



# Official Gazette

## City of Spokane, Washington

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

Volume 109

**MAY 1, 2019**

Issue 18



### 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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### INSIDE THIS ISSUE

MINUTES	354
GENERAL NOTICES	374
ORDINANCES	375
POLICES & PROCEDURES	389
JOB OPPORTUNITIES	389
NOTICES FOR BIDS	394

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# Minutes

**MINUTES OF SPOKANE CITY COUNCIL****Monday, April 15, 2019****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, Fagan, Kinnear, Mumm, and Stratton were present. Council Member Burke was absent.

City Attorney Mike Ormsby, City Council Policy Advisor Brian McClatchey, and City Clerk Terri Pfister were also present on the dais.

**Advance Agenda Review**

The City Council received an overview from staff on the April 22, 2019, Advance Agenda items.

Special Budget Ordinance C35760

Council President Stuckart requested a motion to table indefinitely Special Budget Ordinance C35760. He noted they (the department) has \$1.7 million in their capital fund and do not need to do this right now.

**Motion** by Council Member Mumm, seconded by Council Member Beggs, to so move **(to table indefinitely Special Budget Ordinance C35760 to replace existing Customer Relationship Management System); carried unanimously (Council Member Burke absent).**

**Action to Approve April 22, 2019, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the April 22, 2019, 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, April 22, 2019 (as amended); **carried unanimously (Council Member Burke absent).**

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

The City Council reviewed changes to the April 15, 2019, Current Agenda items.

Final Reading Ordinance C35755

Council Member Stratton offered a substitute for Ordinance C35755 and she explained the changes made to the ordinance. Subsequently, the following action was taken:

**Motion** by Council Member Stratton, seconded by Council Member Mumm, **to substitute** (the previously filed version with the updated revised version); **carried unanimously (Council Member Burke absent).**

Letter from City Council to Senator Andy Billig

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

**Motion** by Council Member Beggs, seconded by Council Member Fagan, **to add** Letter from City Council to Senator Andy Billig regarding staff funding of the Sprague Avenue Road Project extending from Grant to Division Street to today's Consent Agenda; **carried unanimously (Council Member Burke absent).**

**CONSENT AGENDA**

**Upon Unanimous Voice Vote (Council Member Burke absent), the City Council approved Staff Recommendations for the following:**

Purchase from Core & Main (Spokane, WA) of domestic Ductile Iron and Valve Box Products for the Water Department \$77,035.34 (incl. tax). (OPR 2019-0266 / BID 4100-359-2019)

Low Bid of Planned and Engineered Construction, Inc., (Helena, MT) for Cure In Place Pipe 2018 SS Rehabilitation \$588,850 (plus tax). An administrative reserve of \$58,885 (plus tax), which is 10% of the contract price, will be set aside. (Various Neighborhoods) (OPR 2019-0267 / ENG 2017171)

Amendment to Grant Agreement with the Guardians Foundation to add funds for operating costs to provide for Warming Center services provision during the month of April, in line with the Warming Centers ramp down plan \$98,200. (OPR 2018-0810)

Purchase and Sale Agreement between the City of Spokane and Cody Development Corporation for the sale of .55 acres, situated at 304 East Riverside Avenue and 15 North Grant Street \$595,125 Revenue. (OPR 2019-0268 / ENG 2012119)

Contract with Wm. Winkler Company (Newman Lake, WA) for Utility Concrete Repair Services not to exceed \$270,000 (incl. tax) to be used on an as-needed basis by the Street, Wastewater Maintenance, and Water & Hydroelectric Services departments. (OPR 2019-0269 / BID 55-342-19)

CoC Program Award of \$3,778,347 from the U.S. Department of Housing and Urban Development and authority to enter into contract with the awarded projects once appropriate documents are received from U.S. Department of Housing and Urban Development. (OPR 2019-0270)

Authorization to reapply for the Consolidated Homeless Grant from the WA State Department of Commerce and to subgrant the funds to partner agencies in accordance with the City's Strategic Plan to End Homelessness. (OPR 2019-0271)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through April 5, 2019, total \$3,528,820.84 (Check Nos. 559340-559543; ACH Payment Nos. 62204-62394), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$2,970,224.69. (CPR 2019-0002)
- b. Payroll claims of previously approved obligations through April 6, 2019: \$7,061,109.94 (Check Nos. 552531-552648). (CPR 2019-0003)

City Council Meeting Minutes: March 25, 2019. (CPR 2019-0013)

Interlocal Agreement between the City of Spokane and Spokane County regarding reformation of the Northeast Public Development Authority. (Relates to Final Reading Ordinance C35759.) (Moved from April 8, 2019, Agenda.) (OPR 2019-0280)

Letter from City Council to Senator Andy Billig regarding state funding of the Sprague Avenue Road Project extending from Grant to Division Streets. (CPR 2019-0016)

**Council Recess/Executive Session**

The City Council adjourned at 3:50 p.m. and immediately reconvened into an Executive Session to discuss pending litigation for 15 minutes. City Attorney Mike Ormsby was present during Executive Session. The City Council reconvened at 6:00 p.m. for the Legislative Session.

**LEGISLATIVE SESSION****Pledge of Allegiance**

The Pledge of Allegiance was led by Council President Stuckart.

**Roll Call**

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

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

**Poetry at the Podium**

Kate Peterson (from the Get Lit! Festival) presented a poem called "Open Season." Ms. Peterson noted the Get Lit! Literary Festival starts next week.

