of chronic property offenses is also a proven method of expanding and improving law enforcement activity to reduce the crimes targeted by the above forfeiture statutes, recidivism and overall criminal justice expenditures; and

WHEREAS, the Spokane City Council intends to ensure that the proceeds legally obtained by the Police Department are used for the "expansion and improvement" of law enforcement within the City of Spokane that is proven to reduce crime and recidivism as well to establish specific requirements and accountability relating to seizure and forfeiture cases.

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

Section 1. That there is enacted a new chapter 08.19 of the Spokane Municipal Code as follows:

**Chapter 08.19 Asset Forfeiture Program****Section 08.19.010 Purpose and Intent**

- A. The City Council recognizes that asset forfeitures can be a useful law enforcement tool by removing the financial incentive for various criminal enterprises.
- B. Coupling the proceeds of asset forfeitures with programs to expand and improve law enforcement activities which help reduce criminal activity and recidivism accomplishes the intent of Washington State Law to assist the criminal justice system in protecting the community.

**Section 08.19.020 Process**

- A. No later than 180 days after the latest to occur of (1) the closure of a case; (2) the expiration of the final opportunity for appeal; or (3) the date an asset is no longer required as evidence in an active case, the police department shall

dispose of forfeited property, by auction or other commercially-reasonable method, such as by sealed bids, except as provided for in sections G. and H.

- B. No less than 10 days prior to an auction or solicitation of bids pursuant to SMC 08.19.020(A), the police department shall place a public notice in the City Gazette and in a newspaper of general circulation notifying the public of the date and time of the auction or solicitation of bids.
- C. The Police Department shall comply with all federal and state property disposition procedural requirements. And no expenditures of funds arising from forfeiture that violate state or federal law will be approved by City Council.
- D. The Police Department shall not utilize seizure and forfeiture laws as an aspect of case development criterion.
- E. The Police Department shall document in each and every case involving a seizure and forfeiture the legal basis for the seizure and forfeiture including the specific Washington state or federal law under which the asset/s were seized, forfeited or obtained.
- F. The Police Department shall establish a procedure for a yearly audit by a qualified financial professional outside of the Police Department of all seizures, forfeitures, proceeds distributions and expenditures, the results of which shall be provided to the Mayor and City Council. This annual requirement is satisfied by an audit of the forfeiture funds by the Office of the Washington State Auditor.
- G. The Police Department may choose to use forfeited property indefinitely prior to auctioning off the item, if there is a demonstrated law enforcement purpose for the item and the use of the property would allow the Police Department to avoid the need to purchase additional equipment.

#### **Section 08.19.030 Permitted Use of Funds**

- A. No asset forfeiture funds may be expended beyond the purposes allowed under applicable state and federal law and may not supplant existing funding.
- B. Asset forfeiture funds under the control of the Police Department may only be spent by appropriation and approval of the Spokane City Council under its applicable policies for approving budgets and expenditures.
- C. The City Council will not approve spending of any asset forfeiture funds absent a request by the Chief of Police. The Chief of Police may request expenditure of asset forfeiture funds as part of the preparation and submission of the annual budget to City Council or by requesting approval of an emergency budget ordinance.

#### **Section 08.19.040 Reporting on Use of Funds**

The Police Department shall provide to the Spokane City Council Public Safety Committee quarterly and yearly reporting of the receipt of proceeds from all civil forfeiture funds, the specific source of all forfeiture funds and all expenditures of forfeiture funds including the amount paid from the proceeds to the Washington State Treasurer. The reports shall also provide information related to and certification that all seized funds were spent consistent with any limitations imposed by federal or state law.

**Passed by City Council April 10, 2017.**

**Delivered to Mayor on April 17, 2017.**

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#### **ORDINANCE NO. C35488**

An ordinance amending Ordinance No. C-35457, passed the City Council November 28, 2016, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2017, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2017, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2017 budget Ordinance No. C-35457, as above entitled, and which passed the City Council November 28, 2016, it is necessary to make changes in the appropriations of the General Fund, Code Enforcement Fund, and the Water 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 General Fund, and the budget annexed thereto with reference to the General Fund, the following changes be made:

FROM:	0020-88100	General Fund	
	18900-59951	Reserve for Budget Adjustment	<u>\$ 27,935</u>
TO:	0030-11500	General Fund – Ombudsman Office	
	57200-09220	Asst to Ombudsman (Grade 22 to 37)	\$ 15,500
	57200-52110	FICA	1,185
	57200-52210	Retirement	1,280
	0470-53610	General Fund – Historic Preservation	
	58620-08390	Historic Preservation Officer (Grade 46 to 51)	8,600
	58620-52100	FICA	660
	58620-52210	Retirement	710
			<u>\$ 27,935</u>

