



Official Gazette

City of Spokane, Washington

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

Volume 108

DECEMBER 26, 2018

Issue 52



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, December 17, 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 Policy Advisor Brian McClatchey, and City Clerk Terri Pfister were also present on the dais.

Advance Agenda Review

There was no Advance Agenda Review. Both the regularly scheduled City Council meetings for December 24 and 31, 2018, are canceled.

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council reviewed the December 17, 2018, Current Agenda for any changes.

Suspension of Council Rules

Council President Stuckart requested a suspension of the Council Rules in order to add several items to the December 17 Consent Agenda. The following action was taken:

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

Additions to the December 17, 2018, Consent Agenda

Council President Stuckart requested that the following items be added to the December 17 Consent Agenda:

- OPR 2018-0810—Agreement Amendment with The Guardians Foundation to operate 2018-2019 Warming Centers--\$267,057.
- OPR 2018-0816—Agreement with the Salvation Army to operate 2018-2019 Warming Centers--\$323,250.
- OPR 2018-0819—Contract with Iron Mountain Shredding, Inc. to provide secured destruction services at the Waste-to-Energy Plant--\$78,000.
- OPR 2017-0588—Agreement Amendment B with Transitional Programs for Women to administer the Women's Hearth Shelter Program--increase of \$88,851. Total agreement amount not to exceed \$114,654.
- OPR 2017-0513—Agreement Amendment B with Volunteers of America of Eastern Washington and Northern Idaho to administer the Hope House Shelter Program--increase of \$17,904. Total agreement amount not to exceed \$71,313.
- OPR 2016-0988—Agreement Amendment F with Family Promise of Spokane to administer the Family Promise – 24/7 Shelter Pilot—increase of \$190,027. Total agreement amount not to exceed \$844,402.

The following action was taken:

Motion by Council Member Fagan, seconded by Council Member Stratton, to so move (**to add** the contracts as presented by Council President Stuckart); **carried unanimously.**

Addition of Special Budget Ordinance C35728 to the December 17, 2018, Legislative Agenda

Motion by Council Member Fagan, seconded by Council Member Beggs, to so move (**to add** Special Budget Ordinance C35728—providing safe and warm places for people experiencing homelessness—to the December 17 Legislative Agenda); **carried unanimously.**

Addition of Special Budget Ordinance C35729 to the December 17, 2018, Legislative Agenda

Motion by Council Member Fagan, seconded by Council Member Mumm, to so move **(to add** Special Budget Ordinance C35729—providing additional funding to the Arts based on SMC 08.03.122—to the December 17 Legislative Agenda); **carried unanimously.**

Emergency Ordinance C35722

Motion by Council Member Fagan, seconded by Council Member Mumm, to so move **(to replace** Ordinance C35722—amending Ordinance No. C35678 vacating various right-of-ways in the City of Spokane to facilitate construction of the North Spokane Corridor—with an updated version); **carried unanimously.**

Resolution 2018-0108

Motion by Council Member Burke, seconded by Council Member Beggs, to so move **(to accept** the new version of Resolution 2018-0108—requesting allocation of the \$2 million in one-time Safe and Healthy strategic investments to increase affordable housing units—as handed out by Council Member Beggs); **carried unanimously.**

Resolution 2018-0109

Council President Stuckart requested the City Council accept the revised version of (the attachment to) Resolution 2018-0109 that he sent out, replacing himself on STA with Mayor Condon. The following action was taken:

Motion by Council Member Beggs, seconded by Council Member Mumm, to so move **to substitute** the new list of Committee assignments; **carried unanimously.**

Addition of Resolution 2018-0110 to the December 17, 2018, Legislative Agenda

Motion by Council Member Mumm, seconded by Council Member Kinnear, to so move **(to add** Resolution 2018-0110 forming an ad hoc sustainability action subcommittee of the City Council's Public Infrastructure, Environment, and Sustainability Committee); **carried unanimously.**

Addition of Resolution 2018-0111 to the December 17, 2018, Legislative Agenda

Motion by Council Member Burke, seconded by Council Member Fagan, to so move **[to add** a resolution (Resolution 2018-0111) recognizing homelessness as a regional issue and requesting regional cities take responsibility for providing basic need services to their own residents facing homelessness—to the December 17 Legislative Agenda]; **carried unanimously.**

Hearings on Assessments and Assessment Rolls for the Downtown Spokane Parking and Business Improvement Area and the East Sprague Parking and Business Improvement Area and Related Final Reading Ordinances C35723 and C35724

Council President Stuckart requested a motion to accept revised versions of the assessments and assessment rolls for both the Downtown Spokane Parking and Business Improvement Area and the East Sprague Parking and Business Improvement Area. The following action was taken:

Motion by Council Member Fagan, seconded by Council Member Mumm, to so move **(to accept** revised versions of the assessments and assessment rolls for both the Downtown Spokane Parking and Business Improvement Area and the East Sprague Parking and Business Improvement Area); **carried unanimously.**

CONSENT AGENDA

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

Purchase without Contract with Aardvark (LaVerne, CA) utilizing GSA contract #GS-07F-141DA for 26 protective body armor for the SWAT team—\$81,642.59 (incl. tax and shipping). (OPR 2018-0790)

Annual Value Blanket Order Renewal with Valmont Industries (Valley, NE) for traffic signal standards and luminaire standards—estimated annual expenditure \$238,045.51 (incl. tax). (OPR 2105-0923 / BID 4173-15)

Contract Renewal with Larry Tangen (Chattaroy, WA) for investigative services for the Public Defender's Office from January 1, 2019 through December 31, 2019—not to exceed \$75,000 (incl. tax). (OPR 2017-0076 / RFP 4293-16)

Authorization to increase the administrative reserve on the Contract with L & L Cargile, Inc. for Sprague Avenue Rebuild Phase I—\$42,000 for a total administrative reserve of \$416,792.20 or 11% of the contract price. (PR 2017-0011 / ENG 2014080)

Three-year Master Contracts for Heavy Equipment Body Repair Services for Fire and Fleet Services with:

- a. Fleet Painting (Spokane, WA) (Primary Contract)—not to exceed \$450,000. (OPR 2018-0791 / BID 4501-18)
- b. Kenworth Sales (Spokane, WA) (Secondary Contract)—not to exceed \$50,000. (OPR 2018-0807 / BID 4501-18)

Interlocal Cooperation Agreement with the City of Spokane Valley for Hearing Examiner services, effective December 31, 2018—\$125 per hour revenue. (OPR 2018-0792)