**PROCLAMATIONS**

April 18, 2019 *CougsFirst! Day*

Council President Stuckart read the proclamation. The CougsFirst! business network was launched in 2011 with the mantra to thank CougsFirst! for products and services creating a one-stop business network for Washington State University alumni and friends. Businesses owned and operated by Washington State University alumni play a significant and important role in the economy of the greater Spokane area. More than 50,000 living alumni in Eastern Washington (WSU alumni) are involved in almost every aspect of economic sustainability and development in the region and are proud to call Spokane and the Inland Northwest home. The Second Annual Spokane CougsFirst! show brings these businesses under one roof to show case their products and services in an effort to further strengthen the local economy. With more than 200,000 living alumni, the CougsFirst! business networking footprint spans from right here in Spokane to all corners of the world. Representatives of the event accepted the proclamation.

April 2019 *Sexual Assault Awareness Month*

Council Member Kinnear read the proclamation. Sexual Assault Awareness Month is intended to draw attention to the fact that sexual violence is widespread and impacts everyone in the community in some way. We must work together to believe and support survivors of sexual violence and engage our community in best practice, sexual violence prevention, and speak out against harmful attitudes and actions. Prevention is possible when everyone gets involved and the first step is believing survivors to end the cycle of silence and shame and to increase education, awareness and overall community support. It's time for all of us to take action to create a safer community for all. The proclamation encourages all citizens in Spokane to join Lutheran Community Services Northwest Washington State certified sexual assault victim advocates in the belief that all Spokane community members must be part of the solution to end sexual violence. Ligeia DeVleming, Victim Advocacy and Education Program Director – Lutheran Community Services, accepted the proclamation.

**CITY ADMINISTRATION REPORT****Crime Statistics Report**

Major Eric Olsen reported on the Police Department's quarterly crime statistics and responded to Council inquiries.

**COUNCIL COMMITTEE REPORTS****Sustainability Committee (formerly Finance and Administration Committee)**

Council Member Mumm reported on the Sustainability Committee meeting held earlier today (April 15, 2019). Minutes of the Sustainability Committee meetings are filed with the City Clerk's Office and are available for review following approval by the Sustainability Committee.

**Envision Center**

Council President Stuckart noted that today the Spokane Resource/Envision Center opened and he displayed a video on the Spokane Envision Center. The City of Spokane and its various partners opened the doors to a new facility designed to improve the lives of people across our community. The new one-stop program is joining forces with Work Source, an employment office that has been helping folks find jobs for years. The Spokane Envision Center is a resource center that provides services for the underserved, underemployed, and under-housed and helps people experiencing challenges to get back on their feet. The Center's primary goal is to prevent folks from falling into a crises situation in the first place.

**OPEN FORUM**

**Phil Altmeyer** remarked on the Union Gospel Mission, its programs and serving the homeless and stated in terms of their services they do not discriminate against anyone.

**Andrew Rowles** remarked on the term "criminalization of homelessness." He stated the crises confronting downtown is one of lawlessness and petty criminality driven most often by the soul crushing burden of addiction. He stated that although homelessness is a factor in all of this, the housing status of individuals who engage in self-destructive and sometimes criminal behavior is entirely incidental. He also remarked on an article regarding neighborhood policing. He suggested it's time for the Mayor and his successor and Police Chief to consider reestablishing at least a portion of the precinct in the downtown core.

**Janet White** stated she doesn't know when it happened that we became a sanctuary city. She indicated she had a question as to what the things are that have been put in the road at Rockwood Boulevard and stated they are like reverse divots that go into the street and questioned what their purpose is.

Council President Stuckart noted the things in the road are called bump outs and those are to slow traffic down. He also stated that people have lots of different definitions of what a sanctuary city is but most agree though that if your jail and your courts refuse to take ICE holds from ICE then you're a sanctuary city. He stated the City is not in control; the County is in control of the County jail. Council President Stuckart stated that if you looked at San Francisco, they have a link that says what they are and why they are a sanctuary city and its how they take ICE holds and such.

**Christopher Savage** remarked on what happened to the Notre Dame (Cathedral) today and he requested a moment of silence for the great loss that happened today.

**Gabrielle Elliot** thanked City Council for its service. He reminded the community that there is a local radio station and they are broadcasting at midnight the Love Seat Program.

## LEGISLATIVE AGENDA

### SPECIAL BUDGET ORDINANCES

#### Special Budget Ordinances C35757

The City Council considered Special Budget Ordinance C35757. Subsequent to brief commentary by Council President Stuckart and the opportunity for public testimony and Council commentary, with no individuals requesting to speak, the following action was taken:

**Upon unanimous Roll Call Vote (Council Member Burke absent),** the City Council **passed Special Budget Ordinance C35757** amending Ordinance No. C35703 passed by the City Council December 10, 2018, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

General Fund – Public Defender

FROM: Other Judicial Grants, \$2,499;

TO: Registration/Schooling, same amount.

(This action accepts the additional Office of Public Defense Grant to provide public defense training.)

There were no **Emergency Ordinances**.

### RESOLUTIONS

#### Resolution 2019-0027

Council President Stuckart provided an overview of Resolution 2019-0027. Subsequent to the opportunity for public testimony, with no individuals requesting to speak, and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Burke absent),** the City Council adopted **Resolution 2019-0027** approving the sale of surplus city property and authorizing the Mayor to execute the purchase and sale agreement with Avista and such other documents as may be needed in order to close the transactions provided for in said purchase and sale agreement—\$204,000 Revenue.

