



Official Gazette

City of Spokane, Washington

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

Volume 108

OCTOBER 24, 2018

Issue 42



MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT
BEN STUCKART

COUNCIL MEMBERS:

BREEAN BEGGS (DISTRICT 2)

KATE BURKE (DISTRICT 1)

MIKE FAGAN (DISTRICT 1)

LORI KINNEAR (DISTRICT 2)

CANDACE MUMM (DISTRICT 3)

KAREN STRATTON (DISTRICT 3)

The Official Gazette

(USPS 403-480)

Published by Authority of City Charter Section 39

The Official Gazette is published weekly by the Office of the City Clerk
5th Floor, Municipal Building, Spokane, WA 99201-3342

Official Gazette Archive:
<https://my.spokanecity.org/gazettes/>

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The Official Gazette

USPS 403-480

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Periodical postage paid at
Spokane, WA**POSTMASTER:****Send address changes to:**

Official Gazette

Office of the Spokane City Clerk

808 W. Spokane Falls Blvd.

5th Floor Municipal Bldg.

Spokane, WA 99201-3342

Subscription Rates:

Within Spokane County:

\$4.75 per year

Outside Spokane County:

\$13.75 per year

**Subscription checks made
payable to:**

City Treasurer

Address Change:

Official Gazette

Office of Spokane City Clerk

808 W. Spokane Falls Blvd.

5th Floor Municipal Bldg.

Spokane, WA 99201-3342

Minutes

MINUTES OF SPOKANE CITY COUNCIL**Monday, October 15, 2018****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 Briefing Center 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 (participating via telephone), Burke, Fagan, Kinnear, Mumm, and Stratton were present.

City Attorney Mike Ormsby, 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 October 22, 2018, Advance Agenda items.

Ordinance C35681

Council President Stuckart requested a motion to add the following "WHEREAS" clause to the current ordinance (Ordinance C35681 relating to federal civil immigration enforcement in nonpublic areas of City of Spokane property):

"WHEREAS, the current practice of immigration enforcement activities on City-owned property are jeopardizing the public peace, health, and safety of all people in the City of Spokane, regardless of race, ethnicity, or immigration status, because they are completely at odds with the City of Spokane's policy, practices, and values, and this drastic disconnect presents an urgent and emergency condition which justifies the passage of this ordinance as an emergency ordinance pursuant to Section 19 of the Spokane City Charter."

The following action was taken:

Motion by Council Member Kinnear, seconded by Council Member Stratton, to so move (to add the "WHEREAS" clause as presented by Council President Stuckart); **carried 6-1 (Council Member Fagan voting "no")**.

Action to Approve October 22, 2018, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the October 22, 2018, 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 Mumm, **to approve** the Advance Agenda for Monday, October 22, 2018; **carried unanimously**.

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council reviewed the October 15, 2018, Current Agenda for any changes.

CONSENT AGENDA

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

Purchase without contract with Kelvion, Inc. (Catoosa, OK) for three component cooling water cells for replacement in the Waste to Energy Facility's Component Cooling Water System—\$366,844.80. (OPR 2018-0638 / BID 4477-18)

Contract with Epic Land Solutions for right-of-way acquisition services of projects that are not federally funded—\$250,000. (OPR 2015-0749)

Grant from the Washington Traffic Safety Commission to assist DUI Court participants with the cost of random urinalysis testing—\$51,000. (OPR 2018-0639)

Amendment to Special Counsel Contract with John Stewart and the firm Stewart, Sokol, and Larkin, LLC in regard to the Frank Straub v. City of Spokane matter—increase of \$15,000. Total contract amount: \$83,700. (OPR 2016-0363)

Report of the Mayor of pending:

a. Claims and payments of previously approved obligations, including those of Parks and Library, through October 5, 2018, total \$4,939,235.72 (Check Nos. 553427-553614; ACH Payment Nos. 55082-55314), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$4,772,061.40. (CPR 2018-0002)

b. Payroll claims of previously approved obligations through October 6, 2018: \$7,112,540.95 (Check Nos. 550847-550992). (CPR 2018-0003)

City Council Meeting Minutes: October 1 and October 4, 2018. (CPR 2018-0013)

Council Recess/Executive Session

The City Council adjourned at 4:00 p.m. The City Council immediately reconvened into an Executive Session to discuss real estate for 15 minutes. Assistant City Attorney Mike Ormsby was present during the Executive Session. The City Council reconvened at 6:00 p.m. for the Regular Legislative Session.

LEGISLATIVE SESSION

Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troop 258.

Roll Call

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

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

ADMINISTRATIVE REPORT

West Spokane Wellness Partnership

Kelly Cruz and Annie Murphey reported on a prescription drug takeback community event the West Spokane Wellness Partnership is putting on this Saturday, October 20, in response to the opioid crises.

COUNCIL COMMITTEE REPORTS

Sustainability Resources Committee (formerly Finance and Administration Committee)

Council Member Mumm reported on the Sustainability Resources Committee meeting held earlier today (October 15, 2018). Minutes of the Sustainability Resources Committee meeting are filed with the City Clerk's Office and are available for review following approval by the Sustainability Resources Committee.

APPOINTMENTS

Spokane Human Rights Commission (CPR 1991-0068)

Motion by Council Member Kinnear, seconded by Council Member Mumm, **to defer** for one week (to October 22, 2018) the re-appointment of John Lemus (to the Spokane Human Rights Commission); **carried 4-3 (Council President Stuckart and Council Members Beggs and Burke voting "no")**.