Recommendation to list Warner House, 2627 South Manito Boulevard, on the Spokane Historic Register. (OPR 2018-0793)

2018 Community Development Block Grant funding recommendations made by the CHHS Board and Affordable Housing Committee—\$2,500,000. (OPR 2018-0794)

Low Bid of Inland Asphalt Company (Spokane Valley, WA) for Spokane Arterial Preservation Project - North (Phase 1)—\$2,422,422. An administrative reserve of \$242,242.20, which is 10% of the contract price, will be set aside, for a total of \$2,664,664.20. (OPR 2018-0795 / ENG 2017148)

Contract Extension with the East Spokane Business Association to administer and operate the East Sprague PBIA/ Business Improvement District from January 1, 2019, through December 31, 2022. (OPR 2018-0796)

Consultant Agreement with Consultant Community Attributes Inc. (Seattle, WA) for the North River Bank Sub-Area Planning Project—\$75,000. (OPR 2018-0797)

Contract with Cerium Networks, Inc. for SmartNet hardware maintenance and software support for Cisco Equipment from January 1, 2019, through December 31, 2019—\$215,759.07 (incl. tax). (OPR 2018-0798 / RFP 4500-18)

Contract with Nuvodia, LLC for Business Analysis Professional Services for the Parking System replacement system RFP/Implementation and Special Events process re-engineering from January 1, 2019, through December 31, 2019—\$162,147.20 (incl. tax). (OPR 2018-0799)

Contract with Software House International using Master Agreement No. ADSP016-130651, WA State Master Contract No. 06016, for purchase and implementation of SMARSH software from December 20, 2018, through December 19, 2019—\$62,801.02 (incl. tax). (OPR 2018-0800)

Contract with Camtek, Inc. to provide the City Facilities with an upgrade to our secure access control system from December 15, 2018, through June 14, 2019—\$80,152.61 (incl. tax). (OPR 2018-0801)

Grant agreements with Washington State Department of Ecology for building:

- a. CSO Basin 25 Control Facility—\$915,905.25. (OPR 2018-0804 / ENG 2017177)
- b. Erie Stormwater Facility—\$1,031,477.50. (OPR 2018-0805 / ENG 2015130)
- c. Third Avenue storm sewer from Sherman Street to Arthur Street (Pacific and Perry Infiltration Facility)—\$778,021.50. (OPR 2018-0806 / ENG 2016199)

Extension of Service Maintenance Agreement with Fairfax Imaging, Inc. for possible service and repairs of the payment processing machine (OCR) through implementation of payment processing at Spokane County of utility bill checks and money orders—\$16,051.54. (OPR 2015-0300)

WSDOT Utility Agreement preserving City's ability to proceed with a project that would reimburse WSDOT for construction of pipe casing under North Spokane Corridor for future City utilities use—\$900,000. (OPR 2018-0809)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through December 7, 2018, total \$6,738,619.54 (Check Nos. 555696-556029; ACH Payments Nos. 57541-57874), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$5,352,971.60. (CPR 2018-0002)

City Council Meeting Minutes: November 29, December 3, and December 6, 2018. (CPR 2018-0013)

Agreement Amendment with The Guardians Foundation to operate 2018-2019 Warming Centers—\$267,057. (OPR 2018-0810)

Agreement with the Salvation Army to operate 2018-2019 Warming Centers—\$323,250. (OPR 2018-0816)

Contract with Iron Mountain Shredding, Inc. (Boston, MA) to provide secured destruction services at the Waste to Energy plant—\$78,000. (OPR 2018-0819)

Agreement Amendment B with Transitional Programs for Women to administer the Women's Hearth Shelter Program—increase of \$88,851. Total agreement amount not to exceed \$114,654. (OPR 2017-0588)

Agreement Amendment B with Volunteers of America of Eastern Washington and Northern Idaho to administer the Hope House Shelter Program—increase of \$17,904. Total agreement amount not to exceed \$71,313. (OPR 2017-0513)

Agreement Amendment F with Family Promise of Spokane to administer the Family Promise – 24/7 Shelter Pilot—increase of \$190,027. Total agreement amount not to exceed \$844,402. (OPR 2016-0988)

Council Recess/Executive Session

The City Council adjourned at 3:42 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 Pro Tem Fagan.

Roll Call

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

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

There was no **Administration Report**.

COUNCIL COMMITTEE REPORTS

Public Infrastructure, Environment, and Sustainability (PIES) Committee

Council Member Beggs reported on the PIES Committee meeting held earlier today (December 17, 2018). Minutes of the PIES Committee meeting are filed with the City Clerk's Office and are available for review following approval by the PIES Committee.

APPOINTMENTS

Lodging Tax Advisory Committee (CPR 2000-0031)

Upon Unanimous Voice Vote (Council President Stuckart absent), the City Council **approved** (and thereby confirmed) the appointment of James Rand to the Lodging Tax Advisory Committee for a three-year term, from December 14, 2018 to December 14, 2021.

OPEN FORUM

Tim Brucick expressed concerns on the City Council's recent revision to SMC 18.06.040 and lack of enforcement on 18.06.050.

Steven Bessmerin remarked on homelessness and expressed concern that every morning when he goes to breakfast at City Gate Geiger crew is coming by and throwing away homeless people's stuff.

Alfredo Llamedo remarked on homelessness. He stated Camp Hope signifies resistance against the status quo when it comes to homelessness and that resistance is not going away. He demanded immediate and significant action and stated that until the powers in charge act in a way that shows they are committed to truly ending homelessness, he and others will disrupt the flow of business in the Downtown core.

Tom Robinson remarked on homelessness and stated that Camp Hope was a central place where people knew where there stuff was and where they were going to sleep that night and now they don't. He also stated that warming shelters are close to full now and questioned what happens when they fill up.

Dustin Jolly stated that Camp Hope is not a physical location; it's a movement within the community for us all to come together and collaborate and not to sweep the homeless community under the bridge.

Richard Dahl remarked on homelessness and stated the City needs to come up with more beds and space.

William Roswell commented on homelessness and stated, while he understands the plight of the homeless, there are shelters they can go to; they just chose not to go to those places because some have religious rules and some have things they don't like.

LEGISLATIVE AGENDA

For Special Budget Ordinances, see section of minutes following "Emergency Ordinances."