#### Resolution 2019-0028

Chris Green of the City's Planning Services Department, and Lars Gilbert, University District CEO, provided an overview of Resolution 2019-0028. Subsequent to an opportunity for public testimony, with no individuals requesting to speak, and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Burke absent),** the City Council **adopted Resolution 2019-0028** recognizing the 2019 update of the University District Strategic Master Plan as a declaration of the district's desired future condition, providing direction for district-based improvement activities and stakeholder priorities for future projects.

### FINAL READING ORDINANCE

#### Final Reading Ordinance C35755

Council Member Karen Stratton provided an overview of Final Reading Ordinance C35755, as amended (during the 3:30 p.m. Administrative Session). Public testimony was received and Council commentary held, after which the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Burke absent), the City Council passed Final Reading Ordinance C35755** requiring baby changing facilities in publicly accessible restrooms in all City of Spokane owned buildings; amending SMC Section 12.05.005; and adopting new section 12.05.025 to Chapter 12.05 of the Spokane Municipal Code.

#### **Final Reading Ordinance C35759**

The City Council considered Final Reading Ordinance C35759 reformulating the Northeast Public Development Authority and approving its charter and bylaws. Subsequent to Council and staff discussion, the following action was taken:

**Motion** by Council Member Mumm, seconded by Council Member Kinnear, **to defer** for one week (and place on PIES Committee); **carried 5-1 (Council Member Fagan voting “no” and Council Member Burke absent).**

#### **FIRST READING ORDINANCES**

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

**ORD C35758** Regarding Spokane’s Urban Forestry Program; amending Article V of chapter 12.02 of the Spokane Municipal Code.

There were no **Special Considerations**.

There were no **Hearings**.

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 7:07 p.m.

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### **MINUTES OF SPOKANE CITY COUNCIL**

**Monday, April 22, 2019**

#### **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, Fagan, Kinnear, Mumm, and Stratton were present. Council Member Burke was absent.

City Attorney Mike Ormsby, City Council Policy Advisor Brian McClatchey, and City Clerk Terri Pfister were also present on the dais.

#### **Advance Agenda Review**

The City Council received an overview from staff on the April 29, 2019, Advance Agenda items.

#### **Action to Approve April 29, 2019, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the April 29, 2019, 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, April 29, 2019; **carried unanimously (Council Member Burke absent).**

#### **ADMINISTRATIVE SESSION**

#### **Current Agenda Review**

The City Council reviewed changes to the April 15, 2019, Current Agenda items.

Interlocal Agreement Between the City of Spokane, Spokane Municipal Court, and Airway Heights (OPR 2019-0320)

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

**Motion** by Council Member Beggs, seconded by Council Member Mumm, **to add** OPR 2019-0230—Interlocal Agreement between the City of Spokane, Spokane Municipal Court, and Airway Heights for providing recurring criminal services to Airway Heights—to today's (Current) Consent Agenda; **carried unanimously (Council Member Burke absent)**.

Resolution 2019-0022

Council President Stuckart noted that City Council members just came from a committee meeting and he called for a motion pertaining to Resolution 2019-0022. Council Member Stratton presented a motion to table indefinitely Resolution 2019-0022 as a result of that discussion in committee and as a result of remaining questions and concerns shared by council members. Subsequent to Council commentary, the following action was taken:

**Motion** by Council Member Stratton, seconded by Council Member Mumm, **to table indefinitely** Resolution 2019-0022 (authorizing the sale of surplus city property and authorizing the Mayor to execute Real Property Exchange Agreement with UGM) and ask that staff go back and look at the agreement and take into consideration what was talked about today in the committee meeting and try to come up with a better deal for City Council to look at; **carried 5-1 (Council Member Fagan “no” and Council Member Burke absent)**.

Final Reading Ordinance C35759

As it pertains to Ordinance C35759, Council Member Mumm indicated a potential conflict was found because road standards are not spelled out in the agreement (with the County). She stated there is a requirement in the UGA to meet public road standards and those standards might be different for the future City of Spokane than the County. To make sure the City is very clear on what its requirements are going to be inside its UGA, she requested a deferral of Final Reading Ordinance C35759 for a month. The following action was taken:

**Motion** by Council Member Mumm, seconded by Council Member Stratton, **to defer** Final Reading Ordinance C35759 (reformulating the Northeast Public Development Authority and approving its charter and bylaws) for one month \*(to June 3, 2019); **carried 5-1 (Council Member Fagan voting “no” and Council Member Burke absent)**.