Section 2. That in the budget of the Code Enforcement Fund, and the budget annexed thereto with reference to the Code Enforcement Fund, the following changes be made:

FROM:	1200-30210	Code Enforcement Fund	
	24600-54201	Contractual Services	<u>\$ 1,625</u>
TO:	1200-30210	Code Enforcement Fund	
	24600-00630	Code Enforcement Sup. (Grade 45 to 46) (from grade 45 to 46)	\$ 1,400
	24600-52110	FICA	110
	24600-52210	Retirement	115
			<u>\$ 1,625</u>

Section 3. That in the budget of the Water Fund, and the budget annexed thereto with reference to the Water Fund, the following changes be made:

FROM:	4100-30210	Water Fund	
	34141-59951	Reserve for Budget Adjustment	<u>\$ 3,940</u>
TO:	4100-30210	Water Fund	
	34141-07150	Director – Water (Grade 61 to 64)	\$ 3,400
	34141-52110	FICA	260
	34141-52210	Retirement	280
			<u>\$ 3,940</u>

Section 4. 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 implement quarterly classification and pay adjustments in accordance with approved union agreements and City policies, and as approved by management, 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 April 10, 2017.**  
**Delivered to Mayor on April 17, 2017.**

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**ORDINANCE NO. C35489**

An ordinance imposing an immediate moratorium on demolition permits in the Browne's Addition neighborhood in south Spokane; setting a public hearing; and declaring an emergency.

WHEREAS, the Browne's Addition neighborhood is in the process of completing its application for historic neighborhood status; and

WHEREAS, recently, there has been increased activity in the demolition of historic structures in Browne's Addition to make way for multi-family residential housing without regard to whether the resulting replacement building contributes to the historic character of the neighborhood; and

WHEREAS, existing Chapter 17G, SMC, requires the City to issue a demolition permit as an administrative Type I permit; and

WHEREAS, the demolition permit ordinance currently contains no protections for buildings located within historic districts; and

WHEREAS, the potential acceleration and continuation of the demolition of buildings in Browne's Addition could frustrate the City's goal of improving the appearance of the City, and preserving historic districts, and would therefore be contrary to the City's land use objectives in these areas; and

WHEREAS, the City has begun the process of reviewing its current demolition ordinance in a comprehensive fashion to determine whether amendments are necessary to better protect the public health, welfare, and safety in the City of Spokane from the aesthetic, visual, and historic impacts associated with unregulated demolition of buildings in historic districts; and

WHEREAS, sections 35.63.200 and 36.70A.390 of the Revised Code of Washington authorize cities to implement land use moratoria without a hearing (see also *Matson v. Clark County Board of Commissioners*, 79 Wash.App. 641, 904 P.2d 317 (1995)); and

WHEREAS, pursuant to RCW 35.63.200 and 36.70A.390, when the City Council adopts a moratorium without holding a public hearing on the proposed moratorium, it must hold a hearing on the adopted moratorium within at least sixty days of its adoption; and

WHEREAS, the City intends to impose a moratorium barring the acceptance, approval, or issuance of applications for the demolition of buildings located within the Browne's Addition neighborhood of south Spokane; and

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

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this ordinance and documenting the existence of an emergency allowing this ordinance to become effective immediately upon adoption; and

WHEREAS, the City Council finds that the moratorium imposed by this ordinance is necessary for the protection of the public health, safety, property or peace.

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

Section 1. Moratorium Imposed. A moratorium is imposed on the acceptance, approval, and issuance of demolition permits, under Chapter 17G, SMC, in the area shown in the attached Browne's Addition Neighborhood Council map attached hereto as Exhibit A (referred to herein as the "moratorium zone").

During the term of this moratorium, the City will not accept, process, or approve applications for demolition permits for buildings located in the moratorium zone. This moratorium does not apply to any pending applications that were counter complete, as provided in the Spokane Municipal Code, prior to the effective date of this ordinance.

Section 2. Purposes. The purpose of this moratorium is to allow the City adequate time to review and possibly amend its land use regulations relating to demolition permits for buildings located in historic districts in order to prevent the potential frustration of the City's amendment of development regulations regarding certain historic areas of the City.

