



# Official Gazette

## City of Spokane, Washington

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

Volume 108

DECEMBER 5, 2018

Issue 48



### 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)

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# Minutes

**MINUTES OF SPOKANE CITY COUNCIL**

**Monday, November 19, 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, 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 November 26, 2018, Advance Agenda items.

Resolution 2018-0097 Approving a Five-year Development Agreement with Beacon Hill Spokane, Inc.

Council President Stuckart requested a motion to suspend the Council Rules in order to add Resolution 2018-0097 to the Council's November 26, 2018, Agenda. The following actions were taken:

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

**Motion** by Council Member Fagan, seconded by Council Member Kinnear, to so move [**to add** Resolution 2018-0097 to next week's (November 26) agenda]; **carried unanimously.**

**Action to Approve November 26, 2018, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the November 26, 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, November 26, 2018 (as amended); **carried unanimously.**

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

The City Council reviewed the November 19, 2018, Current Agenda for any changes.

Resolution 2018-0094

Council Member Burke requested a motion to add the newest version of Resolution 2018-0094 (thereby replacing the previously filed version of the ordinance). The following action was taken:

**Motion** by Council Member Burke, seconded by Council Member Beggs, **to replace** Resolution 2018-0094 (with newest version); **carried unanimously.**

Interlocal Agreement with Spokane County and ATF (OPR 2018-0753) and Contract with DW Excavating (OPR 2018-0754) Assistant City Attorney Margaret Harrington provided an overview of the Interlocal Agreement with Spokane County and ATF to renovate shared EDU site on the Spokane County Property and the Contract with DW Excavating for renovation of the EDU range. The following actions were taken:

**Motion** by Council Member Fagan, seconded by Council Member Beggs, **to suspend** the Council Rules; **carried unanimously.**

**Motion** by Council Member Fagan, seconded by Council Member Mumm, **to add** the Interlocal Agreement with Spokane County (OPR 2018-0753) and ATF and the Contract with DW Excavating (OPR 2018-0754); **carried unanimously.**

### CONSENT AGENDA

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

Purchase from Larry H. Miller for two undercover vehicles and Becker Buick (Spokane, WA) for one undercover vehicle for the Police Department—\$75,000. (OPR 2018-0725)

Amendment with Axon Enterprise, formerly Taser International, (Scottsdale, AZ) for 30 additional body cameras with licenses and five additional cameras per year from 2019 through 2021—Increase of \$32,770.56. Total contract amount \$367,536.28. (OPR 2013-0689)

Interlocal agreement with Spokane County for historic preservation services from 2019 through 2021—\$105,000. (OPR 2018-0726)

Consultant agreement with KPFF (Spokane, WA) for future Bosch lot parking garage site assessment, roadway relocation, and trailhead access—Not to exceed \$151,019 plus 10% administrative reserve. Total contract amount \$166,120.90. (OPR 2018-0727)

Local Area A&E Professional Services Consultant Agreements (all Spokane, WA) for Federal Aid projects from 2019 through 2020 with:

- a. Budinger & Associates, Inc. for geotechnical engineering services—Not to exceed \$250,000. (OPR 2018-0728 / ENG 2019052)
  - b. Parametrix, Inc. for surveying services—Not to exceed \$150,000. (OPR 2018-0729 / ENG 2019057)
  - c. Parametrix, Inc. for landscape architect services —Not to exceed \$200,000. (OPR 2018-0730 / ENG 2019053)
  - d. Coffman Engineers for electrical engineering services—Not to exceed \$150,000. (OPR 2018-0731 / ENG 2019049)
  - e. LSB Consulting Engineers, Inc. for structural engineering services—Not to exceed \$200,000. (OPR 2018-0732 / ENG 201051)
  - f. Historical Research Associates for cultural resources services—Not to exceed \$250,000. (OPR 2018-0733 / ENG 2019055)
- (Various Neighborhoods.)

Consultant Agreements (all Spokane, WA) for Non-Federal projects from 2019 through 2020 with:

- a. Historical Research Associates for cultural resource consultant on-call services—Not to exceed \$500,000. (OPR 2018-0734 / ENG 2019-56)
  - b. Coffman Engineers for on-call electrical engineering services—Not to exceed \$150,000. (OPR 2018-0735 / ENG 2019050)
  - c. Parametrix, Inc. for landscape architect on-call services—Not to exceed \$250,000. (OIPR 2018-0736 / ENG 2019054)
- (Various Neighborhoods.)

Loan Agreement & other documents with J Auld Apartments LLC (Spokane, WA) for construction of Jayne Auld Manor, a 48-unit apartment complex at 2830 East Francis Avenue and 6205 and 6211 North Regal Street - \$320,000 HOME CHDO funds (Hillyard). (OPR 2018-0737)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through November 9, 2018, total \$8,994,560.67 (Check Nos. 554880-555152; Ach Payment Nos. 56321-56654), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$7,626,812.91. (CPR 2018-0002)

City Council Meeting Minutes: November 5 and November 8, 2018. (CPR 2018-0013)

Interlocal agreement with Spokane County and Alcohol, Tobacco, Firearms (ATF) to renovate shared EDU site on Spokane County Property—\$40,000. (OPR 2018-0753)

Contract with DW Excavating (Davenport, WA) for renovation of the EDU range from December 1, 2018, through November 30, 2019—\$70,000. (OPR 2018-0754)

### **Remarks by Citizen Alfredo Llamedo**

Citizen Alfred Llamedo was provided an opportunity to present remarks pertaining to his hunger strike in protest of the City's sit and lie ordinance and the week he spent on the streets with other men and women and children who are homeless on our streets. He stated the experiences and stories he has encountered being out there are heart-wrenching. In reference to City Hall and the sidewalk by City Hall, Mr. Llamedo stated he, along with others, would stay there until the City and the Council does the right thing, and he stated the right thing is to suspend the enforcement of this (sit and lie ordinance) law and to bring all the stakeholders together and come up with a solution that works for the City, for the businesses, and most of all for the people.

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

The City Council adjourned at 4:07 p.m. No Executive Session was held. 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 Council President Stuckart.

### **Roll Call**

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

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

### **REVIEW OF RULES OF DECORUM**

Council President Stuckart reviewed the rules of decorum and the time limits for open forum and on speaking on agenda issues.

### **PROCLAMATIONS**

November 27 - December 9, 2018 *Christmas Tree Elegance Weeks*

Council Member Kinnear read the proclamation and presented it to Jennifer Ogden who accepted the proclamation as a representative of Christmas Tree Elegance. The Spokane Symphony Associates is a nonprofit organization comprised of dedicated men and women who believe having a symphony orchestra in Spokane enhances the quality of life in the community. The Spokane Symphony Associates exists to provide financial and volunteer support for the Spokane Symphony Orchestra as well as educational and involvement opportunities for the community. This Symphony season will celebrate its 56<sup>th</sup> anniversary. One of the goals of the Spokane Symphony Associates is to provide an annual community family event – Christmas Tree Elegance to herald the holiday season which in its 36<sup>th</sup> year continues to be their largest fundraiser for the Spokane Symphony Orchestra. The proclamation invites the citizens of and visitors to our grand city to join in this delightful celebration of the holiday season in support of the outstanding efforts of the Spokane Symphony Associates to support the Spokane Symphony Orchestra.

November 13, 2018

*Start of Red Kettle Season*

Council Member Fagan read the proclamation and presented it to Major Kenneth Perine. Over one hundred and thirty years ago, a Salvation Army officer in San Francisco provided a free Christmas dinner to the poor by collecting cash in a

crab pot to pay for the meal. Today, hundreds of families, community service organizations, national and local corporate sponsors, and individual community members all volunteer time to stand at a kettle collecting donations to provide the spirit of that first Christmas dinner to those who would be forgotten all year long: the aged, the lonely, the ill, prisoner, and the poor in Spokane. One hundred percent of all of the funds raised in Spokane during the Red Kettle season stay in our community to support assistance this Christmas, as well as youth in foster care, to have a safe, warm place to sleep. The proclamation encourages all citizens to recognize the distinctive value of this great organization in our community and celebrate the extraordinary and long lived partnerships we share with the Salvation Army.

There was no **Administrative Report**.

There were no **Appointments**.