(Clerical Note: Monday, May 28, 2019, is Memorial Day and the Tuesday, May 28, 2019, regularly scheduled meeting is canceled; and so Ordinance C35759 is deferred to June 3, 2019)

## CONSENT AGENDA

**Upon Unanimous Voice Vote, the City Council unanimously (Council Member Burke absent) approved Staff Recommendations for the following:**

Purchases without Contract by Fleet Operations for a combination sewer cleaner for the Wastewater Maintenance Department using Sourcewell Contract 122017-FSC from:

- a. Owen Equipment for the body—\$311,338.30 (incl. tax). (OPR 2019-0285)
- b. Kenworth Sales Company for a chassis—\$150,927.90 (incl. tax). (OPR 2019-0286)

Purchases without Contract by Fleet Operations for a hydro jetter for the Wastewater Maintenance Department using Sourcewell Contract 122017-FSC from:

- a. Owen Equipment for the body—\$225,902.12 (incl. tax). (OPR 2019-0287)
- b. Kenworth Sales Company for the chassis—\$123,194.07 (incl. tax). (OPR 2019-0288)

Purchase without Contract by Fleet Operations for three snow plows from Wausau Equipment for the Street Department using Sourcewell Contract No. 080818-WAS—\$72,422.85 (incl. tax). (OPR 2019-0289)

Purchase without Contract by Fleet Operations for three Ford Escapes for the Planning and Building Services, two Ford Escapes for Code Enforcement, and five Ford Escapes for Parking Enforcement from Columbia Ford using Washington State Contract #05916—\$258,815.84 (incl. tax). (OPR 2019-0305) (Relates to Special Budget Ordinance C35761)

Purchase without Contract by Fleet Operations for a tico pro setter from Leavitt Machinery USA for the Waste to Energy Facility—\$108,355.50 (incl. tax). (OPR 2019-0290)



Contract with Unitec Corporation for the removal and installation of a new in-ground truck scale for the Waste to Energy Facility—\$107,014 (incl. tax). (OPR 2019-0291 / WTE 19-006)

Contract with Incapsulate, LLC, for implementation, conversion, integration, training, and hosting services of the Customer Relationship Management replacement from May 1, 2019, thru April 30, 2022, with the option of two 1-year renewals—\$402,455 (incl. tax). (OPR 2019-0292 / RFP 4481-18)

Contract with Carahsoft Technology Corp. for purchase and annual support of Salesforce CRM licenses in support of the Incapsulate CRM Replacement from May 1, 2019, thru April 30, 2020—\$69,748.16 (incl. tax). (OPR 2019-0293 / RFP 4481-18)

Contract Amendment with Volt Workforce Solutions (Spokane, WA) to increase funds for Project Management Professional Services for support of the Incapsulate CRM Replacement project—\$76,000. (OPR 2017-0876 / RFP 4481-18)

Contract with Infor Public Sector Inc. to license, use, and provide annual CAD maintenance for the proprietary EnRoute Emergency Systems software from May 1, 2019, thru April 30, 2020—\$68,315.88. (OPR 2019-0294 / BID 2019-129)

Low Bid for Hurliman Heating & Air Conditioning, Inc. for HVAC replacement at Fire Stations 3, 9, and 11—\$107,811 (incl. tax). (OPR 2019-0295 / RFP 2019-129)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through April 12, 2019, total \$6,347,753.03 (Check Nos. 559544-559712; ACH Payment Nos. 62395-62673), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$6,290,971.19. (CPR 2019-0002)

City Council Meeting Minutes: April 8 and 11, 2019. (CPR 2019-0013)

City Clerk Report on Initiatives filed by Michael Cathcart, Better Spokane:

- a. Initiative No. 2019-1 regarding an amendment to the City Charter regarding open government and transparency in City Government. (Amended to include signatures—gather firm information.) (LGL 2019-0014)
- b. Initiative No. 2019-2 regarding an amendment to the City Charter prohibiting a City of Spokane income tax. (Amended to include signatures—gather firm information.) (LGL 2019-0015)

Interlocal agreement between the City of Spokane, Spokane Municipal Court, and Airway Heights for providing recurring criminal services to Airway Heights—\$15,000 approximate revenue. (OPR 2019-0320)

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

The City Council adjourned at 4:00 p.m. No Executive Session was held. The City Council reconvened at 6:00 p.m. for the Legislative Session.

## **LEGISLATIVE SESSION**

### **Pledge of Allegiance**

The Pledge of Allegiance was led by Council President Stuckart.

### **Roll Call**

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

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

### **Poetry at the Podium**

Kat Smith presented a poem called "Borders."

## **MAYORAL PROCLAMATIONS**

April 22, 2019 *Earth Day*

Council Member Beggs read the proclamation. Catherine Olsen, the City's Environmental Programs Director, accepted the proclamation. The global community faces extraordinary challenges relating to global health issues, food and water shortages and economic struggles. All people regardless of race, gender, income, or geography have a right to a healthy, sustainable environment with economic growth. It is understood that citizens of the global community must step



forward and take action to create a green economy to combat the aforementioned global challenges. A green economy can be achieved on the individual level through educational efforts, public policy and consumer activism campaigns since it is necessary to broaden and diversify this global movement to achieve maximum success. Earth Day is the beginning of a new year for environmental stewardship commitments to implement sustainability efforts and commit to an Earth Day resolution. The proclamation urges all citizens, businesses, and institutions to use Earth Day to celebrate the earth and commit to building a sustainable and green economy.