Section 3. Duration of Moratorium. The moratorium imposed by this Ordinance shall be in effect for a period of six months, beginning on the date of the adoption of this Ordinance. During this period, City Planning Department staff is directed to develop a work plan to study appropriate amendments to the City's demolition permit provisions, Chapter 17G, SMC, and is authorized to employ consultants or experts to assist staff in this regard, subject to the City Council's usual budgetary and contract approvals. City staff shall provide a work plan for this review and development of recommendations to the City Council at least two weeks prior to the date of the public hearing scheduled in Section 4 of this Ordinance. In addition, City staff shall submit its final recommendations to the City Council within 150 days of the effective date of this Ordinance.



Section 4. Public Hearing on Moratorium. Pursuant to RCW 35.63.200 and 36.70A.390, the City Council shall hold a public hearing on this moratorium on May 22, 2017. Immediately after the public hearing, the City Council shall adopt findings of fact on the subject of this moratorium, and either extend the moratorium for an additional six-month period or cancel the moratorium.

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

Section 6. Declaration of Emergency and Effective Date. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall be effective immediately upon its passage. Without an immediate moratorium on the City's acceptance, processing, and approval of permit applications for the demolition of buildings in the moratorium zone, the acceptance, processing, or approval of such applications by the City could occur under regulations that are inconsistent with the City's legitimate policy of protecting the areas within the moratorium zone from the aesthetic, visual, and historic properties impacts associated with the demolition of buildings in historic districts. Current City regulations have not anticipated the potential loss of historic buildings and structures in those neighborhoods which are or are to be designated as historic districts. Therefore, the City's moratorium must be imposed immediately to prevent any development rights from vesting and preserve the City's ability to process applications under valid codes.

**Passed by City Council April 10, 2017.**

**Delivered to Mayor on April 17, 2017.**

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### ORDINANCE NO. C35490

An ordinance imposing an immediate moratorium on the relocation of off-premises signs into areas of Spokane having center and corridor zoning designations; setting a public hearing; and declaring an emergency.

WHEREAS, sections 17C.240.070(H) and 17C.240.250(A) and (B) of the Spokane Municipal Code prohibit new off-premises signs and indicate that existing off-premises signs are nonconforming uses which are allowed to remain subject to restrictions; and

WHEREAS, under Washington law, nonconforming uses are uniformly disfavored because they limit the effectiveness of land-use controls, imperil the success of community plans, and injure property values (*Rhod-A-Zalea & 35th, Inc. v. Snohomish County*, 136 Wn.2d 1, 959 P.2d 1024 (1998); *City of University Place v. McGuire*, 144 Wn.2d 640, 30 P.3d 453 (2001) (recognizing that nonconforming uses are detrimental to public interests such as health, safety, morals, or welfare)); and

WHEREAS, existing SMC 17C.240.250(B)(2) allows the relocation of off-premises signs if the relocation is necessitated for the accomplishment of a public works project, subject to specified limitations; and

WHEREAS, this "public works exception" contains no restriction or conditions on the character or zoning category of the area into which off-premises signs would be moved, which means that off-premises signs, under current law, can be relocated into areas zoned to encourage and enhance pedestrian activity and therefore intended to be less accommodating for motor vehicles, such as the center and corridor (CC) zones; and

WHEREAS, the current North South Corridor development is triggering the relocation of off-premise signs along the Market St. Corridor, which contains a historic district and CC zone where over \$9M was invested in 2009 to improve pedestrian infrastructure, support redevelopment of historic structures, and enhance small business growth; and

WHEREAS, the potential proliferation of off-premises signs in areas of the City within the CC zoning categories would, as recognized in case law, create substantial hazards to traffic safety, would frustrate advancement of the City's goal of improving the appearance of the City, and would be contrary to the City's land use objectives in these areas (*Metromedia, Inc. v. City of San Diego*, 453 U.S. 490 (1981)); and

WHEREAS, the City has begun the process of reviewing its current codes and ordinances in a comprehensive fashion to determine whether amendments to the sign code are necessary to better protect the public health, welfare, and safety in the City of Spokane from the aesthetic and visual impacts associated with off-premises signs located in, or to be relocated into, areas having CC zoning designations and zoning designations related to the CC zones; and

WHEREAS, sections 35.63.200 and 36.70A.390 of the Revised Code of Washington authorize cities to implement land use moratoria without a hearing (see also *Matson v. Clark County Board of Commissioners*, 79 Wash.App. 641, 904 P.2d 317 (1995)); and

WHEREAS, pursuant to RCW 35.63.200 and 36.70A.390, when the City Council adopts a moratorium without holding a public hearing on the proposed moratorium, it must hold a hearing on the adopted moratorium within at least sixty days of its adoption; and

WHEREAS, the City intends to impose a moratorium barring the acceptance of applications relating to permits or approvals for the relocation of off-premises signs into areas of the City having of CC zoning designations; and

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

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this ordinance and documenting the existence of an emergency allowing this ordinance to become effective immediately upon adoption; and

WHEREAS, the City Council finds that the moratorium imposed by this ordinance is necessary for the protection of the public health, safety, property or peace.