EMERGENCY ORDINANCES

Emergency Ordinances C35721 and C35722

City Council considered Emergency Ordinances C35721 and C35722. Council President Pro Tem Fagan noted that staff has made minor changes to Emergency Ordinance C35722 and he requested a motion to substitute (the updated revised version for the previously filed version). The following action was taken:

Motion by Council Member Beggs, seconded by Council Member Kinnear, **to suspend the (Council) Rules and substitute** (Ordinance C35722) with the new version; **carried unanimously (Council President Stuckart absent).**

Louis Meuler of the Planning Department provided an overview of Emergency Ordinances C35721 and C35722 and responded to Council commentary. There was an opportunity for public testimony, with no individuals requesting to speak. Subsequently, the following action was taken:

Upon 5-1 Roll Call Vote (Council Member Burke voting "no" and Council President Stuckart absent), the City Council **passed** the following Emergency Ordinances:

- **Emergency Ordinance C35721** relating to the right to construct, maintain, and operate a railway upon and across streets and alleys in Northeast areas of the City of Spokane, amending a portion of the route and alignment approved in Ordinance A204, and declaring an emergency.
- **Emergency Ordinance C35722** (as substituted) amending Ordinance No. C35678 vacating various right-of-ways in the City of Spokane to facilitate construction of the North Spokane Corridor; and declaring an emergency.

SPECIAL BUDGET ORDINANCES

Special Budget Ordinances C35720

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 President Stuckart absent), the City Council **passed Special Budget Ordinance C35720** 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:

Forfeiture Fund

FROM: Undesignated Reserves, \$30,000;

TO: Confidential Funds, same amount.

(This action increases confidential funds used in police investigations.)

Special Budget Ordinance C35728

CHHS Director Kelly Kennan provided an overview of Special Budget Ordinance C35728 and responded to Council inquiry and commentary. Public testimony was received and Council discussion held, after which the following action was taken:

Upon Unanimous Roll Call Vote (Council President Stuckart absent), the City Council **passed Special Budget Ordinance C35728** 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, \$368,737;

TO: Other Miscellaneous Services, same amount.

(This action provides safe and warm places for people experiencing homelessness during upcoming months and to authorize the Mayor to enter into contracts for the expenditure of the funds.)

Special Budget Ordinance C35729

The City Council considered Special Budget Ordinance C35729. Following an opportunity for public testimony, with no individuals requesting to speak, and commentary by Council President Pro Tem Fagan, the following action was taken:

Upon Unanimous Roll Call Vote (Council President Stuckart absent), the City Council passed Special Budget Ordinance C35729 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: Admission Taxes, \$41,903;

TO: Transfer-Out Asset Management, same amount;

and

Asset Management – Arts

FROM: Transfer-In from General Fund, \$41,903;

TO: Contractual Services, same amount.

(This action provides additional funding to the Arts based on SMC 08.03.122.)

RESOLUTIONS

Resolution 2018-0105 (ENG 201165)

City Council considered Resolution 2018-0105. Subsequent to commentary by Council President Pro Tem Fagan and the opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote (Council President Stuckart absent), the City Council adopted Resolution 2018-0105—Assessment Segregation for 25th Avenue from Freya Street to One-Half Block East of Rebecca Street. (Lincoln Heights Neighborhood)

Resolution 2018-0106 (ENG 2010088 / ENG 2013213)

City Council considered Resolution 2018-0106. Following an opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote (Council President Stuckart absent), the City Council adopted Resolution 2018-0106 authorizing the loan agreements between the City of Spokane and State of Washington, Department of Ecology for Combined Sewer Overflow (CSO) Basin 26 Control Facility (\$26,509,166) and CSO Basin 33-1 Control Facility (\$11,853,948).

Resolution 2018-0107

City Council considered Resolution 2018-0107. Following an opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote (Council President Stuckart absent), the City Council adopted Resolution 2018-0107—Joint Resolution with Spokane County in the matter of authorizing the Airport Board to acquire property located on a portion of Spokane County Assessor Parcel 24063.9041 and 24063.9042, comprising of 5.43 acres of land which is adjacent to Spokane International Airport property.

Resolution 2018-0108 (as substituted during the 3:30 p.m. Administrative Session)

City Council considered Resolution 2018-0108. Council President Pro Tem Fagan and Council Member Beggs provided an overview of Resolution 2018-0108. Public testimony was received and Council discussion held. The following action was taken:

Motion by Council Member Stratton, seconded by Council Member Kinnear, that the Council focus and vote on the \$1.3 million investment and the \$250,000 for the Envision Center and that the Council defer the two allocations for rental relocation and the deposits and mitigation fund (thereby striking from Resolution 2018-0108 the two “be it further resolved” clauses at the bottom of the first page of the resolution); **rejected 3-3 (Council President Pro Tem Fagan and Council Members Mumm and Stratton voting “aye” and Council Members Beggs, Burke, and Kinnear voting “no” and Council President Stuckart absent).**

Subsequent to additional Council commentary, the following action was taken:

Upon 5-1 Roll Call Vote (Council Member Stratton voting “no” and Council President Stuckart absent), the City Council **adopted Resolution 2018-0108** requesting allocation of the \$2 million in one-time Safe and Healthy strategic investments to increase affordable housing units, create a rental relocation program, create a program to assist landlords in expanding rental opportunities to individuals and families facing homelessness, and to further support the Envision Center HUD program.

Resolution 2018-0109 (as revised during the 3:30 p.m. Administrative Session)

Subsequent to brief commentary by Council President Pro Tem Fagan and an opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote (Council President Stuckart absent), the City Council **adopted Resolution 2018-0109** regarding council member appointments to boards and committees (for 2019).

Resolution 2018-0110

The City Council considered Resolution 2018-0110. Subsequent to public testimony and Council commentary, the following action was taken:

Upon 5-1 Roll Call Vote (Council President Pro Tem Fagan voting “no” and Council President Stuckart absent), the City Council **adopted Resolution 2018-0110** forming an ad hoc sustainability action subcommittee of the City Council’s Public Infrastructure, Environment, and Sustainability Committee.

Resolution 2018-0111

The City Council considered Resolution 2018-0111. Following a full reading of the resolution by the City Clerk, Council Member Kinnear provided an overview of the resolution. Subsequent to Council commentary and public testimony, the following action was taken:

Upon Unanimous Roll Call Vote (Council President Stuckart absent), the City Council **adopted Resolution 2018-0111** recognizing homelessness as a regional issue and requesting regional cities take responsibility for providing basic need services to their own residents facing homelessness.

FINAL READING ORDINANCES

For Council action on Final Reading Ordinance C35723, see section of minutes under “Hearings.”

For Council action on Final Reading Ordinance C35724, see section of minutes under “Hearings.”