OPEN FORUM

Rick Bocook remarked on the Ninth Circuit Court of Appeals decision about laws against homelessness. He also remarked on the sit and lie ordinance. He stated that laws that criminalize the homeless need to be dismissed and eliminated.

Cherrie Barnett remarked on homelessness and the Union Gospel Mission, which she stated is a favorite charity of hers. She also remarked on the sale of Avista and urged the Council to look at what the sale entails.

Margie Benschung thanked Council Member Burke for inviting her to the discussion on The Academy (an independent and assisted living facility). She stated she is the CEO and Founder of Golden Sherpa and stated Golden Sherpa is developing a platform to match people looking for available placement in residential care with appropriate facilities and it will be an information platform.

LEGISLATIVE AGENDA

There were no **Special Budget Ordinances**.

There were no **Emergency Ordinances**.

RESOLUTIONS

Resolution 2018-0084

Upon consideration of Resolution 2018-0084, the City Council took the following actions:

Motion by Council Member Beggs, seconded by Council Member Mumm, **to replace** (the word) "unmanned" with "unoccupied;" **carried unanimously**.

Motion by Council Member Beggs, seconded by Council Member Kinnear, **to substitute**, as amended, Resolution 2018-0084 [thereby accepting the revised version (as amended above) of Resolution 2018-0084 as filed with the City Clerk's Office on October 8, 2018]; **carried 6-1 (Council Member Fagan voting "no")**.

Council Member Beggs provided an overview of Resolution 2018-0084. Public testimony was received and Council commentary held, after which the following action was taken:

Upon 5-2 Roll Call Vote (Council Members Burke and Fagan voting "no"), the City Council **adopted Resolution 2018-0084** permitting the use of unoccupied aerial systems by the Spokane Police Department to safely and efficiently record and document crime scenes, search for missing people, locate reported campsites, and for officer safety tactical applications.

FINAL READING ORDINANCES

Final Reading Ordinance C35680

Council President Stuckart provided an overview of Final Reading Ordinance C35680. Public testimony was received. Council Member Burke introduced an amendment to the ordinance and the following action was taken following Council debate:

Motion by Council Member Burke, seconded by Council Member Stratton, **to amend** Final Reading Ordinance C35680 as reflected in the *draft provided to City Council at the 3:30 p.m. Briefing Session; **rejected 1-6 (Council Member Burke voting "aye" and Council President Stuckart, Beggs, Fagan, Kinnear, Mumm, and Stratton voting "no")**.

Upon 6-1 Roll Call Vote (Council Member Burke voting "no"), the City Council **passed Final Reading Ordinance C35680** relating to the disposition of surplus real property; adopting new sections 12.10.005 and 12.10.050; amending sections 12.10.030 and 12.10.040 of the Spokane Municipal Code.

*(Note: Council Member Burke's proposed amendment to Ordinance C35680 included the following language changes to Section 12.10.050 Surplus Property for Affordable Housing Requirements, as reflected in underline and strikeout:

- Under Section 12.10.050(A): The City desires to maximize the number of affordable housing units developed at or below 80 percent of Area Median Income (AMI) and City policy is to prioritize, wherever feasible, production of affordable homes for households earning up to thirty percent (30% of AMI).
- Under Section 12.10.050(C): Disposition of City surplus real property for affordable housing may be made to a public, private, or nongovernmental body on mutually agreeable terms and conditions, including a no-cost

transfer, subject to and consistent with Washington Constitution article VIII, section 7, RCW 39.33, current City policies for funding of affordable housing through general or other funds, including similar requirements for length of time a unit shall be "affordable" for a specific AMI level, and this chapter.

- Under Section 12.10.050(D): Affordable housing units created through the disposition of public property under this section may shall be guaranteed upon request by the City of Spokane by a notation made on a recorded deed or other property conveyance instrument which includes both a covenant or other requirement that the property shall be used for affordable housing for a period of not less than fifty (50) years, consistent with existing city policies for funding production and/or preservation of affordable housing for low- and very-low-income households, and appropriate remedies that apply if the recipient of the property fails or ceases to use it for affordable housing.)

FIRST READING ORDINANCES

The following Ordinance was read for the first time, with further action deferred:

ORD C35681 Relating to federal civil immigration enforcement in nonpublic areas of City of Spokane property; amending section 12.05.005; adopting new sections 12.05.050, 12.05.060, and 12.05.070 to chapter 12.05 of the Spokane Municipal Code; and declaring an emergency.

There were no **Special Considerations**.

There were no **Hearings**.

SECOND OPEN FORUM

David Brookbank stated there is something more powerful and more beautiful than people saluting the flag or piece of paper the Constitution is written on and that is one person speaking up. He also remarked that Spokane is about to be eaten alive by economic forces and development forces and Amazon is one example. He stated the whole city is agitated and is not the Spokane that a lot of people want to live in and it's getting ugly because we turn our backs on those who are going to freeze on the streets.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 7:20 p.m.

STUDY SESSION MEETING MINUTES SPOKANE CITY COUNCIL Thursday, October 18, 2018

A regularly scheduled Study Session meeting of the Spokane City Council was held on the above date at 3:31 p.m. in the City Council Briefing Center, Lower Level – City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. Council Members Beggs, Burke, Fagan, Kinnear, and Mumm were present. Council President Stuckart and Council Member Stratton were absent.

The following topic was discussed:

- 2019 Budget—Public Works Administrative Departments

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

The meeting adjourned at 4:14 p.m.