#### April 2019 *Autism Awareness Month*

Council Member Fagan read the proclamation. Julie Perry, Autism Society of Washington – Spokane Chapter, and Dawn Sidell Northwest Autism Center, who was accompanied by her son Holden, as well as other representatives of the event, accepted the proclamation. Autism is the fastest growing of all childhood disabilities and the prevalence rate far exceeds the prevalent rate of diabetes, aids, childhood cancer, cystic fibrosis, cerebral palsy, muscular dystrophy, or down syndrome combined and the real day to day challenges occur in our families, neighborhoods, schools, and communities. The causes are undetermined. Current treatments are not fully accessible and there is no known cure. Autism is a life-long spectrum disorder occurring one in every 59 individuals, one in every 37 boys, knows no racial, ethnic, or socioeconomic boundaries and has an immense impact on essential human experiences such as the ability to show and receive affection, to imagine a way to ask for help, to make a friend, to play, speak, understand, and most importantly to belong. For every person diagnosed with autism, hundreds are touched and the impact of autism varies greatly from person to person challenging our community's response to each individual living with autism. To that end, Northwest Autism Center joins hands with the Spokane Autism Society of Washington. The Isaac Foundation and other local community agencies, families, providers, educators and all those touched in our communities to make a difference today. The proclamation encourages all citizens to recognize and join hands in improving the quality of life of people with autism spectrum disorders.

#### April 28 – May 4, 2019 *Days of Remembrance*

Council Member Stratton read the proclamation. Hershel Zellman accepted the proclamation. The Holocaust was a state sponsored systematic persecution and genocide of European Jews by Nazi Germany and its collaborators from 1933-1945. By identifying them as other, the Nazis justified the murder of six million Jews and an additional five-million non-Aryans. Pursuant to an act in congress in 1980, United States Memorial Counsel designates the Days of Remembrance for the victims of the holocaust to be Sunday, April 28 through Saturday, May 4, 2019 and Thursday, May 2, 2019, as the International Day of Remembrance known as Yom Hashoah. Holocaust Remembrance in Spokane continues to have a strong presence with this year being no exception, reaffirming the compassion of our community and its respect for our community's diversity. The proclamation urges citizens to overcome intolerance and indifference through education and remembrance.

#### April 27, 2019 *Arbor Day*

Council Member Kinnear read the proclamation. Katie Kosanke, of the City's Urban Forestry, accepted the proclamation. Following a proposal by J. Sterling Morton, the First Arbor Day took place on April 10, 1872, in Nebraska with more than one million trees planted and is now observed throughout the world. Trees can reduce the erosion by wind and water of our precious top soil, heating and cooling costs, moderate the temperature, clean the air and water, produce oxygen, increase the life of our roads, and provide habitat for wildlife. Trees are also a renewable resource giving us paper wood for our homes and fuel for our fires while increasing property values, enhance economic vitality of business environments, improving human health and well-being and beautifying our community. Spokane is one of more than 3,400 communities designated as a tree city USA. The proclamation urges all citizens to support efforts to care for our trees and woodlands by supporting our cities community forestry program and helping to maintain our trees as they help provide quality of life for present and future generations.

### **CITY ADMINISTRATION REPORT**

#### **Spokane Ponderosa Pine**

Toni Sharkey remarked on the group called Spokane Ponderosa Network, a group of citizens focused on the conservation and restoration of the City of Spokane's official tree, the pinus ponderosa, and the ecosystem that it depends upon. Ms. Sharkey presented Certificates of Appreciation to recognize and appreciate those who make exceptional effort to conserve or restore the ponderosa pine. Recipients are as follows:

- Manito Golf and Country Club
- Terabella, Incorporated, Grant Keller – "The Ivory Project"
- Fairmount Association of Cemeteries
- Eastern Washington State Department of Transportation

Ms. Sharkey presented a please to City Council as follows:

- Continue to plant the City's official tree at new projects.
- Awareness for the City's official tree at Riverfront Park, like a sculpture or plaque that honors the ponderosa pine.
- Rebate or incentives on property taxes as these trees add values.
- Support of the Urban Forestry ordinance that is being considered this evening.

#### **Family Promise**

Council President Stuckart displayed a video on the Family Promise program.

### **COUNCIL COMMITTEE REPORTS**

#### **PIES (Public Infrastructure, Environment, and Sustainability) Committee**

Council Member Beggs reported on the PIES Committee meeting held earlier today (April 22, 2019). Minutes of the PIES Committee meetings are filed with the City Clerk's Office and are available for review following approval by the PIES Committee.

### **OPEN FORUM**

**Julie Briet, Sonny Westbrook, Carolyn Scott, Maureen Smith, Rich Hanson, Nicholas Walker, Ric Rocca, Kirk Smith, Patrick Devine** each remarked on homelessness and expressed their views pertaining to the Union Gospel Mission.

**Michael McQuire** remarked on homelessness and stated the poor should be welcome at City and not tolerated and should be able to rest and have access to water. He also thanked Alfredo Llamado for staying outside of City Hall for 24 hours a day during the winter for four weeks.

### **LEGISLATIVE AGENDA**

#### **SPECIAL BUDGET ORDINANCES**

##### **Special Budget Ordinance C35761**

The City Council considered Special Budget Ordinance C35761. Subsequent to Council commentary and the opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Burke absent), the City Council passed Special Budget Ordinance C35761** amending Ordinance No. C35703 passed by the City Council December 10, 2018, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Development Services Fund

FROM: Undesignated Reserves, \$69,000;

TO: Vehicles, same amount.

(This action allows replacing a vehicle that was totaled and two other vehicles that are aged and require repairs that take them out of service for long periods of time and impact our operations.) (Relates to OPR 2019-0305 under Consent Agenda.)

There were no **Emergency Ordinances**.