FIRST READING ORDINANCES

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

ORD C35725 Relating to Imprest Funds for the Police Department’s Investigations (increase from \$25,000 to \$50,000); amending SMC section 07.03.151 of the Spokane Municipal Code.

ORD C35727 Changing the zone from Office (O) to Office Retail (OR) for property located at (Site A) 6221 and 6215 N. Maple Street, 6222 and 6214 N. Ash Street (Site B) 6221 and 6227 N. Walnut Street, 6222 and 6228 N. Maple Street in the City and County of Spokane, State of Washington, by amending the Official Zoning Map. (Applicant: Land Use Solutions and Entitlement.)

There were no **Special Considerations**.

HEARINGS

Hearings on Assessments and Assessment Rolls (as amended during the 3:30 p.m. Administrative Session) for the Downtown Spokane Parking and Business Improvement Area and the East Sprague Parking and Business Improvement Area and Related Final Reading Ordinances C35723 and C35724

The City Council held hearings on the 2019 Assessments and Assessment Rolls for the Downtown Spokane Parking and Business Improvement Area and the 2019 Assessments and Assessment Roll for the East Sprague Parking and Business Improvement Area. In conjunction with the hearings, the City Council considered Ordinances C35723 and C35724. Subsequent to public testimony and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote (Council President Stuckart absent), the City Council passed Final Reading Ordinance C35723 approving and confirming the 2019 assessments and assessment roll for the Downtown Spokane Parking and Business Improvement Area, prepared under Ordinance C32923 as codified and amended in Chapter 4.31C SMC **and Final Reading Ordinance C35724** approving and confirming the 2019 assessments and assessment roll for the East Sprague Parking and Business Improvement Area, prepared under Ordinance C35377 as codified and amended in Chapter 4.31C SMC.

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

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 8:24 p.m.

Note: The regularly scheduled City Council meetings for Monday, December 24, 2018, and Monday, December 31, 2018, have been canceled. (There are no meetings on Monday, December 24, 2018 and Monday, December 31, 2018, due to the recognized observance of the Christmas and New Year's Day holidays.)

Minutes prepared and submitted for publication in the December 19, 2018, issue of the *Official Gazette*.

Hearing Notices

Notice of Spokane City Council Public Hearing Amendments to Spokane Municipal Code Related to Parking, Height, and Other Dimensional Standards for Attached Housing and Multifamily Zones

(Proposed Ordinances 35730, C35731, and C35732)

Notice is hereby given that there will be a public hearing before the Spokane City Council at its regularly scheduled meeting on January 14, 2019, beginning at 6:00 PM in the City Council Chambers, Lower Level of City Hall at 808 West Spokane Falls Boulevard, Spokane, Washington. This public hearing is regarding amendments to the Development Code, relating to dimensional standards for attached housing and multifamily development in residential zones, amending chapter 17C.110 of the Spokane Municipal Code (SMC); relating to parking and loading standards, amending chapter 17C.230 SMC; and relating to alternative residential subdivisions, amending SMC 17G.080.065. The City Plan Commission recommended approval of the proposal. Public testimony will be taken on this ordinance at the hearing on January 14, 2019. This hearing or portions thereof may be continued at the discretion of the City Council.

Any person may submit written comments on the proposed action or call for additional information at:

City of Spokane Planning & Development, Attn: Nathan Gwinn, 808 West Spokane Falls Blvd, Spokane, WA 99201 509-625-6893 ngwinn@spokanecity.org

Documents relating to this proposal are available for viewing at:

my.spokanecity.org/projects/infill-housing-strategies-infill-development/

Location: Areas within or adjacent to certain residential zones in the city of Spokane: specifically, the RA, RSF, RTF, RMF, RHD zones. A zoning map is available for viewing at: maps.spokanecity.org

Description of Proposal:

- **Ordinance C35730** - Code amendments to lot standards for attached houses in the RMF and RHD zones, increase maximum building coverage for attached houses in the RMF and RHD zones, and remove a lower wall height for all types of primary buildings in most locations in the RMF zone (SMC 17C.110.200); adopt limited height exceptions above the roof height in RMF and RHD zones (SMC 17C.110.215); eliminate doubling of side lot line setbacks for attached houses and combine curb cuts for some housing types on narrow lots in all residential zones (SMC 17C.110.310); eliminate the maximum size for Pocket Residential Development in certain locations, and change homeowners' association requirements in all locations (SMC 17C.110.360); and apply multifamily design standards of SMC 17C.110.400 through .465 to attached housing in the RMF and RHD zones (SMC 17C.110.310 and .360).
- **Ordinance C35731** - Code amendments relating to parking calculations (SMC 17C.230.100), introducing a parking exception for attached housing in RMF and RHD zones (SMC 17C.230.130), and reducing some parking area setbacks on sites that abut residential zones (SMC 17C.230.140).
- **Ordinance C35732** - Corresponding amendments to procedural requirements for alternative residential subdivisions in SMC 17G.080.065.

SEPA: This proposal has been reviewed under the State Environmental Policy Act (SEPA) under Spokane Municipal Code Title 17E, Chapter 17E.050. A Determination of Non Significance (DNS) was issued on October 31, 2018, under WAC 197-11-340(2). During the comment period, no comments were received regarding this DNS.

Only the applicant, persons submitting written comments, and persons testifying at a hearing may appeal the decision of the Plan Commission and City Council.

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

RESOLUTION

BE IT RESOLVED BY THE CIVIL SERVICE COMMISSION that the following Rule Amendment No. 2018-02 Rule 1 Section 7 adopted on December 18, 2018 are effective immediately.

ADOPT:

Rule Amendment No. 2018-02 Rule 1 Section 7

DATED, at Spokane, Washington, this 18 day of December 2018.

ATTEST:

Amber Richards
Chief Examiner

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 C35720

An ordinance amending Ordinance No. C-35565, 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.

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 Forfeitures & Contributions Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

Section 1. That in the budget of the Forfeitures & Contributions Fund, and the budget annexed thereto with reference to the Forfeitures & Contributions Fund, the following changes be made:

FROM:	1560-99999	Forfeiture Fund	
	99999-	Undesignated Reserves	<u>\$ 30,000</u>
TO:	1560-17200	Forfeiture Fund – State	
	21250-54922	Confidential Funds	<u>\$ 30,000</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to increase confidential funds used in police investigations and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council December 17, 2018
Delivered to Mayor December 26, 2018**

ORDINANCE NO. C35721

An ordinance relating to the right to construct, maintain, and operate a railway upon and across streets and alleys in Northeast areas of the City of Spokane, amending a portion of the route and alignment approved in Ordinance A. 204, and declaring an emergency.