## OPEN FORUM

**Aaron Miller, Wayne Symmonds, Shan Anderson, Marianne Torres, Mara Spitzer, Michael Poulin, Rick Bocook, Ken Lee, Richard Dahl, and Joan Medina**, remarked on homelessness and/or spoke in support of a repeal of the City's sit and lie ordinance.

## LEGISLATIVE AGENDA

### SPECIAL BUDGET ORDINANCES

#### Special Budget Ordinances C35701 and C35702

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

**Upon Unanimous Roll Call Vote**, the City Council **passed** the following Special Budget Ordinances amending Ordinance No. C35565 passed by the City Council December 11, 2017, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2018, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2018, and providing it shall take effect immediately upon passage, and declaring an emergency and appropriating funds in:

**ORD C35701**                      Riverside Park Reclamation Facility Fund  
FROM: Unappropriated Reserves, \$191,582;  
TO:      Instrument Repair Technician (2 positions), \$191,582.

(This action creates two Instrument Repair Technician positions at step 6.)

**ORD C35702**                      Riverside Park Reclamation Facility Fund  
FROM: Unappropriated Reserves, \$80,824;  
TO:      Electronic Communication Tech Aid (1 position), \$80,824.

(This action creates one Electronic Communication Tech Aid position at step 6.)

### EMERGENCY ORDINANCES

#### Emergency Ordinance C35708

Council President Stuckart stated he would support a suspension of the rules (in order to add Emergency Ordinance C35708). The following actions were taken:

**Motion** by Council Member Beggs, seconded by Council Member Kinnear, **to suspend** the Council Rules; **carried 5-1 (Council Member Mumm absent and Council Member Fagan voting "no")**.

(Clerical Note: Council Member Mumm briefly left the meeting when the above action was taken.)

**Motion** by Council Member Beggs, seconded by Council Member Kinnear, **to add** Emergency Ordinance C35708 to the City Council's agenda this evening; **carried 6-1 (Council Member Fagan voting "no")**.

The City Clerk read the entirety of Ordinance C35708 into the record. Council Member Beggs then provided an overview of Ordinance C35708 and Council commentary was held. The following action was taken on the matter:

**Upon 6-1 Roll Call Vote (Council Member Fagan voting “no”), the City Council passed Emergency Ordinance C35708** immediately suspending the enforcement of section 10.10.026 of the Spokane Municipal Code; and declaring an emergency.

## RESOLUTION

### Resolution 2018-0094

Council Member Burke provided an overview of Resolution 2018-0094 (as amended during the 3:30 p.m. Briefing Session). Public testimony was then received and Council commentary held. The following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **adopted Resolution 2018-0094 (as amended)** stating the City Council’s intent to begin the formation of comprehensive housing and renter protections policy frameworks and scheduling public meetings to provide input and recommendation to the City Council on needed policy reforms for housing protections.

## FINAL READING ORDINANCES

**For Council Action on Ordinance C35695**, see section of minutes under “Hearings.”

**For Council Action on Ordinance C35703**, see section of minutes under “Hearings.”

## FIRST READING ORDINANCES

The following ordinances were read for the first time, with further action deferred:

**ORD C35699** Relating to elevator standards and permit fees amending SMC 17F.060.010, SMC 17F.060.020, SMC 17F.060.030, SMC 17F.060.040, SMC 17F.060.050, SMC 17F.060.090, SMC 17F.080.120, 08.02.033, and SMC 1.05.150.

**ORD C35700** Prohibiting the misrepresentation of an animal as a service animal, prescribing allowable inquiries concerning service animals, and setting the penalty for such misrepresentation; amending sections 18.06.040 and 01.05.210 of the Spokane Municipal Code.

There were no **Special Considerations**.

## HEARINGS

### Hearing on Citywide Capital Improvement Program 2019-2024 and Final Reading Ordinance C35695

The City Council held a hearing on the Citywide Capital Improvement Program 2019-2024. Subsequent to public testimony from one individual, the following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Beggs, **to continue** the hearing on the Citywide Capital Improvement Program 2019-2024 for two weeks (to December 3, 2018); **carried unanimously**.

Council Member Beggs noted that the Citywide Capital Improvement Program 2019-2024 was amended last week to add spending for an additional homeless shelter next year and City Council is working with staff to get the language just right so it fits in. The following action was then taken:

**Motion** by Council Member Beggs, seconded by Council Member Fagan, **to defer** further consideration of the Final Reading Ordinance C35695 (adopting a Six-year Citywide Capital Improvement Program for the years 2019-2024 and amending Section 5.5 Capital Facilities Program of the City’s Comprehensive Plan) also for two weeks (to December 3, 2018); **carried unanimously**.

### Continuation of Hearing on 2019 Proposed Budget (FIN 2018-0001) (Continued from November 12, 2018) and Final Reading Ordinance C35703

The City Council continued its hearing on the 2019 Proposed Budget. Public testimony was received. Council President Stuckart requested a motion to hold the Budget hearing open until December 10, 2018. The following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Mumm, **to so move (to hold the Budget hearing open** until December 10, 2018); **carried unanimously**.

Council President Stuckart presented remarks on the budget. He requested a motion to defer Ordinance C35703 until December 10, 2018. The following action was then taken:

**Motion** by Council Member Fagan, seconded by Council Member Stratton, to so move **(to defer Ordinance C35703 adopting the annual budget of the City of Spokane for 2019 until December 10, 2018); carried unanimously.**

**Hearing on Ordinance C35690 (Clanton Family LLC Application) (Deferred from November 5, 2018, Agenda)**

The City Council continued its hearing (from November 5, 2018, Agenda) on Final Reading Ordinance C35690. Public testimony was received and Council commentary held. The following action was taken:

**Upon 4-3 Roll Call Vote (Council Members Beggs, Kinnear, and Mumm voting “no”),** the City Council **passed Final Reading Ordinance C35690** relating to application made by Clanton Family LLC, Planning File #Z17-621COMP and amending the Land Use Plan Map of the City’s Comprehensive Plan from “Office” to “General Commercial” for approximately 0.68 acres total described as: Lots 1-4, Block 93, Second Addition to Railroad Addition to Spokane Falls; and amending the Zoning Map from “Office Retail (OR-150)” to “Community Business (CB-150).”

## **SECOND OPEN FORUM**

**Alfredo Llamedo** thanked Council for sending him home (as a result of the passage of Emergency Ordinance C35708). However, he referenced the other folks that he has been spending the nights with out there (on the street) and he stated he hopes that the other folks aren’t harassed and moved off of this property (outside of City Hall) because he is leaving. He stated it is important the Council protect them.

**Drea Rose** noted she is co-founder of the MAC Movement. In reference to Ordinance C35708, she stated it’s not a repeal (of the sit and lie ordinance) and she is asking for a repeal of the ordinance.

**Hank Chiapetti** remarked on being audited by the Housing Authority because of his art work. He also remarked on Alfredo Llamedo and stated he is a wonderful person.

**Charlie Johansen** stated she is disappointed in the decision of the Council to suspend instead of repeal the sit and lie ordinance and remarked on criminalization of the homeless. She stated the Human Rights Commission agrees with her and she read a piece from their study on criminalization of homelessness ordinances.

**John Lemus** remarked on the Council’s decision to suspend the sit and lie ordinance. He stated he’s disappointed that it’s taken this long and that a hunger strike outside of City Hall should not have been what it took for this Council to take substantive action on asking the Mayor to suspend “sit and lie.”

**James Earl** remarked on an inspector general and presented his complaints, including questioning why it is taking a month to consider opening City Hall for the public (in reference to Ordinance C35697).

**Jon Lossing** stated “it’s time to make music Spokane.” He stated he has connected with an international movement from New York and on December 21 he will be handing out harmonicas and chalk for “Make Music Winter.”

**Alan McDowell** referenced use of force and mental detentions and remarked on federal government clearances on City property causing the problem he is in now being in jail, and provided other remarks.

**Gabriel Elliot** stated he is thankful that we have the time for what was spoken about in City Hall the last few hours and provided other remarks.

## **ADJOURNMENT**

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 9:21 p.m.

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## **MINUTES OF SPOKANE CITY COUNCIL**

**Monday, November 26, 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, Burke, Fagan, Kinnear, Mumm, and Stratton were present.



City Attorney Mike Ormsby, Assistant City Attorney Mike Piccolo, and Acting City Clerk Laurie Farnsworth were also present on the dais.

### **Advance Agenda Review**

The City Council received an overview from staff on the December 3, 2018, Advance Agenda items.