Hearing Notices

NOTICE OF CITY COUNCIL PUBLIC HEARING PROPOSED COMPREHENSIVE PLAN AMENDMENTS TEXT AND LAND USE PLAN MAP CHANGES (Proposed Ordinances C35686 through C35690)

Notice is hereby given that there will be a public hearing before the City of Spokane City Council on **Monday, November 5, 2018, at 6:00 p.m.** in the City Council Chambers, Lower Level of City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. This hearing may be continued to a later date. This public hearing is for five applications for amendments to the City Comprehensive Plan. The Planning Department file numbers are Z2018-253COMP, Z2017-630COMP, Z2017-623COMP, Z2017-624COMP, and Z2017-621COMP.

Z2018-253COMP (Text Amendment, Chapter 2) is an application seeking to amend Chapter 2, Implementation Chapter text to include a reference to the Joint City Council – Administration Six-Year Strategic Plan. (ORD C35686)

Z2017-630COMP (Plese & Plese, LLC) is a proposal to amend the land use plan map for two split zoned parcels from “Residential 4-10” to “Office”. The properties are addressed at 6216 N. Washington Street and 6217 N. Whitehouse Street; the size is approximately 0.27 acres. (ORD C35687)

Z2017-623COMP (Kain Investments, LLC) is to amend the land use plan map on a split zoned parcel from “Residential 15-30” to “Neighborhood Retail” in the vicinity of South 9th Avenue & Madison Street; the area is approximately 0.11 acres. Parcel 35193.9017. (ORD C35688)

Z2017-624COMP (UHaul) is to amend the land use plan map for 10.86 acres from “office” to “general commercial” in the vicinity of Sunset Highway & S. Rustle St.; the site is addressed at 1616 S. Rustle Street. (ORD C35689)

Z2017-621COMP (Clanton Family, LLC) is to amend the land use plan map for three parcels located on the SE corner of West 6th Avenue and South Stevens St. from “office” to “general commercial”; the size is approximately 0.68 acres. (ORD C35690)

Documents relating to these amendments are available for viewing at: <https://my.spokanecity.org/projects/2017-2018-proposed-comprehensive-plan-amendments/>

Written comments and oral testimony at the public hearings for these proposed actions will be made part of the public record. **Only the applicant, persons submitting written comments and persons testifying at a hearing may appeal the decision of the City Council.**

Any person may submit written comments on the proposed actions to tblack@spokanecity.org or call for additional information at:

*Planning & Development Department
Attn: Tirrell Black, Associate Planner
808 West Spokane Falls Boulevard
Spokane, WA 99201-3329
Phone (509) 625-6185
tblack@spokanecity.org*

More information on the process: The City Council will be briefed on the Comprehensive Plan Amendments on Monday, October 22, 2018 at 3:30 p.m. There is no public testimony at the briefing. The 1st Reading of the ordinances relating to the Comprehensive Plan Amendments before City Council is scheduled for Monday, October 29, 2018. Generally no presentations are made at the 1st reading, and no public testimony is taken at the 1st reading. The 2nd reading and Public Hearing for the proposed amendments is scheduled for Monday, November 5, 2018, starting at 6 p.m. At this meeting there will be opportunity for public testimony. The public may also submit written comment to the City Council at tblack@spokanecity.org or citycouncil@spokanecity.org. The City Council may continue this public hearing.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call,

write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or msteinolfson@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

General Notices

NOTICE OF ELECTION TO BE HELD NOVEMBER 6, 2018

PROPOSITION NO. 1

RESOLUTION NO. 2018 - 0069

A RESOLUTION of the City of Spokane, Washington, providing for the form of the ballot proposition and specifying certain other details concerning submission to the qualified electors of the City at a special election to be held therein on November 6, 2018, of a proposition for the issuance of its general obligation bonds in the aggregate principal amount of not to exceed \$77,000,000, or so much thereof as may be issued under the laws governing the indebtedness of the City for the purpose of providing funds to finance capital improvements to the Spokane Public Library facilities and collections.

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

WHEREAS, the Spokane Public Library (the "Library") is a department of the City of Spokane organized under Chapter 27.12 of the Revised Code of Washington and operated and managed by the Library Board of Trustees (the "Library Board"); and

WHEREAS, the Library issued a Future and Facilities Study in 2016 (the "2016 Study") laying the groundwork for capital improvements to the Library's facilities and enhancement of future service capacity at locations throughout the City; and

WHEREAS, the 2016 Study provides for the development of plans for such capital improvements; and

WHEREAS, the Library entered into an agreement with Group 4 and Integrus Architecture (the "Consultants") to prepare a preliminary design for the expansion and upgrade of Library locations and facilities pursuant to the Library's Facilities and Future Service Plan; and

WHEREAS, at its July 17, 2018 meeting, the Library Board approved the preliminary design recommendations of the Consultants to acquire, construct, equip, modernize and make other capital improvements to the facilities of the Spokane Public Library as further described in Section 2 of this resolution (the "Project"); and

WHEREAS, on July 17, 2018, the Library Board voted unanimously to recommend the City Council place a ballot measure on the November 6, 2018 ballot that would allow for the issuance of its general obligation bonds for the purpose of implementing the 2016 Study and the Project; and

WHEREAS, the City has an opportunity to collaborate with Spokane Public Schools ("School District") to invest in and develop new and renovated educational facilities for the joint use of City and School District constituents; and

WHEREAS, the City Council believes the Project will enable the City and School District to accomplish mutual goals and improvements in a manner that provides the citizens and taxpayers of the City and School District with fully utilized, cost-effective public facilities; and

WHEREAS, subject to voter approval, in order to provide financing for the Project, the City Council now deems it necessary and advisable that the City issue and sell its general obligation bonds in the principal amount to not exceed \$77,000,000 (the "Bonds"); and

WHEREAS, the constitution and laws of the State of Washington provide that the question of whether or not the City may issue the Bonds be submitted to the qualified electors of the City for their approval or rejection; and

WHEREAS, pursuant to Section 85 of the City Charter, a vote of the people shall be required for capital expenditures for which debt shall be incurred by the City.