Whereas, on or about May 10, 1892, the City Council adopted Ordinance A. 204 granting to the Saint Paul, Minneapolis and Manitoba Railway Company (the "Railway"), including its successor and assigns, the right to construct, maintain, and operate its railway upon and across streets and alleys in the City of Spokane following, substantially, the route and alignment indicated upon a map or plat of said alignment that was to be filed with the City Clerk; and

Whereas, BNSF Railway subsequently acquired the Railway's rights of way and is a successor to the Railway under Ordinance A. 204; and

Whereas, in connection with development and construction of the North Spokane Corridor, BNSF Railway, at the request of the Washington State Department of Transportation, is realigning a portion of its railway in Northeast Spokane, as depicted in the attached Exhibit A, and has asked the City to amend Ordinance A. 204 to reflect the new route and alignment of its railway corridor in this area of Northeast Spokane only;

The City of Spokane does ordain:

Section 1. That route and alignment approved by the City in Ordinance A. 204 is hereby amended between Wellesley Avenue on the North and Cleveland Avenue on the South, as depicted in attached Exhibit A. A more detailed description of the railway's route and alignment at Euclid Avenue is depicted in Exhibit B. All other locations of the route and alignment throughout the City of Spokane as approved under Ordinance A. 204 and all other general terms and conditions of Ordinance A. 204 are hereby affirmed and shall remain unchanged as set forth therein.

Section 2. The City Council finds that this ordinance, passed by a majority plus one of the whole membership of the City Council as an emergency ordinance is necessary for the public health, safety and welfare and for the immediate support of City government and its existing public institutions, and shall be effective immediately upon its passage.

Exhibits A&B are on file for review with the City Clerk

**Passed by City Council December 17, 2018
Delivered to Mayor December 26, 2018**

ORDINANCE NO. C35722

An ordinance amending ordinance NO. C35678 vacating various right-of-ways in the City of Spokane to facilitate construction of the North Spokane Corridor; and declaring an emergency.

WHEREAS, pursuant to Resolution 2018-0072, the City Council initiated the vacation of portions of right-of-ways more particularly described below, and a hearing has been held on the resolution before the City Council as provided by RCW 35.79; and

WHEREAS, the Washington State Department of Transportation has agreed to and is committed to closing the vacated right-of-ways to City standards during construction of the North Spokane Corridor; and

WHEREAS, it is anticipated that the Washington State Department of Transportation (WSDOT) will deliver to Burlington Northern Santa Fe Railroad (BNSF) a deed transferring and conveying fee simple interest in the rights of way vacated by this Ordinance (Deed). It is anticipated the Deed will be recorded in the records of Spokane County. It is further anticipated that simultaneous with the recording of the Deed, BNSF will deliver fully executed license agreements, in form and substances acceptable to the City, authorizing the City of Spokane and its franchisees to construct, operate, maintain, repair, and replace public utilities and services within the vacated rights of way (Licenses). Upon BNSF's delivery of the Licenses to the City of Spokane and the City's franchisees (which is anticipated to occur simultaneous with WSDOT's delivery of the Deed to BNSF), the easements reserved in this Ordinance shall terminate with respect to the property described in the Deed.

WHEREAS, it is necessary for the City to adopt this ordinance as an emergency ordinance to enable it to be effective immediately upon passage to limit disruption to the City arterial system and facilitate the construction timeline of the many projects needed to complete the North Spokane Corridor; and

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

The City of Spokane does ordain:

Section 1. That the following right-of-ways are hereby vacated. Parcel numbers not assigned.

That portion of the northwest quarter of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Hoffman Avenue from the east right-of-way line of Market Street to the west line of the existing Burlington Northern Santa Fe Railroad (BNSF) right-of-way as defined in the Record of Survey defining the BNSF right-of-way and recorded with the Spokane County Auditor in Book 151 pages 96-98 under Auditor's File Number 6222766.

Together with:

That portion of the southwest quarter of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Gordon Avenue from the east right-of-way line of Market Street to the west right-of-way line of Greene Street.

Together with:

That portion of the northwest quarter of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Lacrosse Avenue from the east right-of-way line of Market Street to the west line of existing Burlington Northern Santa Fe Railroad (BNSF) railroad right-of-way as defined in the Record of Survey defining the BNSF right-of-way and recorded with the Spokane County Auditor in Book 151 pages 96-98 under Auditor's File Number 6222766.

Together with:

Portions of the northwest and southwest quarters of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Garland Avenue from a line that is 32 feet east of and parallel to the east right-of-way of Market Street, to the west line of the existing Burlington Northern Santa Fe Railroad (BNSF) right-of-way as defined in the Record of Survey defining the BNSF right-of-way and recorded with the Spokane County Auditor in Book 151 pages 96-98 under Auditor's File Number 6222766

Together with:

That portion of the southwest quarter of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Glass Avenue from the east right-of-way line of Market Street to the west right-of-way line of Greene Street.

Together with:

That portion of the southwest quarter of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Garnet Avenue between a line and the center of the right-of-way of Greene Street. Said line described as a line connecting the south-east corner of Lot 7, Block 31, of Minnehaha Addition (AFN3100500) and the north-west corner of the Washington State Department of Transportation owned portion of Lot 5, Block 26 of Minnehaha Addition as recorded with the Spokane County Auditor under AFN #3100500.

Together with:

That portion of the southwest quarter of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Bridgeport Avenue from the west line of Lot 10, Block 17, of Minnehaha Addition as recorded with the Spokane County Auditor under AFN #3100500, to the center of the right-of-way line of Greene Street.

Together with:

That portion of the southwest quarter of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Liberty Avenue from the west line of Lot 2, Block 3, of Minnehaha Addition as recorded with the Spokane County Auditor under AFN #3100500, to the east right-of-way line of Greene Street.

Together with:

That portion of the northwest quarter of Section 10, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Fairview Avenue from the west line of Lot 12, Block 5, of ~~((Minnehaha))~~ Peter Sapra's Addition, ~~((as recorded with the Spokane Auditor under AFN #3100500,))~~ to the west right-of-way line of Ralph Street.

Together with:

Those portions of the southwest quarter of Section 03, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

The west half of Greene Street from the north right-of-way line of Garnet Avenue to the south right-of-way line of Bridgeport Avenue, and Greene Street from the south right-of-way line of Bridgeport Avenue to the north right-of-way line of Euclid Avenue

Together with

That portion of the northwest quarter of Section 10, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Cleveland Avenue from the west right-of-way line of Greene Street to the west right-of-way line of Ralph Street:

Together with:

That portion of the northwest quarter of Section 10, Township 25 North, Range 43 East, Willamette Meridian, and more particularly described as:

Greene Street from the south right-of-way line of Euclid Avenue to the south right-of-way line of Cleveland Avenue.