#### Purchase from Software House International of Software Products (OPR 2018-0768)

ITSD Director Mike Sloon reported on the purchase from Software House International of software products, including maintenance and support subscription/upgrades for various City Departments. He noted the \$125,000 figure is correct, but that the City will no longer buy autodesk through DLT so that portion will need to be removed (from the agenda).

### **Action to Approve December 3, 2018, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the December 3, 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 Kinnear, **to approve** the Advance Agenda for Monday, December 3, 2018; **carried unanimously**.

## **ADMINISTRATIVE SESSION**

### **Current Agenda Review**

The City Council reviewed the November 26, 2018, Current Agenda for any changes.

#### Special Budget Ordinance C35715

Council President Stuckart requested a motion to suspend the Council Rules to add a special budget ordinance for additional funds for warming shelters. The following actions were taken:

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

**Motion** by Council Member Fagan, seconded by Council Member Kinnear, **to add** Special Budget Ordinance C35715 to tonight's (November 26) Legislative Agenda; **carried unanimously**.

#### Resolution 2018-0097

Council President Stuckart requested a motion to replace Resolution 2018-0097 with updated version that he sent out today. The following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Stratton, **to replace** Resolution 2018-0097 (under "Hearings") with updated version of the ordinance; **carried unanimously**.

## **CONSENT AGENDA**

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

Consultant Agreement with MSI Engineers (Spokane, WA) for engineering and design services for HVAC system for Wastewater Management—\$53,366.40. (OPR 2018-0751)

Contract with Occupational Medicine Associates for medical services for the City of Spokane—\$150,000. (OPR 2018-0752 / BID 4449-18)

Contract Amendment with Etter, McMahon, Van Wert & Oreskovich, P.C., for outside counsel services in the legal matter John Durgan, et. al. v. City of Spokane—Increase of \$75,000. Total contract amount—\$325,000. (OPR 2017-0546)

Contract Amendment with Brian T. Grogan and the law firm of Moss & Barnett, P.A. for legal services and advice in regard to the Comcast Franchise renewal—Increase of \$30,000. Total contract amount—\$150,000. (OPR 2014-0117)

ALTCEW Amendment No. 3 to Interlocal Agreement to include the City of Spokane Valley. (OPR 1987-0022)



Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through November 16, 2018, total \$16,766,034.70 (Check Nos. 555156-555417; ACH Payment Nos. 56655-57050), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$15,544,656.30. (CPR 2018-0002)
- b. Payroll claims of previously approved obligations through November 17, 2018: \$7,377,608.81 (Payroll Check Nos. 551314 through 551449). (CPR 2018-0003)

City Council Meeting Minutes: November 12, 2018. (CPR 2018-0013)

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

The City Council adjourned at 4:05 p.m. No Executive Session was held. 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 Council President Stuckart.

### **Roll Call**

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

Acting City Clerk Laurie Farnsworth and Assistant City Attorney Mike Piccolo were also present.

### **OPENING REMARKS**

Council President Stuckart noted that tomorrow is "Giving Tuesday" and he requested citizens to keep an eye out for their favorite charity in town and make sure "Giving Tuesday" is a big day in our community.

### **ADMINISTRATION REPORT**

#### **Poor People's Campaign**

Barb Brock spoke regarding the Poor People's Campaign and remarked that the issue of homelessness across the country is in pretty dire straits. She stated that it is an issue with many different sorts of solutions and all the solutions have some type of risk involved. She advised that we need to get "face to face" with people to learn their stories and she shared the personal stories of some individuals she has met. She shared seven immediate solutions for our local homeless citizens.

### **APPOINTMENTS**

#### **Spokane Airport Board (CPR 1982-0071) and Civil Service Commission (CPR 1981-0271)**

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

- Reappointment of Jennifer West to the Spokane Airport Board for a three-year term, from January 1, 2019 to December 31, 2021.
- Reappointment of Craig Hult to the Civil Service Commission for a five-year term, from January 1, 2019 to December 31, 2023.

## **OPEN FORUM**

**Steve Corker** spoke on landlord and tenant issues and the low income housing crisis.

**Milo, Elizabeth Marlin and Cynthia Hamm** spoke about homelessness issues.

**Dave Bilsland and Valerie Waley** spoke about the sit and lie and camping ordinances and homelessness issues.

**Brenda Ruble** spoke about domestic violence and the lack of response of SPD and lack of shelter openings for domestic violence victims.

## LEGISLATIVE AGENDA

### SPECIAL BUDGET ORDINANCES

#### Special Budget Ordinance C35715

Community, Housing and Human Services Director Kelly Keenan provided an overview of Special Budget Ordinance C35715. Subsequent to a full reading of the ordinance by the Acting City Clerk, public testimony, and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **passed Special Budget Ordinance C35715** amending Ordinance No. C35565 passed by the City Council December 11, 2017, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2018, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2018, and providing it shall take effect immediately upon passage, and declaring an emergency and appropriating funds in:

General Fund

FROM: Unappropriated Reserves, \$709,116;

TO: Other Misc Services, same amount.

(This action appropriates additional funds to support safe and warm places for people experiencing homelessness during the upcoming months.)

There were no **Emergency Ordinances**.

### RESOLUTIONS

For Council action on Resolution 2018-0095 and Resolution 2018-0096, see section of minutes following "Hearings."

For Council action on Resolution 2018-0097, see section of minutes under "Hearings."

### FINAL READING ORDINANCES

For Council action on Final Reading Ordinance C35699 and Final Reading Ordinance C35700, see section of minutes following "Hearings" and "Resolutions (Continued)."

### FIRST READING ORDINANCES

For the First Reading of Ordinance C35707, see section of minutes following the Second Open Forum.

### SPECIAL CONSIDERATIONS

#### Consideration of Mayoral Veto of Ordinance C35693

The City Council considered the Mayoral Veto of Ordinance C35693 relating to the training requirements for individuals providing police and fire dispatch services; adopting a new section 03.10.070; and a new chapter 03.12 of the Spokane Municipal Code. The following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Kinnear absent)**, the City Council **approved to override** Mayoral Veto of Ordinance C35693.

## HEARINGS

#### Hearing on Resolution 2018-0097

The City Council held a hearing on Resolution 2018-0097 approving a five-year Development Agreement between the City of Spokane and Beacon Hill Spokane, Inc., a Washington Corporation, and David L. Baker, a single man, and Peter D. and M. Linda Rayner, as the "Developer." Subsequent to public testimony and Council commentary, the following action was taken:

**Upon 5-1 Roll Call Vote (Council Member Burke voting "no" and Council Member Kinnear absent)**, the City Council **adopted Resolution 2018-0097** approving a five-year Development

Agreement between the City of Spokane and Beacon Hill Spokane, Inc., a Washington Corporation, and David L. Baker, a single man, and Peter D. and M. Linda Rayner, as the "Developer."

**Continuation of Hearing on 2019 Proposed Budget (FIN 2018-0001) (Continued from November 19, 2018)**

The City Council continued its hearing on the 2019 Proposed Budget. Subsequent to the opportunity for public testimony with no individuals requesting to speak, the following action was taken.

**Motion** by Council Member Fagan, seconded by Council Member Burke, **to continue** the hearing (to December 3, 2018); **carried unanimously** (Council Member Kinnear absent).

**RESOLUTIONS (Continued)**

**Resolution 2018-0095**

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

**Upon 5-1 Roll Call Vote (Council Member Fagan voting "no" and Council Member Kinnear absent)**, the City Council **adopted Resolution 2018-0095** increasing engagement and capacity-building funding options for Neighborhood Councils within the City of Spokane.

**Resolution 2018-0096**

Upon consideration of Resolution 2018-0096, the following action was taken:

**Motion** by Council Member Beggs, seconded by Council Member Fagan, **to defer** for one week (to December 3, 2018) Resolution 2018-0096 laying out a framework for funding the paving of unpaved residential streets in Spokane; **carried unanimously** (Council Member Kinnear absent).

**FINAL READING ORDINANCES**

**Final Reading Ordinance C35699**

Subsequent to the opportunity for public testimony with no individuals speaking and an opportunity for Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Kinnear absent)**, the City Council **passed Final Reading Ordinance C35699** relating to elevator standards and permit fees amending SMC 17F.060.010, SMC 17F.060.020, SMC 17F.060.030, SMC 17F.060.040, SMC 17F.060.050, SMC 17F.060.090, SMC 17F.080.120, 08.02.033, and SMC 1.05.150.