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

Section 1. Findings The City Council hereby finds and declares that it is in the best interests of the inhabitants of the City to carry out the Project hereinafter provided at the time or times and in the order deemed most necessary and advisable by the City.

Section 2. Spokane Library System Capital Project. The City Council approves of the Project, including, but not limited to:

a. the design, acquisition, construction, rehabilitation, modernization and installation of betterments and improvements to the Indian Trail Library, South Hill Library and Downtown Library branch locations, including improvements to the heating, ventilation and air conditioning systems, carpeting, roofs, lighting, accessibility, security and technology infrastructure of each branch locations; and

b. the design, acquisition, construction, and installation, or the remodel or relocation of a branch location serving the Liberty Park and East Central neighborhood, including site preparation, site improvements, removal and relocation of existing City recreation facilities as necessary to facilitate construction and installation of a new branch; and

c. the design, acquisition and construction, or the remodel or relocation and installation of an expanded or relocated Hillyard Library Branch located in or near Shaw Middle School; and

d. the design, acquisition, construction and installation of a new branch location serving the southeast portion of the City and located adjacent to the Libby Center; and

e. the design, acquisition, construction and remodel of an expanded Shadle Library Branch located adjacent to Shadle Park High School; and

f. the design, acquisition, construction and installation of twenty-four hour library materials kiosks throughout the Library system; and

g. All ancillary costs of equipping, outfitting, furnishing and acquiring library materials and collections in print or digital form, audio-visual equipment, computer and technology equipment and all necessary appurtenances for the Project; and

h. The costs of all necessary architectural, engineering, and other consulting services, inspection and testing, administrative and relocation expenses, on and off-site utilities, site acquisition, related Project and other costs incurred in connection with the making of the foregoing improvements shall be deemed a part of the costs of the Project, including costs of issuance, sale and delivery of the Bonds.

Upon issuance of the Bonds, the City shall determine the application of available moneys so as to accomplish, as nearly as may be, all of the Project described or provided for in this Resolution.

If the City Council determines that it has become impractical to accomplish any of such Project or portions thereof by reason of state or local circumstances, including changed conditions, incompatible development, lack of additional state funding, or costs substantially in excess of those estimated, the City shall not be required to accomplish such Project and may apply the Bond proceeds or any portion thereof to other portions of the Project, or to other Library capital improvements or expenditures, as the Library Board and City Council may determine is necessary.

In the event that proceeds of the sale of the Bonds, plus any other moneys of the City legally available, are insufficient to accomplish all of the Project as defined in this Section 2, the City shall use the available funds to accomplish those elements of the Project as deemed most necessary and in the best interest of the citizens by the Library Board and City Council.

If available funds are sufficient from the proceeds of the Bonds to accomplish all of the Project and proceeds of the Bonds remain available, and state or local circumstances require, the City may use such funds to pay the principal of or interest on the Bonds or to acquire, construct, equip, outfit and make other capital improvements to Library facilities, all as the Library Board and City Council may determine is necessary.

Section 3. Authorization of Bonds. For the purpose of providing the funds necessary to pay the costs of the Project, together with incidental and appurtenant costs of acquisition, equipping and outfitting the Project improvements, and to pay costs related to the issuance and sale of the Bonds, the City shall issue and sell its general obligation bonds in the aggregate principal amount of not to exceed \$77,000,000 (the "Bonds"). The Bonds shall be issued in an amount not exceeding the amount approved by the electors of the City and not exceeding the amount permitted by the constitution and laws of the State of Washington. The balance, if any, of the cost of the Project shall be paid out of any other legally available funds. The Bond proceeds shall not be used for anything other than capital and other purposes permissible under state and federal laws.

Section 4. Details of Bonds. The Bonds shall be issued in such amounts and at such time or times as found necessary and advisable by the City Council and as permitted by law. The Bonds may be issued in one or more series and shall bear interest payable at a rate or rates authorized by the City Council. The Bonds shall mature in such amounts and at such times within a maximum term of 25 years from date of issue, all as authorized by the City Council and as provided by law. The Bonds shall be general obligations of the City and, unless paid from other sources, both principal of and interest on the Bonds shall be payable out of annual tax levies to be made upon all the taxable property within the City without limitation as to rate or amount and in excess of any constitutional or statutory tax limitation. The exact date, form, terms, options of redemption, maturities, covenants and manner of sale of the Bonds shall be as hereafter fixed by ordinance or ordinances of the City Council. Upon voter approval of the Bonds and in anticipation of the issuance of such Bonds, the City may issue short-term obligations as authorized by Chapter 39.50 RCW.