Section 2. An easement is reserved and retained over and through Greene Street from the south right-of-way line of Euclid Avenue to the south right-of-way line of Cleveland Avenue, for Avista Utilities and the City of Spokane for ingress/egress and to operate, maintain, or repair existing utilities. No permanent obstructions can be placed within the easement without permission from the City Engineer.

~~((Section 3. An easement is reserved and retained over and through Greene Street from the south right-of-way line of Bridgeport Avenue to the north right-of-way line of Euclid Avenue, for Avista Utilities to protect existing utilities.))~~

Section ((4))3. An easement is reserved and retained over and through Lacrosse Avenue from the east right-of-way line of Market Street to the west line of existing Burlington Northern Santa Fe Railroad (BNSF) railroad right-of-way as defined in the Record of Survey defining the BNSF right-of-way and recorded with the Spokane County Auditor in Book 151 pages 96-98 under Auditor's File Number 6222766 for the City of Spokane for ingress/egress and to operate, maintain, or repair existing utilities. No permanent obstructions can be placed within the easement without permission from the City Engineer.

Section ((5))4. An easement is reserved and retained over and through Bridgeport Avenue from the west line of Lot 10, Block 17, of Minnehaha Addition as recorded with the Spokane County Auditor under AFN #3100500, to the center of the right-of-way line of Greene Street for the City of Spokane and Avista Utilities for ingress/egress and to operate, maintain, or repair existing utilities. No permanent obstructions can be placed within the easement without permission from the City Engineer.

Section ((6))5. An easement is reserved and retained over and through Liberty Avenue from the west line of Lot 2, Block 3, of Minnehaha Addition as recorded with the Spokane County Auditor under AFN #3100500, to the west right-of-way line of Greene Street for the City of Spokane for ingress/egress and to operate, maintain, or repair existing utilities. No permanent obstructions can be placed within the easement without permission from the City Engineer.

Section ((7))6. An easement is reserved and retained over and through Fairview Avenue from the west line of Lot 10, Block 5, of Peter Sapra's Addition, ~~((as recorded with the Spokane County Auditor under AFN #3100500))~~ to the west right-of-way line of Ralph Street for the City of Spokane for ingress/egress and to operate, maintain, or repair existing utilities. No permanent obstructions can be placed within the easement without permission from the City Engineer.

Section ((8))7. An easement is reserved and retained over and through Cleveland Avenue from the west right-of-way line of Greene Street to the west right-of-way line of Ralph Street for the City of Spokane for ingress/egress and to operate, maintain, or repair existing utilities. No permanent obstructions can be placed within the easement without permission from the City Engineer.

Section ((9))8. Emergency Ordinance. The City Council finds that this ordinance, passed by a majority plus one of the whole membership of the City Council as an emergency ordinance is necessary for the public health, safety and welfare and for the immediate support of City government and its existing public institutions, and shall be effective immediately upon its passage.

**Passed by City Council December 17, 2018
Delivered to Mayor December 26, 2018**

ORDINANCE NO. C35723

AN ORDINANCE APPROVING AND CONFIRMING THE 2019 ASSESSMENTS AND ASSESSMENT ROLL FOR THE DOWNTOWN SPOKANE PARKING AND BUSINESS IMPROVEMENT AREA, PREPARED UNDER ORDINANCE C32923 AS CODIFIED AND AMENDED IN CHAPTER 4.31 SMC.

WHEREAS, the Spokane City Council on October 22, 2018 passed Resolution 2018-0087, which provided notice and set a date for hearing on the assessments to be levied under the above identified ordinance; and

WHEREAS, pursuant to Resolution No. 2018-0087, a public hearing was held on December 17, 2018 to take public testimony regarding the assessments and assessment roll for the Downtown Spokane Parking and Business Improvement Area; and

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

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

THE CITY OF SPOKANE DOES ORDAIN:

Section 1. The 2019 assessments and the assessment roll of the Downtown Spokane Parking and Business Improvement Area, established under Ordinance C-32923, as codified and amended in Chapter 4.31 SMC, are hereby approved and confirmed. The assessments and assessment roll are attached hereto, available in the Office of the City Clerk and City Treasurer.

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

Section 3. Pursuant to SMC 4.31.100, the projects, programs, activities and budget for the 2019 Downtown Parking and Business Improvement Area as presented to the City Council are hereby approved and may be revised by the City Council pursuant to a subsequent motion.

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

Section 5. That the assessments shown in the roll on file in the Office of the City Clerk may be paid in two installments with the first half of the assessment due and payable on the 31st day of January, 2019, and the second half of the assessment due and payable on the 31st day of July, 2019. Prior to the due date, ratepayers shall be sent a bill stating the amount of the assessment due and payable. If the assessment is not paid within thirty (30) days after its due date, a delinquency charge shall be added in the amount of ten percent (10%) of the assessment, not to exceed one hundred dollars (\$100) in addition to the processing fee. All assessments, or part thereof, shall also bear interest at the rate of twelve percent (12%) per annum, or part thereof, of delinquency. Within thirty (30) days of the due date(s), the City Treasurer or his/her designee shall send a late notice of the unpaid assessment including the assessment of appropriate interest, penalty and fees. Interest, penalties and other fees will be collected on any unpaid balance or portions thereof from the date the account became due.

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

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

APPENDIX A - 2019

**DOWNTOWN SPOKANE
BUSINESS IMPROVEMENT DISTRICT
Special Assessment Matrix**

I. TENANT ASSESSMENT FORMULA

All tenant assessments are based upon square footage of space per lease except where noted. *There is an annual minimum assessment of \$110.00 per tenant.*

Type of Tenant	Zone 1	Zone 2	Zone 3	Zone 4*
Retail Tenants—Ground floor and skywalk	\$ 0.27	\$ 0.15	\$0.12	-0-
Office Tenants—Ground floor and skywalk	\$ 0.15	\$ 0.14	\$ 0.11	-0-
Office and Retail Tenants—Upper floors and basement	\$ 0.11	\$ 0.10	\$ 0.09	-0-
Manufacturing Tenants				
-outside a C-1 zoning district	\$ 0.11	\$ 0.10	\$ 0.09	-0-
-within a C-1 zoning district	\$ 0.04	\$ 0.04	\$ 0.04	-0-
Commercial Parking—per space assessment	\$ 3.75	\$ 3.12	\$2.50	-0-
Commercial Theaters—per seat assessment	\$ 3.12	\$ 2.37	\$ 2.00	-0-
Apartments—per unit assessment	\$ 5.00	\$ 4.37	\$ 3.75	-0-