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

Section 1. Moratorium Imposed. A moratorium is imposed on the location, permitting, or relocation of off-premises signs, under SMC 17C.240.2503(B)(2), into any the area of the City of Spokane having any of the following zoning designations (referred to herein as the "moratorium zones"):

- Center and Corridor Type 1: Pedestrian Emphasis/Auto Accommodating (CC1)
- Center and Corridor Type 2: Pedestrian Enhanced/Auto Accommodating (CC2)
- Center and Corridor Type 3: Overlay Zone (CC3)
- Center and Corridor Type 4: Mixed-Use Transition Zone (CC4)
- The Form-Based Code Context Areas 1-4, as defined in Chapter 17C.123, SMC Context Area 1: (CA-1 through CA-4)

During the term of this moratorium, the City will not accept, process, or approve applications for the relocation of existing off-premises signs into the moratorium zones. This moratorium does not apply to any pending applications that were counter complete, as provided in the Spokane Municipal Code, prior to the effective date of this ordinance.

Section 2. Purposes. The purpose of this moratorium is to allow the City adequate time to review and possibly amend its land use regulations relating to signs to adequately address issues relating to the Washington and federal constitutions and consistent with recent judicial decisions concerning sign regulations and to prevent the potential frustration of the City's amendment of development regulations regarding certain pedestrian-focused and neighborhood retail areas of the City.

Section 3. Duration of Moratorium. The moratorium imposed by this Ordinance shall be in effect for a period of six months, beginning on the date of the adoption of this Ordinance. During this period, City Planning Department staff is directed to develop a work plan to study appropriate amendments to the City's sign code, Chapter 17C.240, SMC, and is authorized to employ consultants or experts to assist staff in this regard, subject to the City Council's usual budgetary and contract approvals. City staff shall provide a work plan for this review and development of recommendations to the City Council at least two weeks prior to the date of the public hearing scheduled in Section 4 of this Ordinance. In addition, City staff shall submit its final recommendations to the City Council within 150 days of the effective date of this Ordinance.

Section 4. Public Hearing on Moratorium. Pursuant to RCW 35.63.200 and 36.70A.390, the City Council shall hold a public hearing on this moratorium on May 22, 2017. Immediately after the public hearing, the City Council shall adopt findings of fact on the subject of this moratorium, and either extend the moratorium for an additional six-month period or cancel the moratorium.

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

Section 6. Declaration of Emergency and Effective Date. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall be effective immediately upon its passage. Without an immediate moratorium on the City's acceptance, processing, and approval of permit applications for relocation of off-premises signs into the moratorium zones, the acceptance, processing, or approval of such applications by the City could occur under regulations that are inconsistent with the City's legitimate policy of protecting the areas within the moratorium zones from the aesthetic, visual, and noise impacts associated with the relocation of off-premises signs and related infrastructure. Current City regulations have not anticipated the relocation of off-premises signs into areas which were zoned with the intention of

enhancing and emphasizing a pedestrian environment while de-emphasizing auto-accommodating uses and visual impacts associated with auto-accommodating land uses. Therefore, the City's moratorium must be imposed immediately to prevent any development rights from vesting and preserve the City's ability to process applications under valid codes.

**Passed by City Council April 10, 2017.  
Delivered to Mayor on April 17, 2017.**

# Job Opportunities

**We are an equal opportunity employer and value diversity within our organization. We do not discriminate on the basis of race, religion, color, national origin, gender identity, sexual orientation, age, marital status, familial status, genetic information, veteran/military status, or disability status.**

## FIRE EQUIPMENT OPERATOR SPN 932 PROMOTIONAL

**DATE OPEN: Monday, April 17, 2017    DATE CLOSED: Sunday, April 30, 2017 at 11:59 p.m.  
SALARY: \$85,832.67 annual salary, payable bi-weekly, to a maximum of \$97,154.97**

### DESCRIPTION:

Performs specialized firefighting work with principal assignment as a driver or tiller operator on various heavy-duty, special purpose, fire department emergency vehicles.