#### **RESOLUTIONS**

##### **Resolution 2019-0029**

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

**Upon Unanimous Roll Call Vote (Council Member Burke absent), the City Council adopted Resolution 2019-0029** declaring KPFF Engineering a sole source provider and authorizing the purchase of services from KPFF over a one year period at a cost not to exceed \$1,500,000.

**Resolution 2019-0030**

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

**Upon Unanimous Roll Call Vote (Council Member Burke absent),** the City Council **adopted Resolution 2019-0030** expressing the intention of the City Council to adopt Spokane's Community Empowerment Zone boundary and to set a public hearing before City Council on April 29, 2019.

**FINAL READING ORDINANCE****Final Reading Ordinance C35756 (Deferred from April 15, 2019, Agenda)**

Council Member Fagan introduced Dennis Cronin, Ethics Committee Chair, and Assistant City Attorney Mike Piccolo who presented an overview of Final Reading Ordinance C35756. Subsequent to public testimony and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Burke absent),** the City Council **passed Final Reading Ordinance C35756** relating to the Code of Ethics; amending SMC sections 1.04A.020 and 1.04A.110 of the Spokane Municipal Code.

**Final Reading Ordinance C35758**

Council Member Kinnear and Angel Spell of Urban Forestry presented an overview of final Reading Ordinance C35758. Subsequent to public testimony and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Burke absent),** the City Council **passed Final Reading Ordinance C35758** regarding Spokane's Urban Forestry Program; amending Article V of chapter 12.02 of the Spokane Municipal Code.

**For Council action on Final Reading Ordinance C35759, see section of minutes under 3:30 p.m. Administrative Session.**

**FIRST READING ORDINANCES**

**For Council action on First Reading Ordinance C35762, see section of minutes under "Hearings."**

There were no **Special Considerations**.

**HEARINGS****Hearing on Vacation of a Portion of Cliff Avenue**

The City Council held a hearing on the vacation of a portion of Cliff Avenue right-of-way west of Grand Boulevard, as requested by Randall Jacobson. Subsequent to an opportunity for public testimony, with no individuals requesting to speak, and Council commentary, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member Burke absent),** the City Council **approved, subject to conditions,** the vacation of a portion of Cliff Avenue right-of-way west of Grand Boulevard, as requested by Randall Jacobson.

In conjunction with the hearing, Ordinance C35762—vacating a portion of Cliff Avenue right-of-way (west of Grand Boulevard)—was read for the first time, with further action deferred.

**SECOND OPEN FORUM**

**Robert Bunt** thanked City Council for getting funding to pave some of the dirt roads this summer and remarked on his health and the grading of roads near his home. He stated he hopes the road near his home will get paved this summer.

**ADJOURNMENT**

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 7:32 p.m.

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**SPECIAL MEETING MINUTES SPOKANE CITY COUNCIL**  
**Thursday, April 18, 2019**

A Special Meeting of the Spokane City Council was held on the above date in the City Council Briefing Center, Lower Level – City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. The meeting was called to order at 3:31 p.m.

The purpose of the special meeting was to hold a Special Administrative Session to consider the Low Bid of LaRiviere, Inc. (OPR 2019-0252) and to hold the City Council's regularly scheduled study session.

**SPECIAL ADMINISTRATIVE SESSION / AGENDA**

**Roll Call**

Council President Stuckart (participating via telephone) and Council Members Beggs, Fagan, and Stratton were present. Council Member Burke, Kinnear, and Mumm were absent.

**Low Bid of LaRiviere, Inc. (OPR 2019-0252 / ENG 2014155)**

The City Council considered the Low Bid of LaRiviere, Inc. and the following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Beggs, **to approve** the Low Bid of LaRiviere, Inc. (Rathdrum, ID) for Sprague Avenue Rebuild 2A - \$3,100,696 (plus tax). An administrative reserve of \$310,069.60 plus tax, which is 10% of the contract price, will be set aside.

**Motion carried unanimously (Council Members Burke, Kinnear, and Mumm absent).**

The Special Administrative Session adjourned at 3:32 p.m., at which time Council President Stuckart left the meeting (via telephone). The City Council (Council President Stuckart and Council Members Burke, Kinnear, and Mumm absent) immediately reconvened into the study session portion of the meeting.

**STUDY SESSION AGENDA**

City Council held discussion on the following topic:

- Upriver Park Presentation by Avista

This portion of the meeting was open to the public but was conducted in a study session format. No public testimony was taken during the Study Session and discussion was limited to appropriate officials, presenters, and staff.

**ADJOURNMENT**

The special meeting adjourned at 3:47 p.m.

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**Public Safety & Community Health Committee**  
**Meeting Minutes – January 7, 2019**

**Call to Order:** 1:16 PM

**Attendance:**

**PSCHC Members Present:** PSCHC Chair CM Kinnear, CM Beggs, CM Burke, CM Fagan, CP Stuckart, CM Stratton

**Staff/Others Present:** Chief Meidl, Asst. Chief Lundgren, Ofc. John O'Brien, Capt. Tracie Meidl, Capt. Singley, Dir. MacConnel, Dir. Jennifer Isaacson, Brian McClatchey, Mike Ormsby, Angie Napolitano, Adam McDaniel, Eric Finch, Ed Lukas, Bart Logue, Luvimae Omana, Alex Reynolds, Ariane Schmidt, Patrick Striker, Michele Anderson, Mary Muramatsu, Ariane Schmidt, Bart Logue, Tija Danzig, Trisha Wolford, SFD Deputy Chief Jay Attwood, Gloria Ochoa-Bruck, Kathy Knox, Andrew Rolwes, Crystal Marchand,

**Approval of December 3, 2018 minutes:** Motion to approve by CP Stuckart ; M/S by CM Fagan. The committee approved the minutes from the December 3, 2018 PSCHC meeting unanimously.