**Final Reading Ordinance C35700**

Subsequent to an overview of Ordinance C35700 by Council Member Fagan, public testimony, and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Kinnear absent)**, the City Council **passed Final Reading Ordinance C35700** prohibiting the misrepresentation of an animal as a service animal, prescribing allowable inquiries concerning service animals, and setting the penalty for such misrepresentation; amending sections 18.06.040 and 01.05.210 of the Spokane Municipal Code.

**SECOND OPEN FORUM**

**Mr. Hill** read a statement on behalf of Joan Medina requesting that the once a month rule for open forum be revoked, requesting a Porta-Potti outside of City Hall so those sheltering overnight have a proper facility to use and not be in violation of city law; remarking on a meeting with CHHS Director Kelly Keenan; and requesting emergency services now for the homeless.

**Mr. Welch** spoke about the homeless under the viaduct on Browne and stated the Spokane Police Department should leave them alone.

**Theresa Simon** remarked about her personal experiences with guardian ad litem attorneys and CPS-related matters.

(Clerical Note: The City Council meeting was adjourned at 9:04 p.m. and was immediately reconvened in order for the Deputy City Clerk to provide a first reading of Ordinance C35707.)

**FIRST READING ORDINANCE**

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

**ORD C35707** Amending the composition of the Community, Housing, and Human Services Board.

**ADJOURNMENT**

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 9:05 p.m.

# Hearing Notices

**NOTICE OF HEARING****RESOLUTION NO. 2018-0085**

A RESOLUTION SETTING THE ASSESSMENT ROLL HEARING FOR THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA (BUSINESS IMPROVEMENT DISTRICT – BID) AND PROVIDING NOTICE OF THE 2019 ASSESSMENTS TO BUSINESS AND PROPERTY OWNERS.

WHEREAS, pursuant to the laws of Washington State and City Ordinance C32923, as codified and amended in Chapter 4.31 SMC, the City Council intends to hold a hearing on the assessments levied upon businesses and properties within the Downtown Parking and Business Improvement Area (PBIA); and

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

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

1. Notice is hereby given that the assessment rolls for businesses and properties prepared under Ordinance C32923, as codified and amended in Chapter 4.31 SMC, will be on file in the Office of the City Clerk on the 16th day of November 2018, and are open for public inspection.
2. The City Council has fixed the 17th day of December of 2018 at 6:00 p.m., or as soon thereafter as practicable in the City Council Chambers of the Municipal Building, W. 808 Spokane Falls Blvd., Spokane, Washington, as the time and place for hearing upon said rolls.
3. The City Council declares its intent to impose special assessment in a manner that measures special benefits from each of the purposes set forth in Ordinance C32923, as codified and amended in Chapter 4.31 SMC. The special assessments will finance the PBIA (BID) budgets and programs approved by the City Council.
4. All persons who may desire to object to the assessment roll shall make their objections in writing and file them with the City Clerk at or prior to the date fixed for hearing.

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

This is the only hearing held on the assessment roll, and it will be final unless appealed according to Chapter 4.31 SMC.

5. Business & Developer Services is directed to mail, at least fifteen days before the date fixed for hearing, a notice to the business and property owners identified in the assessment rolls setting forth the date and time of public hearing, including the amount of special assessment.
6. The City clerk is directed to publish notice of the hearing on the assessment rolls in the Official Gazette for two consecutive weeks, the last publication being fifteen days before the date fixed for public hearing.

ADOPTED by the City Council this 22<sup>nd</sup> day of October, 2018.

Publish: November 21 and 28 and December 5 and 12, 2018

**NOTICE OF HEARING****RESOLUTION NO. 2018-0086**

A RESOLUTION SETTING THE ASSESSMENT ROLL HEARING FOR THE EAST SPRAGUE PARKING AND BUSINESS IMPROVEMENT AREA (BUSINESS IMPROVEMENT DISTRICT – BID) AND PROVIDING NOTICE OF THE 2019 ASSESSMENTS TO BUSINESS AND PROPERTY OWNERS.

WHEREAS, pursuant to the laws of Washington State and City Ordinance C35377, as codified and amended in Chapter 4.31C SMC, the City Council intends to hold a hearing on the assessments levied upon businesses and properties within the East Sprague Parking and Business Improvement Area (PBIA); and

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

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

1. Notice is hereby given that the assessment rolls for businesses and properties prepared under Ordinance C35377, as codified and amended in Chapter 4.31C SMC, will be on file in the Office of the City Clerk on the 16<sup>th</sup> day of November 2018, and are open for public inspection.
2. The City Council has fixed the 17th day of December 2018 at 6:00 p.m., or as soon thereafter as practicable in the City Council Chambers of the Municipal Building, W. 808 Spokane Falls Blvd., Spokane, Washington, as the time and place for hearing upon said rolls.
3. The City Council declares its intent to impose special assessment in a manner that measures special benefits from each of the purposes set forth in Ordinance C35377, as codified and amended in Chapter 4.31C SMC. The special assessments will finance the PBIA (BID) budgets and programs approved by the City Council.
4. All persons who may desire to object to the assessment roll shall make their objections in writing and file them with the City Clerk at or prior to the date fixed for hearing.

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

This is the only hearing held on the assessment roll, and it will be final unless appealed according to City Ordinance C-35377, as codified and amended in Chapter 4.31C SMC.

5. Business & Developer Services is directed to mail, at least fifteen days before the date fixed for hearing, a notice to the business and property owners identified in the assessment rolls setting forth the date and time of public hearing, including the amount of special assessment.
6. The City clerk is directed to publish notice of the hearing on the assessment rolls in the Official Gazette for two consecutive weeks, the last publication being fifteen days before the date fixed for public hearing.

ADOPTED by the City Council this 22<sup>nd</sup> day of October, 2018.

Publish: November 21 and 28 and December 5 and 12, 2018

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# Ordinances

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

## ORDINANCE C35699

An ordinance relating to elevator standards and permit fees amending SMC 17F.060.010, SMC 17F.060.020, SMC 17F.060.030, SMC 17F.060.040, SMC 17F.060.050, SMC 17F.060.090, SMC 17F.080.120, 08.02.033, and SMC 1.05.150.

The City of Spokane does ordain:

**Section 1.** That SMC 17F.060.010 is amended to read as follows:

Section 17F.060.010 Adoption of Standard Code

- A. Chapter 70.87 RCW, Chapter 30 of the International Building Code, and the most current Washington State adopted version of chapter 296-96 WAC and their amendments, as applicable, are the elevator code of the City.
- B. Exceptions:
  - 1. All fees shall be determined by the City of Spokane and referenced in SMC 8.02.033.
  - 2. 296-96-01000 WAC – Permit Process.
  - 3. 296-96-01070 WAC – Violation Penalty Fees.

**Section 2.** That SMC 17F.060.020 is amended to read as follows:

Section 17F.060.020 Installation Permit

- A. No person may construct, erect, place, install, or alter any elevator, dumb waiter, escalator, ~~((man))~~temporary personnel hoist, platform lift, stair climber, material lift or moving walk or related equipment without first securing a permit from the building services department.
- B. The applicant for a permit must file with the inspector a copy of the plans and specifications showing details of the new installation or addition to an existing installation. Submitted plans are also reviewed by City of Spokane Plans Reviewers for compliance with other adopted codes.

**Section 3.** That SMC 17F.060.030 is amended to read as follows:

Section 17F.060.030 Inspection

The elevator inspector inspects and, as necessary, tests:

- A. each installation before the operating permit is issued for initial use; and
- B. each temporary personnel hoist semiannually. All other conveyances annually, except those in private residences.
- C. On a random basis, witness testing of conveyances to ensure that testing is being completed according to current codes adopted.
- D. Witness all Category 5 hydraulic elevator testing and apply a City of Spokane Seal to all overspeed valves and pressure relief valves.