### DUTIES:

- Drives a pumper, tiller, pumper-ladder, aerial ladder, or other heavy-duty firefighting equipment.
- Operates various mechanical and auxiliary fire apparatus. Operates pumps, medical equipment, aerial ladders, and other hydraulic equipment. Removes persons from danger, administers first aid and/or basic life support, and performs post incident operations.
- Responds to fire, medical and other incidents, with a company. Participate in general firefighting, rescue, and salvage work such as: laying hose, holding, advancing and directing nozzle and water streams; raises and climbs ladders; uses standard firefighting equipment; performs necessary life safety, incident mitigation and property conservation tasks at fires and hazardous materials incidents.
- Responds to medical incidents and operates oxygen delivery equipment; uses blood pressure cuff and stethoscope to take patient's vital signs; performs CPR; utilizes various splinting devices and other emergency medical equipment; assists paramedics and ambulance personnel in the care of patients.
- Periodically inspects assigned area to become familiar with buildings, location and condition of fire hydrants and streets, to identify potential operational hazards and dangers and to compile comprehensive pre-incident plans.
- Participates in fire drills, and attends training courses in driving, fire prevention, firefighting, emergency medical techniques, and related subjects.
- Performs such fire prevention functions as inspections of business establishments and schools in an assigned district, and checking for and assisting community residents to eliminate hazards and potential fire dangers, presents current fire prevention programs to schools, organizations and the public.
- Performs daily and periodic checks of fire equipment, medical equipment, and emergency vehicles. Reports those conditions which need attention to the supervisor. Participates in the recovery, cleaning and inspection of equipment after incidents. Performs general housekeeping and maintenance work in the upkeep of the assigned station and equipment.
- Performs related work as required.

### MINIMUM QUALIFICATIONS:

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

Completion of two years of service with the City in the classification of Firefighter (SPN: 931). Successful completion of the Equipment Operator Training as provided by the Spokane Fire Department. All applicants are required to have a valid driver's license.

**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 meet the minimum qualifications and pass the examination for this position to be eligible for hire. The examination will consist of a written test and a promotional evaluation (PER). Weights are assigned as follows: written test 80% and promotional evaluation 20%.

**WRITTEN TEST DETAILS:**

- The examination will be conducted in the Civil Service Test Room (4th Floor, City Hall) on Thursday, June 1, 2017, at 9:00 a.m.
- Approximate duration of the test is 2 hours.
- The written test will be based upon the 2017 Fire Equipment Operator Bibliography.
- Upon acceptance of online applications, applicants will receive an email invitation to appear for the written test.

**PERFORMANCE EVALUATION DETAILS:**

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

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

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

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 13th day of April 2017.

CRAIG HULT  
Chair

GITA GEORGE-HATCHER  
Chief Examiner

# Notice for Bids

## Paving, Sidewalks, Sewer, etc.

**CALL FOR BIDS**

**2017 ADA Curb Ramps  
2015 Traffic Calming Phase II  
5th Avenue Sidewalk**

**Engineering Services File Numbers 2016118, 2016163, 2016164, 2016045**

This project consists of the construction of approximately 1700 square yards of sidewalk, 9 drainage structures, 596 square yards of 3-inch thick 64-28 pavement, 31 square yards of 70-28 6-inch thick pavement, sundry utility adjustments, 1500 shrubs, concrete pavers, trees, irrigation systems, bio-infiltration swale construction, signing, crosswalks and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201-3316, will receive sealed bids until 1:00 p.m., May 8th, 2017 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

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

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

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

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

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

**Note regarding new specifications:** The City of Spokane is using WSDOT's 2016 Standard Specifications. Bidder's should allow sufficient time to familiarize themselves with the WSDOT 2016 Standard Specifications prior to bidding the project.

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

Publish: April 19, 26 and May 3, 2017

# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

### REQUEST FOR BIDS CITY COUNCIL CHAMBERS REMODEL – PHASE 1 City of Spokane Asset Management Department

**BID #4322-17**

Sealed Bids will be opened at the 1:15 p.m. public bid opening on **MONDAY, MAY 8, 2017**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **CITY COUNCIL CHAMBERS REMODEL – PHASE 1** for the City of Spokane Asset Management Department.

**PRE-BID CONFERENCE.** A pre-bid conference will be held on **Thursday, April 27, at 9:00 a.m.** The location will be at City of Spokane City Hall on the Lower Level Floor in the City Council Chambers, 808 W. Spokane Falls Blvd., Spokane, WA 99201.