Section 5. Election. It is hereby found and declared that the best interests of the inhabitants of the City require the submission to the qualified electors of the City of the proposition of whether the City shall issue the Bonds at a special election to be held on November 6, 2018. The Spokane County Auditor, as *ex officio* supervisor of elections in Spokane County, Washington is hereby requested to call and conduct the special election to be held within the City and to submit to the qualified electors of the City the proposition set forth below. The City Clerk is hereby authorized and directed to certify the proposition to said officials in the following form:

CITY OF SPOKANE

PROPOSITION NO. 1

SPOKANE PUBLIC LIBRARY GENERAL OBLIGATION BONDS - \$77,000,000

The City Council of the City of Spokane passed a resolution approving a plan to finance the acquisition, construction, remodel and equipping of the City's public library system. Resolution No. 2018-0069 authorizes modernization of the Downtown, South Hill and Indian Trail branches; expansion and modernization of the Shadle branch; remodel or relocation of the Hillyard branch; construction of new Liberty Park and Libby Center branches; installation of library kiosks throughout the City; equipping and outfitting the branches; issuing up to \$77,000,000 in general obligation bonds repaid from an annual excess levy on real property, maturing within 25 years from date of issue. Should this proposition be:

APPROVED?..... ☐

REJECTED? ☐

Certification of this proposition by the City Clerk to the Spokane County Auditor, in accordance with law, prior to the date of the election, and any other acts consistent with the authority and prior to the effective date of this resolution, are hereby ratified.

Section 6. Severability. In the event that any provision of this resolution shall be held to be invalid, such invalidity shall not affect or invalidate any other provision of this resolution or the Bonds, but they shall be construed and enforced as if such invalid provision had not been contained herein; provided, however, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 7. Effective Date. This resolution shall become effective immediately upon its passage and publication, as required by law.

ADOPTED by the City Council at a special meeting thereof, held this 1st day of August, 2018.

Publish October 17 and 24, 2018

**NOTICE OF ELECTION
TO BE HELD NOVEMBER 6, 2018**

ADVISORY VOTE

RESOLUTION NO. 2018 - 0071

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION ON NOVEMBER 6, 2018 IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION TO SUBMIT TO THE VOTERS OF THE CITY OF SPOKANE AN ADVISORY VOTE REGARDING THE LOCATION OF THE SPOKANE PUBLIC SCHOOLS' STADIUM AS PROPOSED IN ITS BOND PROPOSITION.

WHEREAS, on August 1, 2018, the Spokane Public Schools (SPS) Board of Directors approved SPS Resolution No. 2018-10 regarding a ballot proposition to finance capital improvements to school facilities, including the construction of a stadium to replace Albi Stadium on a site to be determined by the Board or the renovation of the existing Albi Stadium; and

WHEREAS, the Public Facilities District (PFD), the Spokane Sports Commission, Spokane County and the City of Spokane are coordinating on construction of a sports complex at a site known as the North Bank of the Spokane River ("North Bank"); and

WHEREAS, SPS Resolution 2018-10 provides that other local governmental entities may share in a portion of the Albi Stadium construction or renovation cost; and

WHEREAS, the City, Spokane Public Schools, the Public Facilities District and other community stakeholders have engaged in discussions, including the receipt of public testimony, regarding the potential benefits of locating the stadium on land owned by the Public Facilities District on the North Bank; and

WHEREAS, the Spokane City Council seeks to obtain the advice of the voters of the City of Spokane as to whether the Spokane Public Schools' proposed new stadium should be located at the present site of Albi Stadium or at a central location on property owned by the Public Facilities District on the North Bank.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, pursuant to section 84 of the City Charter, that:

1) The Spokane County Auditor is hereby requested, pursuant to RCW 29A.04.330, to hold a special election on November 6, 2018, in conjunction with the scheduled general election, for the purpose of submitting to the voters of the City an advisory vote regarding the location of the Spokane Public Schools' proposed stadium in the following form:

CITY OF SPOKANE

ADVISORY VOTE

ADVISORY VOTE REGARDING LOCATION OF SPOKANE PUBLIC SCHOOLS' PROPOSED STADIUM

The Spokane City Council approved Resolution No. 2018-0071, authorizing an advisory vote be submitted to the voters regarding whether the Spokane Public Schools' proposed stadium should be either (A) located at the present site of Albi Stadium or (B) located at a central (downtown) location on property owned by the Public Facilities District on the North Bank of the Spokane River.

Shall the Spokane Public Schools' proposed stadium be either:

_____ A) located at the present site of Albi Stadium, or

_____ B) located on property owned by the Public Facilities District on the North Bank of the Spokane River.

2) The City Clerk is directed to deliver a certified copy of this resolution to the Spokane Auditor no later than August 7, 2018.

3) The City Attorney is authorized to make such minor adjustments to the wording of the advisory vote 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 advisory vote remains clear and consistent with the intent of the resolution as approved by the Council.

Publish October 17 and 24, 2018

NOTICE

APPLICATION PERIOD OPEN FOR 2018-2019 PROPOSED ANNUAL COMPREHENSIVE PLAN AMENDMENTS

The City of Spokane will be accepting applications to amend the text or maps in the Comprehensive Plan until **October 31, 2018** per SMC 17G.020. All complete applications received will be reviewed by a city council subcommittee and those placed on the Annual Comprehensive Plan Amendment Work Program for the City of Spokane will begin full review in early 2019. Anyone may make a proposal to amend the City's Comprehensive Plan.

The City of Spokane's Comprehensive Plan addresses many facets of city life, including land use, transportation, capital facilities, housing, economic development, natural environment and parks, neighborhoods, social health, urban design, historic preservation, and leadership. The City of Spokane is committed to conducting an annual process to consider amendments to the comprehensive plan. The Growth Management Act specifies that amendments to a comprehensive plan cannot be made more frequently than once per year. The purpose for this is two-fold: it gives the plan stability over time, avoiding spontaneous changes in response to development pressures, and it groups all proposed amendments in a common process for consideration, providing the opportunity to examine their collective effects on the plan.