E. Witness all Category 1 testing and cleaning of all escalators.

F. Failure to arrange to have City Inspector witness the tests shall result in a Class I Civil Infraction.

**Section 4.** That SMC 17F.060.040 is amended to read as follows:

#### Section 17F.060.040 Requirements

- A. All new and existing elevators, dumb waiters, escalators, stair climbers, platform lifts, ~~((man))temporary personnel~~ hoists, material lifts and moving walks and alterations must conform to this code.
- B. A sidewalk elevator, or hoist, or a freight elevator, which does not rise above the ground floor must have doors and gates so constructed that the car cannot move until they are closed. A sidewalk hoist must be equipped with safety rods so that it cannot be started until the sidewalk doors are open.
- C. Lock boxes for machine room access may be required by conditions.
- D. Conveyances with uncorrected deficiencies are subject to additional inspections and fees. An elevator inspector may revoke an operating permit and red-tag the conveyance if deficiencies remain uncorrected for one hundred fifty days.
- E. Elevators no longer used or deemed to be unsafe may be ordered to be decommissioned by the City Inspector.
- F. Conveyances to be decommissioned must occur by permit and inspections according to the requirements of ASME 17.1. Failure to decommission a conveyance as directed by the elevator inspector shall result in a class I civil infraction.

**Section 5.** That SMC 17F.060.050 is amended to read as follows:

#### Section 17F.060.050 Operating Permit

- A. No person may maintain or operate any elevator, dumb waiter, escalator, ~~((man))temporary personnel~~ hoist, stair climber, platform lift, material lift, or moving walk in the City unless there be in effect an operating permit.
- B. The owner of the conveyance ~~((may))shall~~ display the current operating permit in the cab of the elevator or the elevator machine room. Operating permits for material and stair lifts shall be posted in-sight and near the conveyance.
- C. Fees for conveyance operating permits are to be paid annually except for temporary personnel hoists. Temporary personnel hoists are addressed in 17F.060.050(D). The annual inspection may or may not occur at the time of billing for the operating permit.
- D. Operating permit fees for temporary personnel hoist are paid semiannually. Semiannual operating permits will be issued if six-month inspections are current.

**Section 6.** That SMC 17F.060.090 is amended to read as follows:

#### Section 17F.060.090 Functions of Elevator Inspector

The elevator inspector is responsible to:

- A. ensure all conveyances are maintained, inspected, and safety tested at least once a year (except temporary personnel hoists which are safety inspected semiannually), according to the guidelines of this chapter and the standards adopted by the state per chapter 70.87 RCW and WAC 296-96;
- B. review and approve plans for construction, installation, and alteration of ~~((elevators)) conveyances except stair climbers;~~
- C. conduct inspections and tests of ~~((elevators)) conveyances;~~
- D. issue, suspend, and revoke operating permits;
- E. make and promulgate rules, regulations, and interpretations of the elevator code;
- F. initiate proceedings, including prosecutions, to enforce the elevator code;



- G. maintain records of all permits issued and of all inspections made.

**Section 7.** That SMC 17F.080.120 is amended to read as follows:

Section 17F.080.120 Elevator Shafts, Equipment Rooms, Machine Spaces, and Lobbies

- A. Elevator shafts and elevator equipment rooms are not required to be provided with automatic sprinklers only if:
1. they are of non-combustible construction; and
  2. they meet the fire resistance ratings required by the International Building Code.
- B. Elevator shafts, lobbies, machine space, and elevator equipment rooms shall be provided with smoke detection that will:
1. notify the building's fire alarm system; and
  2. activate the recall operation of the elevator(s). ((Existing elevators having a travel distance of more than twenty-five feet and with recall capabilities in buildings with a fire alarm system will be connected to the building fire alarm system to activate the recall function. At a minimum, Phase 1 recall is required to be provided with primary and alternate recall floors.))
- C. Existing elevators having a travel distance of less than twenty-five feet and with recall capabilities in buildings with a fire alarm system will be connected to the building fire alarm system to activate the recall function. At a minimum, Phase 1 recall is required to be provided with primary and alternate recall floors.
- D. Fire Service Access elevators will be activated by any fire alarm activation device that is activated in the building.

**Section 8.** That SMC 08.02.033 is amended to read as follows:

Section 08.02.033 Elevator Code

- A. New Installation Permit Fees – ((All Conveyances)) permit fee includes one new installation inspection.
1. Elevators, Escalators, and Moving Walks.  
((4-)) a. Valuation of one dollar to five thousand dollars: Two hundred fifty dollars.  
((2-)) b. Valuation over five thousand dollars: Two hundred fifty dollars plus four dollars for each one thousand dollars in valuation over five thousand dollars.
  2. Stair climbers, platform lifts: Eighty eight-dollars (Plan Review Fees not required.)
  3. Dumbwaiters, material lifts: One hundred seventy-seven dollars.
  4. Temporary Personnel Hoist (construction lift): Two hundred fifty dollars (includes initial semiannual operating permit).
- B. Annual Operating Permit Fees.
1. Hydraulic elevators: One hundred seventy-seven dollars plus twenty-two dollars each additional stop over two.
  2. Cable elevators: Three hundred fifty-three dollars plus twenty-two dollars each additional stop over two.
  3. Escalators and ((material lifts)) Moving Walks: ((One hundred seventy-seven dollars-)) Three hundred fifty-three dollars.
  4. Dumbwaiters((t)), platform lifts((limited use)), stair climbers((wheelchair lifts)), material lifts: Eighty-eight dollars.
- C. Alterations /Repairs/Modernizations/Permit Fees – All Conveyances.
1. Valuation of one dollar to five thousand dollars: Two hundred fifty dollars.
  2. Valuation over five thousand dollars: Permit fee is two hundred fifty dollars plus four dollars for each one thousand dollars in valuation over five thousand dollars.
- D. In addition to the above fees, the processing fee for each permit is twenty-five dollars.
- E. Reinspections.  
The fee for reinspections for work that was not ready, or corrections previously identified, or site not accessible is:
1. Hydraulic elevators: Eighty-eight dollars plus twenty-two dollars per stop over two.
  2. Electric elevators: One hundred seventy-seven dollars plus twenty-two dollars per stop over two.
  3. All others: Seventy-five dollars.

F. Inspections Outside Normal Inspector Working Hours.

The fee for inspections outside normal inspector working hours is three hundred fifty-three dollars and is payable at the time the request is made and before an inspection can be scheduled.

G. Work Done Without Permit Fees.

Where work has commenced without first obtaining the required permit(s), a "work- without-permit penalty fee" equal to the required permit fee will be added to the permit application and must be paid prior to the issuance of the permit(s).

H. Uncorrected Deficiencies.

The fee for operating a conveyance((permit)) with uncorrected deficiencies is one hundred seventy-seven dollars. Fees will be assessed at the following intervals from the date of inspection:

1. Ninety days,
2. One hundred twenty days, and
3. One hundred fifty days.

I. Document replacement fee: Twenty-five dollars.

J. Temporary Personnel Hoist (construction lift) semiannual inspection and operator's permit renewal.

Following a successful semi-annual inspection, temporary personnel hoists are eligible for a renewal of a semi-annual operator's permit.

1. Semiannual inspections or jump inspection: One hundred seventy-seven dollars.
2. Semiannual Operating Permit: One hundred seventy-seven dollars.

~~((J))~~K. Temporary operating permit fee: One hundred dollars plus fifteen dollars per stop over two.

~~((K))~~L. Plans review fees for new installations, major alterations(~~((, and repairs))~~): Eighty-eight dollars.

~~((L))~~M. Variance request fees with site visit: One hundred seventy-seven dollars plus eighty-eight dollars per hour after two hours.

~~((M))~~N. Variance request fees via desk evaluation only and not requiring a site visit: Eighty-eight dollars.

~~((N))~~O. Technical advice site visit fee: One hundred seventy-seven dollars plus eighty-eight dollars per hour after two hours.

~~((O))~~P. Decommissioning of conveyance fee: One hundred seventy-seven dollars.

~~((P))~~Q. Re-commissioning fee of conveyance fee: One hundred seventy-seven dollars plus eighty-eight dollars per hour after two hours.

~~((Q))~~R. Operating a Conveyance without an Operator's Permit.

1. Failure to renew an operator's permit within thirty days of due date: A penalty fee of one hundred sixty-four dollars will be added to the operating permit fee and paid prior to issuing an operator's permit.
2. If an operator's permit has lapsed one hundred twenty days or more, a conveyance may be removed from service by the inspector.

~~((R))~~S. Annual Fee Adjustment.