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, May 8, 2017**. 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 #4322-17, CITY COUNCIL CHAMBERS REMODEL – PHASE 1, DUE: MONDAY, MAY 8, 2017.”**

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

Publish: April 19 & 26, 2017

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**REQUEST FOR PROPOSALS  
EMPLOYEE BENEFITS BROKER / CONSULTANT SERVICES  
City of Spokane Human Resources Department**

**RFP #4338-17**

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, MAY 8, 2017**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **EMPLOYEE BENEFITS BROKER / CONSULTANT SERVICES** for the City of Spokane Human Resources Department.

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, May 8, 2017**. 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 electronic 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 #4338-17, EMPLOYEE BENEFITS BROKER / CONSULTANT SERVICES, DUE MAY 8, 2017 – 1:00 P.M.”**

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

Publish: April 19 & 26, 2017

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**REQUEST FOR BIDS  
MANHOLE RINGS AND COVERS  
City of Spokane Wastewater Maintenance Department**

**BID #4349-17**

Sealed Bids will be opened at the 1:15 p.m. public bid opening on **MONDAY, APRIL 24, 2017**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **MANHOLE RINGS AND COVERS** for the City of Spokane Wastewater Maintenance 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, April 24, 2017**. 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, one (1) paper copy, and one (1) reproducible digital copy (CD or thumb drive) 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 #4349-17, MANHOLE RINGS AND COVERS, DUE: MONDAY, APRIL 24, 2017.”**

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

Publish: April 12 & 19, 2017

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**REQUEST FOR PROFESSIONAL QUALIFICATIONS  
EMERGENCY MEDICAL ADVISOR  
City of Spokane Fire Department**

**RFQ #4350-17**

Sealed Qualifications Packets will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, APRIL 24, 2017**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **EMERGENCY MEDICAL ADVISOR** for the City of Spokane Fire Department.

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

Qualification Packet documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on the due date**. Qualification Packets must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Qualification Packets delivered late. **Only firm Qualification Packets with signatures will be evaluated.**

**Submit one (1) original and one (1) digital copy (thumb drive or cd) of the Qualifications Packet 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 Qualification Packets and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the Proposer when considering this contract.



All response packages are to be clearly marked with:  
“**RFQ #4350-17, EMERGENCY MEDICAL ADVISOR, DUE 4/24/17**”.

Thea Prince  
City of Spokane Purchasing

Publish: April 12 & 19, 2017

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**REQUEST FOR PROPOSALS  
FIRE DEPARTMENT FACILITIES JANITORIAL SERVICES  
City of Spokane Fire Department**

**RFP #4354-17**

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, MAY 1, 2017** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **FIRE DEPARTMENT FACILITIES JANITORIAL SERVICES** for the City of Spokane Fire Department.

The Request for Proposals document is available by contacting Thea Prince, City of Spokane Purchasing, 4<sup>th</sup> Floor, City Hall, 808 West Spokane Falls Blvd, Spokane WA 99201, Phone: (509) 625-6403 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, May 1, 2017**. 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) original and one (1) digital copy (thumb drive or cd) 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 Proposals.

All response packages are to be clearly marked with:  
“**RFP #4354-17, FIRE DEPARTMENT FACILITIES JANITORIAL SERVICES, DUE 5/1/17**”.

Thea Prince  
City of Spokane Purchasing

Publish: April 19 & 26, 2017

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**BULK ELECTRICAL SYSTEM EQUIPMENT MAINTENANCE AND TESTING  
City of Spokane Solid Waste Disposal Department – Waste to Energy Facility**

**RFP #4355-17**

Sealed bids will be opened at 1:15 p.m., **MONDAY, MAY 8, 2017** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **Bulk Electrical System Equipment Maintenance and Testing** for the City of Spokane Solid Waste Disposal Department – Waste to Energy Facility.

Detailed specifications and proposal forms are available from City Purchasing, by contacting Thea Prince at [purchasinghelp@spokanecity.org](mailto:purchasinghelp@spokanecity.org)

**A pre-proposal conference will be held on Thursday, April 27, 2017 at 10:00 am at the Waste to Energy Facility, 2900 S Geiger Blvd – Meet at the Administration Bldg.**

**Submittal Instructions:**

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

**Submit one (1) paper original 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:

**“BULK ELECTRICAL SYSTEM EQUIPMENT MAINTENANCE AND TESTING, RFP #4355-17, DUE 5/8/17”.**

Thea Prince  
Purchasing Department

Publish: April 19 & 26, 2017

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