Following review by a City Council subcommittee, who sets the Annual Comprehensive Plan Amendment Work Program, Plan Commission consideration of each amendment proposal on the Work Program will be conducted at public workshops held during the public comment period, typically in the summer. Applicants will be afforded the opportunity to address the Plan Commission during the workshop regarding their application. The City Council considers the amendment proposals, staff report, and Plan Commission's amendment recommendations within the context of its budget discussions, and acts on the amendment proposals prior to or at the same time as it adopts the City budget, usually late fall.

If you have any questions regarding the Comprehensive Plan Amendment process or would like to schedule a pre-application meeting, please contact Tirrell Black at (509) 625-6300 or tblack@spokanecity.org.

Publish September 12, 19 & 26, 2018 and October 3, 10, 17 & 24, 2018

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. C35680

An ordinance relating to the disposition of surplus real property; adopting new sections 12.10.005 and 12.10.050; and amending sections 12.10.030 and 12.10.040 of the Spokane Municipal Code.

WHEREAS, there is a significant need for housing in the city of Spokane for households with incomes under 80% percent of the area median income ("AMI"); and

WHEREAS, the City's Comprehensive Plan supports City efforts to assist in the development of affordable housing, via policies H 1.10 (Lower-Income Housing Development Incentives) and H 1.12 (Affordable Housing Funding Sources); and

WHEREAS, the City's strategic plan calls on the City to "[r]educe homelessness and protect vulnerable populations," and "[s]upport [the] smart use of public land while protecting natural resources"; and

WHEREAS, House Bill 2382 authorized cities to dispose of surplus property for, among other purposes, the development of affordable housing, provided that the city adopts rules and imposes certain requirements; and

WHEREAS, the City of Spokane owns real property and desires to examine, in the process of its real estate review committee process for the disposition of surplus real property, whether such property is suitable for affordable housing.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is adopted a new section 12.10.005 of the Spokane Municipal Code:

Section 12.10.005 Definitions

- A. "Affordable housing" has the same definition as that stated in RCW 43.63A.510(4)(a), namely, residential housing that is rented or owned by a person who qualifies as a very low-income, low-income, or moderate-income household or who is from a special needs population, and whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent (30%) of the household's monthly income.
- B. "Public benefit" means affordable housing for low-income and very low-income households as defined in RCW 39.33.015(8)(a), and related facilities that support the goals of affordable housing development in providing economic and social stability for low-income persons.

Section 2. That section 12.10.030 of the Spokane Municipal Code is amended to read as follows:

Section 12.10.030 Real Estate Review Committee; Report.

- A. Upon determining that no City department is using, or will use, an identified parcel of land within a reasonable timeframe, the Real Estate Review Committee ("RERC") shall review the subject property and prepare a written recommendation to the Mayor as to whether a particular parcel should be declared surplus and, if so, the method of disposition. The RERC shall meet on an as-needed basis, and shall include the following members or their designees:
 - 1. Asset Management Director,
 - 2. City Administrator,
 - 3. Finance Director,
 - 4. City Attorney,
 - 5. City Department or Division Head most directly affected by the surplus and disposition, if applicable,
 - 6. The two City Council Members who represent the district where the subject property is located, and
 - 7. Director of Neighborhood Services
- B. The RERC report shall include at least the following information regarding the subject property:
 - 1. A description of subject parcel's size, zoning, existing improvements, condition of improvements, ingress/egress, neighborhood planning, environmental condition (findings of environmental reports), and other salient observations.
 - 2. A description of the acquisition and development history of property, including when was the property originally acquired by the City, the source of funds for acquisition, the source of funds for subsequent improvements, how the property is currently used or was used most recently, and the City department(s) involved, etc.
 - 3. A written comment from the City's Community, Housing, and Human Services ("CHHS") Department as to whether the property is suitable for affordable housing development, including a description of the factors supporting the conclusions contained in the written comment. Such factors shall include, without limitation, location, approximate lot size, proximity to services, and access to transit.
 - ((3)) 4. The report should identify the City department or fund (e.g., revenue, general, special) which is most logically and/or economically linked to the property. In addition, the report should address the repayment of bonds, grants, or other financing instruments used to acquire the property or which have used the property as security.
 - ((4)) 5. Before a recommendation for surplus and disposition is made, the RERC shall announce to all City departments and the City Council that the subject property is being evaluated for surplus. If a City department expresses interest in using the property, that department must present a written explanation to the RERC, for inclusion in its recommendation report, of the interested department's interest, its intended use, timeline, and operational and financial rationale for maintaining City ownership of the property for use by the interested department.

- ((5)) 6. The RERC's report must describe the efforts made by the RERC to obtain input from and consultation with elected officials, City staff, neighborhood councils, and other groups that may have developed ideas on re-purposing the subject property in alignment with City strategic goals.
- ((6)) 7. The RERC report must also include an estimate of the subject property's market value. This can be accomplished by the use of a Member of Appraisal Institute ("MAI") /state certified appraisal, tax assessment, market comparables, and/or a City staff opinion of market value.
- ((7)) 8. The RERC report should include any recommended covenants, conditions, or restrictions that the City should place on the subject property before disposed. Examples include access easements, air rights for adjacent property owners, purchase option or right of first refusal for City to reacquire property at a future date, among others.
- ((8)) 9. The RERC report should recommend the preferred disposition method from among those listed in SMC 12.10.040. The methods are not mutually exclusive and some properties may require a mixture of the methods.