Effective January 1, 2012, and the first of January of each year thereafter, the various elevator code fees set forth above shall be adjusted by the City of Spokane building official for an amount equal to the consumer price index adjustment of the previous July - July U.S. All City Average (CPI-U and CPI-W). The newly determined amount shall be rounded up to the nearest dollar. In addition, the adjusted fees shall be presented to the city council for approval and a copy of the approved fees filed with the city clerk and city building official before becoming effective.

**Section 9.** That the Penalty Schedule – Building Construction found in SMC 01.05.150 is amended as follows:

	<b>SMC 1.05.150 Penalty Schedule – Building Construction</b>	
	<b>Infraction</b>	<b>Violation Class</b>
Chapter 14 IFC	Failure to Provide Fire Safety During Building Construction, Demolition, or Alteration	3
IFC 105 SMC 17F.080.050 SMC 17G.010.140 SMC 17G.010.150	Failure to Provide Plans/Specifications for Department Review	2
IFC 105 SMC 17F.080.060	Failure to Obtain Required Permit	2
IFC 111 SMC 17G.010.080	Working in Disregard of Stop-work Order	1
IFC 605.9	Use of Temporary Wiring in an Unapproved Manner	1
IFC 3801.2	Installation of LPG Equipment Without Permit	2
IMC 106.2 SMC 17F.090.030	Lack of Permit Required by IMC 106.1	1
SMC 10.26.010(A)	Relocate Building Without Permit	2
SMC 10.29.010(B)	Blasting Without Permit	1
SMC 10.29.032	Excess Heating Apprentices on Job	3
SMC 10.29.040	Unsupervised Plumbing Apprentice	2
SMC 11.08.030 SMC 17F.090.030	Install, Alter, Replace System Actively Using Solar Energy Without Building, Mechanical, or Combination Permit	3
SMC 11.17.050 - SMC 11.17.330	Violation of Sign Code	2
SMC 13.03.0330	Connection to Sewer Without Permit	1
SMC 17F.030.040	Install Boiler, Pressure Vessel Without Installation Permit	1
SMC 17F.030.100	Repair, Alter Boiler, Pressure Vessel Without Repair Permit	1
SMC 17F.040.020	Grading Without Permit (Adopted Appendix of the International Building Code: SMC 8.02.031)	1
IBC 105 IRC 105 IEBC 105	Construction Without Building Permit	2
SMC 17F.040.075	Must Use City Solid Waste Collection/Disposal as Condition of Building/Demolition Permit	1
SMC 17F.040.190 SMC 17F.050.140 SMC 17F.090.070 SMC 17F.100.040	Failure to Take Corrective Action	2
SMC 17F.050.020	Work Without Electrical Permit	1
SMC 17F.050.040	Improper or Unapproved Electrical Material or Equipment	1
SMC 17F.060.020	Work Without Elevator Installation Permit	1
SMC 17F.060.030	<u>Failure to have City Inspector witness required conveyance tests</u>	<u>1</u>
SMC 17F.060.040 SMC 08.02.033	<u>Failure to De-Commission a Conveyance</u>	<u>1</u>
SMC 17F.080.050 SMC 17F.080.140	Install, Alter, Repair Fire Protection/Extinguishing Equipment Without Permit	1
SMC 17F.100.020	Plumbing Without Permit	2
SMC 17G.010.100(C) (2)	Installation/Repair of Gas- or Oil-fueled HVAC Equipment Without Permit	1

**Passed by City Council November 26, 2018**  
**Delivered to Mayor November 29, 2018**

**ORDINANCE NO. C35700**

An ordinance prohibiting the misrepresentation of an animal as a service animal, prescribing allowable inquiries concerning service animals, and setting the penalty for such misrepresentation; amending sections 18.06.040 and 01.05.210 of the Spokane Municipal Code.

**WHEREAS**, service animals such as guide dogs are a valuable help for people many people with disabilities; and

**WHEREAS**, Title 18 of the Spokane Municipal Code currently contains some guidelines for the use of guide dogs and service animals and provides that they may only be used by people with disabilities; and

**WHEREAS**, recently, an amendment to the Revised Code of Washington, which will go into effect on January 1, 2019, adds a prohibition on the misrepresentation of an animal as a service animal and allows law enforcement and the operators of public accommodations to make limited inquiries as to the task and purpose of an animal represented to be a service animal; and

**WHEREAS**, the City of Spokane intends to clarify the local requirements for the use of service animals by ensuring that only ADA-recognized animals, such as dogs and miniature horses, trained for specific tasks or assistance for people with disabilities may be represented to the public as such and providing penalties for the misrepresentation of an animal as a service animal.

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

**Section 1.** That section 18.06.040 of the Spokane Municipal Code is amended to read as follows:

**Section 18.06.040 (~~(Misrepresentation in the)~~) Use of White Cane, Dog Guide or Service Animal**

- A. It shall be unlawful for any pedestrian who is not totally or partially blind to use a white cane or any pedestrian who is not totally or partially blind or does not have a hearing impairment to use a dog guide or any person who does not have a disability as defined in this chapter to use a service animal in any of the places, accommodations or conveyances listed in SMC 18.01.030(Q), for the purpose of securing the rights and privileges accorded by this chapter to persons with total or partial blindness, hearing impairment or who have other disabilities.
- B. It shall be unlawful for any person to misrepresent an animal as a service animal. For purposes of this section, a person misrepresents an animal as a service animal if the person:
1. Expressly or impliedly represents that an animal is a service animal as defined in SMC 18.01.030(X) for the purpose of securing the rights or privileges afforded disabled persons accompanied by service animals set forth in state or federal law; and
  2. Knew or should have known that the animal in question did not meet the definition of a service animal.
- C. A law enforcement officer may investigate and enforce this section by making an inquiry of the person accompanied by the animal in question as allowed by SMC 18.06.040(D), and issuing a civil infraction.
- D. A law enforcement officer or place of public accommodation may not ask about the nature or extent of a person's disability, but may specifically ask if the animal is required because of a disability and what work or task the animal has been trained to perform. A law enforcement officer or place of public accommodation shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, or require that the service animal demonstrate its task. Generally, a law enforcement officer or place of public accommodation may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for a person with a disability, such as a dog is observed guiding a person who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to a person with an observable mobility disability. Refusal to answer the questions allowed under this subsection creates a presumption that the animal is not a service animal and the law enforcement officer may issue a civil infraction and require the person to remove the animal from the place of public accommodation.
- E. A place of public accommodation shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability in accordance with SMC 18.01.030(X) if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a facility, a place of public accommodation shall act in accordance with all applicable laws and regulations.

F. Violation of this section is a class 3 civil infraction. The penalty for each subsequent violation of this code by the same person shall be increased by one class of civil infraction.

**Section 2.** That section 01.05.210 of the Spokane Municipal Code is amended to read as follows:

**Section 01.05.210 Penalty Schedule**

A. For each subsequent violation by a person the classification of infraction advances by one class.

B. Infraction/Violation Class.

<b>SMC 1.05.210 Penalty Schedule - Personal Conduct</b>		
<b>Infraction</b>		<b>Violation Class</b>
IFC 307.1	Open Burning	1
SMC 10.03.100	Offenses Relating to Safety and Sanitation	4
SMC 10.03.110	Allow Animal in Riverfront Park or Special Permitted Event Area when Banned	3
SMC 10.08.010	Deposit of Tobacco Product Capable of Being Lit	\$500
SMC 10.08.010	Littering, Unlawful Disposal of Rubbish	1
SMC 10.08D.080 SMC 10.08D.090(C) SMC 10.08D.120 – First violation within a one year period	Noise Control	2
SMC 10.08.055	Purchase, Possession of Tobacco by Minor	3
SMC 10.08.100 SMC 10.08.120 SMC 10.08.140(B-D)	Homeless Encampment	1
SMC 10.08.246	Liquor Purchase by Apparently Intoxicated Person	\$500
SMC 10.08A.040(D)	Failure to Respond – Chronic Nuisance	1
SMC 12.06A.050	Penalty for Violation of Park Rules and Regulations	1
SMC 10.11.042	Not Having or Displaying Concealed Pistol License	1
SMC 10.15.115	Selling or Giving Drug Paraphernalia	1
SMC 10.15.220	Open Possession/Consumption of Marijuana, Usable Marijuana or Marijuana-Infused Products	3
SMC 10.17.030	Helmet Safety – Failure to Wear Approved Helmet	4
SMC 10.17.040	Helmet Safety – Failure to Require Wearing of Approved Helmets at Special Events	4
SMC 10.17.050	Helmet Safety – Failure to Rent, Lease, or Loan Approved Helmet	4
SMC 10.17.060	Helmet Safety – Failure to Sell or Offer to Sell Approved Helmet	4
SMC 10.24.060	Property Damage by Animal	3
SMC 10.24A.140	Animal Safety – Animal Left in Vehicle or Enclosed Space	2
SMC 10.24A.150	Dog Tether Safety	2
SMC 10.33A.055	Sell, Use, Discharge Fireworks	1
SMC 12.02.910 SMC 12.02.914	No Tree Permit; Destroy, Injure Street Tree, or Other Violations	1
SMC 17F.100.050	Disposal of Liquid Waste in Unapproved Place or Manner	1
SMC 17G.050.050	Ex Parte Contact with Adjudicative Officer	2
SMC 18.01.040	Reprisal or Retaliation	1
Ch. 18.02	Nondiscrimination in Employment Practices	1
Ch. 18.03	Nondiscrimination in Housing Practices	1
<u>SMC 18.06.040</u>	<u>Misrepresenting an animal as a service animal</u>	<u>3</u>