**CONSENT AGENDA ITEMS**

\*CM Kinnear began the meeting by reminding all in attendance of the rules of conduct during meetings, as this is the first PSCHC meeting of 2019.

**Monthly Reports:**

OPO Monthly Report – November 2018

**Photo Red Update (SPD):**

CM Kinnear once again noted her surprise at the increasing levels of photo red citations and wondered why drivers are not following posted speed limits.

Strategic Initiatives Monthly Update (SPD)

**Consent Agenda Portion:**

North Point Wastewater H2S Mitigation Study and Report (Public Works)

Ecology CWSRF Loan Amendments (Public Works)

Sportsplex Interlocal Cooperation Agreement (Rick Romero)

WSCJTC Interagency Agreement for 2019-2020 BELAs (SPD)

Amendment to Conflict Trading MOU w/ County Public Defender's Office (Kathy Knox)

North East Community Center 2018 & 2019 Operations Contract Amendment (CHHS)

2019 Everybody Counts Campaign Preview (CHHS)

Spokane County Pass-Through Homeland Security Grant (SFD)

Purchase Agreement for Dual Tote Foam Trailer (SFD)

Purchase Agreement for Bullard Thermal Imaging Cameras (SFD)

**STRATEGIC PLANNING SESSION****Strategic Priority: Integrated 911/Dispatch**

NONE

**Strategic Priority: Integrated Response****Integrated Social Services Pilot Update – Alex Reynolds**

Mr. Reynolds gave a more comprehensive report this month, as opposed to a mere monthly update. He began by giving an entire history of the project from its first conception through its current status. The EnVision Center's location offers around 20,000 square feet (the original estimate of needed space was only 3,000 square feet). CHHS hired Jen Morris in October 2018 to serve as Site Coordinator. A soft launch of the center is planned for late January or early February. CM Kinnear asked what the soft launch will entail. Mr. Reynolds explained that this launch won't be widely advertised, but will mark the move-in period of service providers to begin setting up operation. The grand opening is scheduled for late February. CP Stuckart asked what the lease rate is for the location, which is roughly \$250,000 per year. CP Stuckart then asked about the potential for setting up another EnVision Center site or for future improvements to the current, pilot location, as one-time strategic investment money was used for funding. Specifically, CP wanted to know how these services could co-exist with a new City shelter location planned for the future. Kelly Keenan came up to address those points. He said the experiences gained from the pilot site would determine if all service providers currently involved are well-suited for the EnVision Center model, and also determine whether the EnVision Center would be focused heavily on homelessness services or has a broader focus going forward. Theresa Sanders offered her thoughts on the future of projects like EnVision Center. The intent, she explained, was always to offer broad social services, which would not be targeted narrowly at homelessness or criminal justice issues. She said this pilot location would test the concept of integrated, broad social services over the 2-year lease duration. CP Stuckart highlighted that City signed a 2-year lease, but there is no funding currently identified for the second year (2020). CM Stratton asked if new providers could be brought in on the project in the future; Mr. Reynolds: yes, depending on availability of space. Additionally, there is the potential for more service providers to be involved in an off-site capacity. Theresa Sanders asked about the intake model and Mr. Reynolds explained how the front desk at the center would handle intake with various agencies rotating to staff that desk. CM Stratton described a meeting she had earlier with Tribal members who wanted to get some Native American service providers involved, which CM Stratton supports. Alex Reynolds said that CHHS is aware and is ready to pursue this option. Mr. Reynolds listed the currently involved service providers and provided a thorough update of recent events, including an update on availability of transportation. A potential CHHS 5-year RFP for the EnVision Center will include transportation solutions, and CHHS is pursuing an application for an STA Van grant. CP Stuckart reiterated his funding concerns on this 2-year pilot, as the City will need to purchase a building to stand up a new homelessness shelter.

**Strategic Priority: Criminal Justice Reform****Criminal Justice Reform Initiatives Update – CM Beggs**

Council Member Beggs provided an overview of new SRLJC reform initiatives in the works. First, he mentioned how Kathy Knox from the Public Defender's Office is advocating for the implementation of a better video conference system to allow public defenders to interface with clients without having to travel to jail. Next, CM Beggs said the City is a finalist to receive the third round of McArthur Grant funding, which would help hire a new criminal justice data analyst, as well as purchase a new tool to better inform judges about which defendants ought to be held in jail and which can be bonded out or released on recognizance. Finally, CM Beggs said that discussions of a new jail facility for Spokane County are ongoing with County officials. The County has a site in the Garland neighborhood identified, which is currently a motor pool facility. This site could accommodate an EnVision Center and mental health stabilization facility. Additionally, an RFP has gone out for providers to operate the Mental Health stabilization facility (the County is using a new RFP model for this). Commissioner French has floated the idea of placing a measure on a future election ballot to fund new jail,

citing the broad support in the community for a new jail facility. However, CM Beggs said not all the details of a new jail are agreed upon; those discussions are just beginning and CM Beggs will be involved throughout. CM Kinnear asked if criminal justice data would inform decisions on the size and scope of new jail facility. CM Beggs responded in the affirmative, but cautioned that there is still the question of what data is used that needs to be addressed. CP Stuckart asked whether a separate, City-operated system for housing Community Court and misdemeanor defenders that focuses more on connections to social services makes sense. CM Beggs agreed that option might make sense, especially if another municipality (i.e. City of Spokane Valley) were involved. Theresa Sanders indicated her strong support for municipal partnerships of this sort, but expressed that these kinds of partnerships might not lessen pressure on the jail itself due to the high operational costs to the County. CM Beggs reiterated that County Commissioners decide whether to put on a ballot measure seeking funding, but said that the City wouldn't be and wasn't involved in those deliberations.