Section 3. That section 12.10.040 of the Spokane Municipal Code is amended to read as follows:

Section 12.10.040 Allowable Methods of Property Disposition

A. Surplus City real property may be disposed of using any of the following methods:

1. Direct Sale. Using City legal staff, third party title/escrow companies, and third party reports such as appraisals and environmental studies, the City may sell property directly to another party. This approach does not require the services of a professional listing broker or the additional considerations of a special disposition. Typical examples for which this method are most well-suited include:
 - a. Remnants, defined as: 1) small parcels of land, usually smaller than 2,000 square feet, 2) irregular shapes, and 3) are unlikely to support any stand-alone development. Remnants are often the leftover parcels from right of way dedications and developments. The most likely buyer of a remnant property will be an abutting property owner.
 - b. Unsolicited offers the City receives from public or private parties on city-owned real estate properties that have not been surplusd or are not actively being marketed for sale.
 - c. Sales to Public Development Authorities or Limited Redevelopment Authorities, provided that such sales comply with Chapter 39.33, RCW.
 - d. Sales to non-profit or for-profit affordable housing providers, provided that such sales comply with Chapter 39.33.
2. Listing with Real Estate Broker. In order to generate the greatest return on the sale of a property, subject to applicable procurement laws, the City may contract with a professional commercial real estate broker who specializes in commercial or residential properties for broker listing in some cases. Broker listings are ideally suited for land parcels and improved properties in established neighborhoods for which (1) the anticipated use of the subject properties will be similar to their present uses, and (2) future development of the subject parcel is expected to conform to the well-established land uses prevalent in the subject property's vicinity.
3. Land Swaps. The City may also, as specifically authorized by chapter 39.33, RCW, dispose of real property via a land swap with another public entity, such as a school district, county, the federal government, or other municipal corporation.
4. Special Dispositions. Some City-owned real property may merit the use of a special disposition method because they can provide benefits that far exceed the limitations of monetary market value. Special disposition of these properties can further the objectives and goals of the City and can actually be a catalyst for economic development, affordable housing, and expansion of community services. All special dispositions should be reviewed for compliance with RCW 39.33 and Article VIII, Section 7 of the Washington State Constitution, which generally prohibits gifting of City property.
 - a. Key characteristics qualifying a property for special disposition status include the following:
 - i. Properties that have a nexus with a Public Development Authority, such as where the property is within the geographic area of a public development authority (PDA), or where a PDA has expressed specific interest in the subject property.

- ii. Properties within City-designated targeted investment areas or a neighborhood where redevelopment is a focus of revitalization efforts.
- iii. Properties with characteristics desirable when providing affordable housing units including access to transit, employment centers, healthcare facilities, schools, and the presence of other relevant factors as identified by the CHHS Department. The property's current land use and zoning designations shall not be considered prohibitive to providing affordable housing units.
- ((iii)) iv. Properties for which there is strong community interest, as expressed by neighborhood councils, local businesses, schools, and other community organizations.
- ((iv)) v. Properties which may, if the use is changed from the current use, create a substantial impact on neighboring property owners.
- ((v)) vi. The needs of multiple stakeholders, including those mentioned above, may necessitate the use of a disposition method other than a listing or direct sale.
- ((vi)) vii. The City may use a special disposition method where the City anticipates that a likely buyer will request a zoning change, a street dedication, a right of way vacation, or zoning changes.
- ((vii)) viii. Special disposition methods may be appropriate where the City retains requires property rights after the sale of the property, such as access easements, air rights, purchase options, and other conditions not already addressed elsewhere.
- ((viii)) ix. The RERC report may contain a recommendation for the use of a special disposition method for reasons other than those listed above, based on the specific circumstances.
- b. Prior to finalizing a report which recommends a special disposition method, the RERC shall hold a public hearing regarding the subject property. The RERC will issue a notice of public hearing no sooner than 10 days and no more than 25 days prior to the hearing. Notice will be sent to all property owners within 1,000 feet of the subject property and officers of the applicable neighborhood council. The RERC shall incorporate the public hearing comments in its recommendation report.
- c. The primary means for performing a special disposition is a City-issued Request for Proposal ("RFP"). The RERC will develop the RFP criteria as part of any recommendation report which recommends disposition via a special disposition process. The criteria used in evaluating responses to the RFP will be enumerated and weighted on a property-specific basis. For instance, the RFP criteria on a residential parcel in one area of the City may vary significantly from that on an industrial property in another area.
 - i. Some RFP criteria may be:
 - A. Compatibility with adopted neighborhood plan
 - B. Compliance with the City of Spokane's Comprehensive Plan
 - C. Potential number of affordable housing units which the property can provide, the income level(s) potentially served by such affordable housing development, and the proposer's experience or capacity in developing and managing affordable housing.
 - ((G)) D. Job creation potential
 - ((D)) E. New tax base expansion or creation potential
 - ((E)) F. Ultimate range of purchase price and earnest money
 - ((F)) G. Relevant purchase contract conditions
 - ((G)) H. Experience and capability of the buyer
 - ((H)) I. Timeline for completing the project and/or project phases, as applicable

- d. The RFP process may use a direct sale closing process or it may become part of the listing requirements with a licensed broker. Alternatively, the RERC may recommend a long term lease. The RERC report shall contain a recommendation concerning the method of disposition.