Combined Tenant/Owner	Zone 1	Zone 2	Zone 3	Zone4
Hotels and Motels	\$25.00	\$25.00	\$25.00	-0-

II. PROPERTY OWNER ASSESSMENT FORMULA

Type of Owner	Zone 1	Zone 2	Zone 3	Zone4
Private Property	\$1.10	\$1.10	\$0.70	-0-
Government	\$0.80	\$0.80	\$0.60	-0-
Residential/Condominiums—per unit assessment	\$0.60/\$1,000 up to a max of \$215	\$0.60/\$1,000 up to a max of \$215	\$0.40/\$1,000 up to a max of \$215	-0-
Public Facilities District	\$0.31	\$0.31	\$0.31	-0-

Property owner assessments are based upon current values for land plus improvements, no exemptions, and are calculated at a rate per \$1,000 of total assessed value. Each property including its tenants shall be assessed under both the tenant and property owner formulas.

There is an annual minimum assessment of \$110.00 per property parcel.

III. GOVERNMENT PARK PROPERTY ASSESSMENT FORMULA

Type	Zone 4*
Public parks	\$150.00 per acre

IV. GENERAL EXEMPTIONS

The following will be exempt from special assessments:

1. Organizations and property owners recognized under Section 501 (c) (3) of the Internal Revenue Code as a tax exempt non-profit charitable organization;
2. Government agencies exempt from taxation pursuant to state or federal law;
3. Organizations conducting business in the Bid less than 30 days per year.

V. TENANT EXEMPTIONS

The following tenants will be exempt from special assessments:

1. Businesses in the district less than 30 days per year;

ASSESSMENT GUIDELINES

Chapter 4.31 of the Spokane Municipal Code (SMC), as originally adopted in Ordinance No. C-32923 and as subsequently amended by the City Council, provides for the levy of special assessments upon businesses and properties within the area designated as the Downtown Business Improvement District (BID). The Ratepayer Advisory Board of Directors submits to City Council an annual BID Management Plan including a proposed budget and special assessment matrix. In early December, City Council holds a public hearing to hear all protests and receives evidence for or against the proposed action.

The following guidelines are provided as a supplement to the assessment matrix:

- Assessment rates are annual and are based upon gross leasable space (including storage) except where noted. If a ratepayer elects to pay the assessment in two installments there will be a \$10.00 service charge levied.
- A pro-rated assessment shall be available to tenant ratepayers upon request.
 - The pro-rated assessment shall be based on a full month, i.e. If a ratepayer leaves the district March 15th they will be invoiced for three full months.
 - A pro-rated assessment shall be available only to tenant ratepayers who move out of the district. When a tenant moves within the district, that tenant will be responsible for the assessment based on their previous location until the change is made for the next year's assessment roll.
- Assessments are based upon four "benefit zones", each of which pays a different level of assessment based upon the services it receives.

- A minimum assessment of \$110.00 is levied for each tenant and/or property parcel.
- The following will be exempt from assessment: Organizations and property owners recognized under Section 501 (c)(3) of the Internal Revenue Code as a tax exempt non-profit charitable organization; Governmental agencies exempt from taxation pursuant to State and Federal law, organizations conducting business in the BID less than 30 days per year,.
- No historic tax credit or other exemptions that would decrease the assessed value of land or improvements will be used to calculate the annual property assessment.
- The Downtown Spokane Partnership office should be contacted immediately to discuss any situations not covered in the above guidelines.
- Manufacturing businesses should have their businesses classified, and assessments applied, consistent with other uses in the District. Business classifications (i.e., office/manufacturing) should not be prorated for a single business operation. Per Section 4, Part E, "if multiple activities or uses are undertaken in a single business space, the predominant activity or usage shall determine the business classification. The predominant usage is that use that has the greatest proportional square footage of a building compared to other uses.

DISPUTES

The majority of assessment questions are quickly resolved by the billing agency or the Downtown Spokane Partnership office. If a satisfactory conclusion is not reached, a ratepayer aggrieved by the amount of an assessment or delinquency charge, shall request, **within sixty (60) days of the assessment or charge**, a hearing before the Ratepayer Advisory Board. An Assessment Resolution Policy, which fully outlines the appeal process, is available from the Downtown Spokane Partnership office.

SPECIAL ASSESSMENTS

The City of Spokane will levy a special assessment on each business, organization, building and a property within the area by applying an assessment rate according to the current assessment formula approved by City Council.

Assessment Rate Increases

Proposals with regards to assessment rate changes (including minimums, maximums, exemptions and increases) are all subject to approval by City Council per RCW 35.87A.

Subsequent increases of the amount of the special assessments for all flat-fee assessments will be adjusted based on the increase, if any, of the Consumer Price Index of the U.S. City Average for all urban consumers (CPI-U). The percentage increase in the assessment formula shall be computed as follows:

$$[(\text{Ending CPI-U} - \text{Beginning CPI-U}) \div \text{Beginning CPI-U}] \times 100 = \text{Percentage Increase}$$

Assessment Policies

1. Hotels and motels will be assessed for both property and tenancy at one rate per number of rooms.
2. All parking that is open and accessible to the public, including hotel lots and garages, for which a fee is charged shall be assessed on the same basis as commercial parking. For purposes of this assessment, commercial parking is defined as a parking space that is open and accessible to the public for which a charge is assessed for the privilege of parking a vehicle in the parking space for a set period of time.
3. Public parks will be assessed for both property and tenancy at one rate per number of acres.
4. A minimum assessment of one hundred and ten dollars (\$ 110.00) will be applied to every business or property parcel within the boundaries.
5. Square footage will be combined for office or retail tenants occupying multiple spaces in one building.

Passed by City Council December 17, 2018

Delivered to Mayor December 26, 2018

ORDINANCE NO. C35724

AN ORDINANCE APPROVING AND CONFIRMING THE 2019 ASSESSMENTS AND ASSESSMENT ROLL FOR THE EAST SPRAGUE PARKING AND BUSINESS IMPROVEMENT AREA, PREPARED UNDER ORDINANCE C-35377 AS CODIFIED AND AMENDED IN CHAPTER 4.31C SMC.