**Passed by City Council November 26, 2018**

**Delivered to Mayor November 29, 2018**

**ORDINANCE NO C35715**

An ordinance amending Ordinance No. C-35565, passed the City Council December 11, 2017, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2018, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2018, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2018 budget Ordinance No. C-35565, as above entitled, and which passed the City Council December 11, 2017, it is necessary to make changes in the appropriations of the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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:	0100-99999- 99999-	General Fund Unappropriated Reserves	<u>\$ 709,116</u>
TO:	0300-53010- 65410-54999	General Fund Other Misc Services	<u>\$ 709,116</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to appropriate additional funds to support safe and warm places for people experiencing homelessness during the upcoming months 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 November 26, 2018**

**Delivered to Mayor November 29, 2018**

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**ORDINANCE C35693**

An ordinance relating to the training requirements for individuals providing police and fire dispatch services; adopting a new section 03.10.070; and a new chapter 03.12 of the Spokane Municipal Code.

**WHEREAS**, more than 60% of calls for emergency response originate within the boundaries of the city of Spokane; and

**WHEREAS**, the Spokane Police Department received 65% of all the Crime Check reports made in 2017; and

**WHEREAS**, there are 21 Spokane Police Department Radio Dispatchers; and

**WHEREAS**, Spokane Police Department Radio Dispatchers send officers on emergency calls while relaying necessary and vital information to ensure the safety of both the officers and citizen(s) involved; and

**WHEREAS**, Spokane Police Department Radio Dispatchers assist field patrols by obtaining additional information from callers and conducting name, vehicle and warrant checks as requested by officers; and

**WHEREAS**, Spokane Police Department Radio Dispatchers must have knowledge of the equipment and capabilities of specialized units such as SWAT and TAC; and

**WHEREAS**, Spokane Police Department Radio Dispatchers must use de-escalation techniques to individuals in crisis and tactical expertise in giving direction to subjects on the phone; and

**WHEREAS**, Spokane Police Department Radio Dispatchers must be technically sound in all facets of Computer Aided Dispatch systems and Law Enforcement Records Management Systems; and

**WHEREAS**, the highly technical and professional support Spokane Police Department Radio Dispatchers provide to sworn police officers allow officers to focus their efforts on preventing and reducing crime, building strong community collaboration and improving the quality of life in neighborhoods; and

**WHEREAS**, there are 21 Spokane Fire Dispatch employees; and

**WHEREAS**, in 2017, Spokane Fire Dispatch employees answered, triaged and dispatched 65,186 EMS calls for Spokane County, all while meeting the NFPA 1221 standards for dispatching High Priority and Low Priority calls; and

**WHEREAS**, in 2017, 40,329 emergency calls were made from within Spokane City limits, an increase of 3.2% from 2016; and

**WHEREAS**, Spokane Fire Dispatch employees each receive at least 1,000 hours of initial training; and

**WHEREAS**, Spokane Fire Dispatch employees are all EMT and EMD certified, making them highly trained and skilled to answer and provide instruction during medical emergencies; and

**WHEREAS**, Spokane Fire Dispatch employees provide services to 15 fire agencies, including the City of Spokane Fire Department, covering 1,800 square miles and interfacing with neighboring county fire jurisdictions; and

**WHEREAS**, Spokane Fire Dispatch employees receive ongoing training and education to provide the best services possible to individuals requesting emergency assistance and the field responders providing the response; and

**WHEREAS**, dispatching for fire service requires training and certifications for dispatch staff to create a highly skilled and professional dispatch unit.

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

**Section 1.** That there is adopted a new section 03.10.070 of the Spokane Municipal Code to read as follows:

**Section 03.10.070 Spokane Police Radio Dispatch**

- A. The City of Spokane recognizes individuals providing dispatch services to the Spokane Police Department as first responders who are responsible for interrogating, triaging, and providing instruction during emergencies and identifying and directing resources to an incident location to prevent loss of life and property and ensure public safety. Individuals providing dispatch services to the Spokane Police Department conduct research and provide callbacks on non-emergency calls so officers in the field can focus on responding to emergency and high priority calls.
- B. Any individual providing dispatch services to Spokane Police Department employees shall, at a minimum, complete, obtain, and maintain ACCESS II certification provided by the Washington State Patrol within twelve (12) months of being hired to provide to dispatch services.
- C. Dispatch services to Spokane Police Department officers and civilian employees shall only be performed by employees of the City of Spokane.

**Section 2.** That there is adopted a new chapter 03.12 of the Spokane Municipal Code to read as follows:

**Chapter 03.12 Spokane Fire Dispatch**  
**Section 03.12.010 Fire Dispatchers**

- A. The City of Spokane recognizes individuals providing dispatch services to the Spokane Fire Department as first responders who are responsible for interrogating, triaging, and providing instruction during medical emergencies and identifying and directing an emergency response unit to an incident location to prevent loss of life and property, ensure public safety, and respond to medical emergencies.
- B. Dispatch services to Spokane Fire Department firefighters and civilian employees shall only be performed by employees of the City of Spokane.

**Section 03.12.020 Spokane Fire Dispatch Training Requirements**

- A. Any individual providing dispatch services to Spokane Fire Department employees shall, at a minimum, complete, obtain, and maintain the following certifications within twelve (12) months of being hired to provide to dispatch services:
  - 1. Emergency Medical Dispatcher (EMD);



2. Emergency Medical Technician (EMT);
  3. Telecommunicator I provided by the Washington State Criminal Justice Training Commission
  4. Telecommunicator II provided by the Washington State Criminal Justice Training Commission;
  5. Introduction to the Incident Command System (ICS 100) provided by the Federal Emergency Management Agency; and
  6. Introduction to the National Incident Management System (IS-700.b) provided by the Federal Emergency Management Agency.
- B. Individuals providing dispatch services to Spokane Fire Department employees are encouraged to complete the following courses and obtain the following additional certifications, as well as other additional certifications recommended by the Spokane Fire Chief:
1. Telecommunicators Emergency Response Task Force (IS-144) provided by the Federal Emergency Management Agency;
  2. ICS for Single Resources and Initial Action Incidents (IS-200.B) provided by the Federal Emergency Management Agency; and
  3. Telecommunicators Emergency Response Task Force (TERT) provided by the Washington State Criminal Justice Training Commission.

**Passed by Council on November 5, 2018**

**Delivered to Mayor on November 12, 2018**

**Vetoed by Mayor Condon on November 20, 2018**

**Council override of Mayoral Veto on November 26, 2018**

# Policies and Procedures

## EXECUTIVE ORDER

Whereas, the Mayor, from time to time, issues Executive Orders relating to emergencies or as otherwise needed to facilitate the day-to-day operations of the City of Spokane, and

Whereas, the Mayor periodically reviews existing Executive Orders to ensure their continued efficacy, and

Whereas, the Mayor has concluded that the following Executive Orders are no longer needed or desired,

Therefore, the following Executive Orders are hereby rescinded and are of no further legal effect.