Section 4. That there is adopted a new section 12.10.060 of the Spokane Municipal Code:

Section 12.10.060 Surplus Property for Affordable Housing Requirements

- A. The City desires to maximize the number of affordable housing units developed at or below 80 percent of Area Median Income (AMI).
- B. Pursuant to RCW 39.33, the City of Spokane may dispose of surplus property, may transfer, lease, or use other methods of disposal of such property for public benefit.
- C. Disposition of City surplus real property for affordable housing may be made to a public, private, or nongovernmental body on mutually agreeable terms and conditions, including a no-cost transfer, subject to and consistent with Washington Constitution article VIII, section 7, RCW 39.33, and this chapter.
- D. Affordable housing units created through the disposition of public property under this section may be guaranteed upon request by the City of Spokane by a notation made on a recorded deed or other property conveyance instrument which includes both a covenant or other requirement that the property shall be used for affordable housing and appropriate remedies that apply if the recipient of the property fails or ceases to use it for affordable housing.

Passed by City Council October 15, 2018
Delivered to Mayor October 17, 2018

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.

AMENDMENT

AMENDMENT

AMENDMENT

EQUIPMENT OPERATOR

SPN 621

(Announcement of 10/8/2018)

The above titled announcement is hereby amended to read:

EXAMINATION DETAILS: Closing Date/Time Sun. 10/28/18 11:59 PM Pacific Time

EXAMINATION & CLASSIFICATION ANALYST III SPN 047 PROMOTIONAL

DATE OPEN: Monday, October 22, 2018

DATE CLOSED: Sunday, October 28, 2018 at 11:59 p.m.

SALARY: \$69,112.80 annual salary, payable bi-weekly, to a maximum of \$90,076.32

DESCRIPTION:

Performs responsible professional and analytical work in public personnel administration.

DUTIES:

- Plans, organizes, and promotes the procedures and techniques of job analysis, classification, test construction, and administration, recruiting, and related areas as assigned. Performs extensive research and develops new methods and procedures as needed.
- Supervises and participates in a continuous review of the classification plan and the relationship of jobs to each other. Reviews and investigates requests for new classifications. Develops and maintains career fields and lines of progression for all positions in the classified service. Coordinates with management in salary studies as they relate to job evaluations and grade structures.

- Supervises and participates in recruitment, qualification and placement programs. Interviews applicants to determine their qualifications, veteran status, and other factors.
- Performs extensive research for test development for a wide variety of occupations.
- Constructs and administers tests, and conducts test research for validity and reliability. Researches and develops written, performance, assessment centers, and other job-related examinations, as necessary. Develops and conducts assessment processes, including exercises, grading criteria and forms, and related timetables. Identifies, contacts and recruits well-qualified assessors. Monitors and controls assessment process exercises to ensure that candidates are considered and graded on job-related criteria.
- Establishes and maintains cooperative relationships with departments, professional and employee groups, and individual employees, and conducts special studies or investigations as necessary. Investigates and reports on employee complaints concerning conditions of employment and appeals from disciplinary action. Prepares position papers for Commission deliberations.
- Performs related work as required.

MINIMUM QUALIFICATIONS:

Current, non-probationary City employees within the line of progression may apply for this promotional recruitment if you meet either the Open or Promotional requirements below, pursuant to Rule VI Section 5 of the Civil Service Rules.

Promotional Requirements: Completion of at least two years of service with the City as an Examination & Classification Analyst II (SPN 046).

Open Entry Requirements: Graduation from an accredited four-year college or university with a degree in Public or Business Administration, Psychology, Sociology or a related field; AND, five years of experience in progressively responsible positions related to the technical phases of public personnel administration, including at least one year in a responsible supervisory capacity.

EXAMINATION DETAILS:

You must meet the minimum qualifications and pass the examination for this position to be eligible for hire. The exam is a training and experience evaluation (T&E) and a promotional evaluation (PAR), with scoring weights assigned as follows:

- T&E: 80%
- PAR Score: 20%

T&E Evaluation Details:

The T&E examination consists of a Supplemental Questionnaire, which you will complete online at the time of application. The questions may be previewed online under the tab marked **"QUESTIONS"** on the job announcement page.

- Responses to your T&E questions should be consistent with the information given in your application details. Answers are subject to verification.
- Failure to complete all of the questions or incomplete responses will result in a lower score; therefore, it is advantageous for you to provide a full and complete response to each supplemental question.
- Resumes or questionnaires uploaded as attachments to the application will not be accepted in lieu of completing each question online.
- "See Resume" or "See above," etc., are not qualifying responses and will not be considered.
- Changes or corrections to your responses cannot be made once your application packet has been submitted.
- **TIP:** It may be more efficient to develop your responses in a word processing document and then paste them into the online questionnaire to be submitted.

Promotional Evaluation Details:

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

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

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/job> 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.or with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 18th day of October 2018.

MARK LINDSEY
Chair

AMBER RICHARDS
Chief Examiner

Notice for Bids

Supplies, Equipment, Maintenance, etc.

REQUEST FOR PROPOSALS

CISCO SMARTNET SERVICES

City of Spokane Innovation and Technology Services Division

RFP #4500-18

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, OCTOBER 29, 2018**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **CISCO SMARTNET SERVICES** for the City of Spokane Innovation and Technology Services Division.

Detailed specifications and proposal forms are available for download on the City of Spokane Purchasing Webpage: <https://my.spokanecity.org/administrative/purchasing/current-projects/>.

It is the responsibility of Proposers to check the Purchasing Webpage above for Addenda or other additional information that may be posted regarding this Request for Proposals.

Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, October 29, 2018**. 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
4th 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 #4500-18, CISCO SMARTNET SERVICES, DUE: 10/29/2018"

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

Publish: October 17 & 24, 2018