WHEREAS, the Spokane City Council on October 22, 2018 passed Resolution 2018 - 0086, which provided notice and set a date for hearing on the assessments to be levied under the above identified ordinance; and

WHEREAS, pursuant to Resolution No. 2018 - 0086, a public hearing was held on December 17, 2018 to take public testimony regarding the assessments and assessment roll for the East Sprague Parking and Business Improvement Area; and

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

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

THE CITY OF SPOKANE DOES ORDAIN:

Section 1. The 2019 assessments and the assessment roll of the East Sprague Parking and Business Improvement Area, established under Ordinance C-35377, as codified and amended in Chapter 4.31C SMC, are hereby approved and confirmed. The assessments and assessment roll are attached hereto, available in the Office of the City Clerk and City Treasurer.

Section 2. Each of the businesses, as described in RCW 35.87A.020, lots, tracts, and parcels of land and other property, including improvements thereon, multi-family residential, mixed-use projects (as described in RCW 35.87A.020 (3), hotels, motels, government, and others, shown upon said rolls are hereby declared to be specially benefited by the programs authorized in Ordinance C-35377, as amended, in at least the amount levied against the same. The method of assessment is based upon the Special Assessment Formula in Appendix A.

Section 3. Pursuant to SMC 4.31C.100, the projects, programs, activities and budget for the 2019 East Sprague Parking and Business Improvement Area as presented to the City Council are hereby approved and may be revised by the City Council pursuant to a subsequent motion.

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

Section 5. That the assessments shown in the roll on file in the Office of the City Clerk may be paid in two installments with the first half of the assessment due and payable on the 31st day of January, 2019, and the second half of the assessment due and payable on the 31st day of July, 2019. Prior to the due date, ratepayers shall be sent a bill stating the amount of the assessment due and payable. If the assessment is not paid within thirty (30) days after its due date, a delinquency charge shall be added in the amount of ten percent (10%) of the assessment, not to exceed one hundred dollars (\$100) in addition to the processing fee. All assessments, or part thereof, shall also bear interest at the rate of twelve percent (12%) per annum, or part thereof, of delinquency. Within thirty (30) days of the due date(s), the City Treasurer or his/her designee shall send a late notice of the unpaid assessment including the assessment of appropriate interest, penalty and fees. Interest, penalties and other fees will be collected on any unpaid balance or portions thereof from the date the account became due.

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

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

APPENDIX A – 2019

**EAST SPRAGUE
BUSINESS IMPROVEMENT DISTRICT
Special Assessment Matrix**

Estimated Annual Revenue	% Assessment based on Land Square Footage (LSF)	% Assessment based on Land Square Footage (LSF)	% Assessment based on Taxable Assessed Value (TAV)	Total Parcels
\$62,185.37	75%	75%	25%	233
Benefit Area by Zone	Minimums	Maximums	Rate per LSF	Rate per \$1,000 TAV
Center and Corridor (Commercial)	\$200	\$1,000	2.6 cents	60 cents
General Commercial	\$100	\$500	1.4 cents	30 cents
Industrial	\$50	\$250	0.6 cents	15 cents

2019 represents the fourth assessment year and the first year in the second three year assessment cycle for the East Sprague BID. As per section 4.31C.040.C.2.c. of the Spokane Municipal Code, for the fourth assessment year (2019), the assessment rate on lot square foot (LSF) will be increased by an Inflationary Factor equal to the percentage change in CPI for All Urban Consumers (CPI-U) West Region since the first assessment year. The taxable assessed value rate remains the same.

The CPI for All Urban Consumers (CPI-U): West Region between June 2016 and June 2018 was 6.24 percent. Therefore, previous assessment rates per LSF were increased by 6.24 percent for 2018 assessment year.

Passed by City Council December 17, 2018

Delivered to Mayor December 26, 2018

ORDINANCE NO C35728

An ordinance amending Ordinance No. C-35565, 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", authorizing the Mayor to enter into contracts for the appropriate expenditure of the funds, 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>\$ 368,737.00</u>
TO:	0300-53010 65410-54999	General Fund Other Misc Services	<u>\$ 368,737.00</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 provide safe and warm places for people experiencing homelessness during the upcoming months and to authorize the Mayor to enter into contracts for the expenditure of the funds, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council December 17, 2018

Delivered to Mayor December 26, 2018

ORDINANCE NO. C35729

An ordinance amending Ordinance No. C-35565, 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.

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 and the Asset Management Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

Section 1. That in the budget of the General Fund and the Asset Management Fund, and the budget annexed thereto with reference to the General Fund and the Asset Management Fund, the following changes be made:

FROM:	0020-88100 99999-31811	General Fund Admission Taxes	<u>\$ 41,903</u>
TO:	0980-89000 97183-80101	General Fund Transfer-Out to Asset Management	<u>\$ 41,903</u>
FROM:	5900-53210 99999-39710	Asset Management - Arts Transfer-In from General Fund	<u>\$ 41,903</u>
TO:	5900-53210 73200-54201	Asset Management - Arts Contractual Services	<u>\$ 41,903</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 budget for additional funding to the Arts based on SMC 08.03.122, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council December 17, 2018
Delivered to Mayor December 26, 2018

Notice for Bids

Paving, Sidewalks, Sewer, etc.

Indian Trail Road Widening and Overlay – Kathleen to Barnes Engineering Services File No. 2018074

This project consists of the construction of approximately **16,000** square yards of pavement planing, **32,000** square yards of 2-inch thick HMA pavement, **1,800** square yards of pavement repair, **500** square yards of storm swale construction, **500** square yards of sidewalk and driveway concrete, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Security Guards, First floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201–3316, will receive sealed bids until 1:00 p.m., January 14, 2019 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

Copies of the Contract Documents are available at www.cityofspokaneplans.com. 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.

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: December 19 and 26, 2018 and January 2, 2019

Notice for Bids

Supplies, Equipment, Maintenance, etc.

MISCELLANEOUS WATERWORKS PRODUCTS

Water Department

BID #4505-19

Sealed bids will be opened at 1:15 p.m., **MONDAY, January 14, 2019** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **MISCELLANEOUS WATERWORK PRODUCTS** for the Water & Hydroelectric Services Department.

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

Submittal Instructions:

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

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

DELIVERY BY MAIL:

City of Spokane – Purchasing
4th Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane, Washington 99201

HAND DELIVERY:

City of Spokane – “My Spokane” Service Desk
1st 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. **Only firm proposals with signatures will be tabulated.**

Envelopes containing proposals are to be marked: **“MISCELLANEOUS WATERWORKS PRODUCTS, BID #4505-19, DUE 1/14/19”**.

Thea Prince
Purchasing Department

Publish: December 26, 2018 & January 2 & 9, 2019