<b>Executive Order</b>	<b>Title</b>
2004-01	Lowering of Flags to Half-Mast (Temporary action following death of City employee)
2004-02	Appointment of Mayor's Oversight Committee on the Water Reclamation Facility (Temporary action following death of City employee)
2004-03	Negotiations (Describes authority of Deputy Mayor, a position that no longer exists)
2004-04	City Auditor (Directed staff to work directly with the City Auditor, a position that no longer exists)
2004-05	Self-Study by Departments on Photocopy, Print and Publications Requirements (Describes a study that was completed by staff in 2005)
2005-01	Standardized Policy and Procedure for the Limitations of Private Communication Systems in City Buildings and Structures (ITSD is establishing new City Administration policies and ITSD Departmental policies specifically for IT network Infrastructure, Cyber Security, and telecommunication joint-use agreements)
2005-02	Hiring Freeze and Other Fiscal Actions (Applied to fiscal conditions in 2005)
2005-03	Use of Former Playfair Property by Truth Ministries (Allowed use of a property that has since been sold)
2005-04	Extended Use of Campground at Playfair Property by Truth Ministries (Allowed use of a property that has since been sold)
2005-05	Setting of Mayor's Salary for FY 2006 and FY2007 Budget (Order expired by its own terms on January 1, 2008)
2005-06	Lowering the Flag on City Buildings to Half Staff (Temporary action following the death of Rosa Parks)
2005-07	Determination by the Mayor that the Property, Dwelling, Buildings and Structures on the Rookery Block Constitute a Threat to the Public Health, Safety and Welfare of the City of Spokane (Order was necessary to allow for demolition which has since been completed)
2007-01	City Auditor (Directed staff to work directly with the City Auditor, a position that no longer exists)
2007-02	Snow Tires of City Owned Vehicles (Replaced by Executive Order 2008-04)
2008-01	Appropriate Vehicle Idling Times for City-Owned Vehicles (Replaced by revised version Executive Order 2008-01R)
2008-03	Spokane River Closure due to Safety Hazards (Order concerned abnormally high water during spring of 2008)
2010-01	Mandatory Supervisor Training (Supervisor training has been developed and implemented)
2010-02	Hiring Freeze and Additional Fiscal Measures for 2010 (Applied to fiscal conditions in 2010)
2010-03	City-Wide Hiring Freeze (Applied to fiscal conditions in 2010)
2010-04	Additional Fiscal Measures for 2010 (Applied to fiscal conditions in 2010)
2011-03	Complete Streets (Work has been completed)
2012-03	Lowering the Flag on City Buildings to Half Staff for Henson (Temporary action following the death of a City employee)
2012-04	Dr. Frank Straub as the City's Director of Law Enforcement (Named individual no longer an employee of the City)
2013-01	Delegation of Signature Authority When Potential/Actual Conflict of Interest (Replaced by Executive Order 2016-01)
2013-02	Delegation of Signature Authority for Minor Contracts (Replaced by Executive Order 2017-02)
2014-01	Transfer Station Layoffs and Vacancies (Related to closure of two transfer stations in 2014)
2016-02	Leave Sharing Policy Exception (Exception is no longer needed)

Approved by: Mayor David Condon  
 Approved as to form: Assistant City Attorney Pat Dalton  
 Attest: City Clerk Terri Pfister

# 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.**

## **LAW ENFORCEMENT TECHNOLOGY & OPERATIONS MANAGER**

**SPN 149**

**OPEN ENTRY**

**DATE OPEN: Monday, December 3, 2018**

**DATE CLOSED: Sunday, December 30, 2018 at 11:59 p.m.**

**SALARY: \$84,522.24 annual salary, payable bi-weekly, to a maximum of \$110,684.88**

### **DESCRIPTION:**

This position oversees and administers technology and operations business processes at the Spokane Police Department, including technology and desktop support, GIS support, telecommunications, mobile technologies, video and digital communications infrastructure, continuous improvement, and project management, and is responsible for complex technical program management work as well as capital improvement projects involving multiple partner agencies.

### **DUTIES:**

- Leads, manages and supervises SPD Technical Assistance and Response Unit (TARU) and City Technology staff for maximum efficiency results
- Plans for and manages technology resources and projects in the short and long term – a multi-year SPD strategic technology plan
- Manages all software applications used by Department to ensure interoperability and value to the organization
- Develops and implements a comprehensive technology/capital replacement budget plan
- Provides comprehensive software/hardware plan incorporating new and innovative technology infrastructure and software developments
- Liaisons with all City/County IT staff
- Develops and implements policies, procedures, job assignments, staff authority and responsibility
- Leads planning and/or implementation of projects, including facilitating the definition of project charters, goals, tasks and resource requirements.
- Plans and manages resources including expenditure monitoring, budget preparation, grant preparation and management, and professional services contracts
- Oversees organization personnel management issues including hiring, training, performance management and evaluation and corrective action
- Prepares and presents information including staff reports, requests for proposal, decision packages to governing boards, Command Team, user agencies, and other stakeholders
- Responds to requests for information and advice regarding organization systems and services
- Serves as liaison with user agencies, service agencies, vendors, stakeholders and the community regarding technical and support program service, delivery and quality
- Reviews and provides feedback on SPD-wide processes, development and implementation
- Actively plans and participates in business continuity of operations and emergency management plan functions
- Participates as needed during emergencies, including emergency coordination center activations
- Performs related duties as assigned

### **MINIMUM QUALIFICATIONS:**

**The following education and experience requirements must be met at the time of application:**

- **Education:** Bachelor's degree from an accredited four year college or university in criminal justice, public administration, information systems management, project management, business management, or a related field
- **Experience:** Four years of progressively responsible professional experience in the field of technology services and communications systems, with at least two years in a law enforcement or public safety environment.

- **Substitution:** An equivalent combination of education and experience that provides the required knowledge, skills and abilities may also be qualifying.

**NOTE:** Selected individuals must successfully pass pre-employment reference and criminal history checks, including a polygraph examination.

#### **EXAMINATION DETAILS:**

Applicants must meet the minimum qualifications and pass the Civil Service examination for this position to be eligible for hire. The examination consists of a scored training and experience evaluation (T&E).

#### **T&E EVALUATION DETAILS**

The T&E examination is a Supplemental Questionnaire, which is to be submitted online at the time of application. The questions may be previewed under the tab marked **"QUESTIONS"** on the job announcement web page.

We encourage you to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 11:59 p.m. on the closing date.

#### **Please note:**

- 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.
- In order to receive credit for education or training, you must attach copies of your transcripts, diploma, or relevant certificates to your online application.
- Resumes or questionnaires uploaded as attachments to the application will not be scored; you must complete each question online.
- "See Resume" or "See above," etc., are not qualifying responses and will not be scored.
- 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.

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.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 28th day of November 2018.

MARK LINDSEY  
Chair

AMBER RICHARDS  
Chief Examiner

# Notice for Bids

## Paving, Sidewalks, Sewer, etc.

### **Rossmoor Ridge Force Main Replacement** Engineering Services File No. 2018049

This project consists of the construction of approximately 1,400 linear feet of sanitary sewer force main, 4 drainage structures, 2,075 square yards of 4-inch thick pavement patching, 276 square yards of 2-inch thick pavement patching, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. December 10, 2018 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Hand delivered bids shall be delivered to the security desk on the first floor, City Hall, 808 W Spokane Falls Blvd, Spokane WA 99201-3316. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers located on the basement level of City Hall.

**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.

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: November 21 and 28, 2018; and December 5, 2018

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**NOTICE OF INTENT TO AWARD SOLE SOURCE**

The City of Spokane intends to establish a sole source contract with **ABB Industrial Automation & Power Generation**, Portland, Oregon to provide the following:

**Software, Service and Parts Support for the Digital Control System (DCS)  
For  
City of Spokane Solid Waste Disposal Department –  
Waste to Energy Facility**

Firms who believe they can compete for this requirement are required to submit via email a brief statement of their intent to compete. The statement and any other questions regarding this sole source should be directed to Thea Prince, Senior Procurement Specialist at: [tprince@spokanecity.org](mailto:tprince@spokanecity.org) **by December 24, 2018 at 12:00 pm**. The City of Spokane does not guarantee that firms responding to this notice will be rendered a request to tender an offer for this procurement. In addition, the City of Spokane does not guarantee that any solicitation will occur for this procurement, but reserves the right to solicit proposals.

Firms who have not already done so should register at [www.mrscrosters.com](http://www.mrscrosters.com).

Dated this 3<sup>rd</sup> day of December, 2018

Thea Prince  
Senior Procurement Specialist

Publish: December 5, 12 & 19, 2018