**Strategic Priority: City-Wide Clean & Safe**

NONE

**DISCUSSION ITEMS**

**Staff Requests:**

**CHHS Warming Center Utilization Update – Kelly Keenan**

The warming center model has added overnight homeless shelter space at five separate sites, accounting for a total capacity for some 275 people. At the time of the meeting, currently active sites included: S Cannon St, Salem Lutheran Church, and a youth-centric center at Westminster Church. Mr. Keenan said that the final warming center would be located at the old National Furniture location in the area of the Ruby and Ermina intersection, and would be open to adult men and women by the end of the week. In addition to the new sites, the Open Doors Shelter has increased its 24/7 capacity for families with children as part of the new warming center model. The Guardian Foundation provides staffing and, crucially, transportation for those in need of accessing the warming centers. Mr. Keenan praised the excellent job that the Foundation has been doing so far, especially in providing transportation. With the conclusion of the holiday season, more homeless youth have begun accessing the youth-centered shelter at Westminster Church. CHHS is actively tracking the utilization of the warming center network, and, Mr. Keenan explained, the increased utilization of this network has also increased the availability of shelter space in permanent shelters in the city – the House of Charity and Union Gospel Mission. CM Burke asked about homeless persons lingering around the centers while waiting for them to open. She asked if there is more the City could do to address lingering by providing meals and transportation. Tija Danzig answered that the Guardians Foundation employees make a daily transportation run downtown around 5:00 PM. The Cannon St location has been able to open up around 6:00 PM every evening, which is slightly earlier than expected. The Guardians Foundation also offers transportation to meal sites in the morning as well, Ms. Danzig said, so homeless individuals aren't loitering as much in the mornings. The problem remains, however, that not all homeless individuals are availing themselves of the transportation being provided. CHHS has set up meetings with meal service providers to explore the option of hosting meals at the warming centers going forward. CM Burke asked about the possibility of setting up a homelessness resource hotline phone number to inform homeless individuals about the warming center network. Mr. Keenan said that information has been posted online and that individuals in need can find all the relevant information through the 311 line. He also explained that if an individual were to show up to a warming center not meant to serve that person's demographic, the Guardian Foundation would provide transportation for that person to the appropriate shelter. CM Burke stated her desire for the City to be more proactive about homeless shelters and services in the future. CM Stratton commended the Guardians Foundation staff for their professionalism and respect when serving the homeless population, something she has witnessed firsthand. CM Beggs asked about the potential for providing homeless people spaces to store their belongings during the day, and Tija responded that discussions on how to do that were ongoing.

CM Kinnear then asked that Mr. Keenan touch on the Everybody Counts Campaign. The Count is currently scheduled to take place on January 24<sup>th</sup>. Volunteers are still signing up and receiving training. The Everybody Counts donation drive is scheduled to end on Monday, January 14<sup>th</sup>. CM Kinnear asked about the locations for surveying during the count. Tija said that the same model and locations from last year are being used again, which include locations throughout Spokane County and in the City of Spokane Valley. There will be a focus on the homeless veteran population this year as well, with a dedicated location off Trent Avenue dedicated to that population for more a more accurate count. In addition to the stationary surveying locations, the Mobile Counting application allows for accurate counting of people who are at risk of becoming homeless. Theresa Sanders asked about threats made to disrupt the count to make it inaccurate (usually by inflating the numbers of persons counted as homeless). Mr. Keenan said CHHS is aware and that staff are taking mitigation measures to ensure that the count is accurate. CP Stuckart asked if some of the potential count disruptors are attending the volunteer trainings; Mr. Keenan answered in the affirmative. CM Burke asked if the school district is involved with the count, and Ms. Danzig said that it was. CM Beggs stated that some members of the community want to access the count data and asked whether it would be made publicly available (he said that publicizing the data would be especially helpful in dispelling the notion that there are many homeless individuals coming to Spokane from outside the region). Ms. Danzig said that yes, CHHS can make that data available.

**Council Requests:****Spokane Promise Ordinance Discussion – CM Burke**

CM Burke explained why she was interested in writing the Spokane Promise Ordinance, and especially noted the many emails she has received from the community that she felt were “bigoted” against the homeless population. This ordinance aims to codify that the City of Spokane cares about the respect and dignity of the homeless population. It declares that many City laws and policies don’t show dignity and respect to homeless people. CM Burke already has plans to update the ordinance to broaden its focus beyond the homeless population to include more populations in the community. She then provided a general overview of what the ordinance does and the rights it guarantees, which she called basic human rights. CM Fagan said that the ordinance’s vehicle occupation provisions concern him, as there is nothing in the ordinance regulating health and sanitation impacts associated. He further asked about the funding for implementing and enforcing the rights secured in the ordinance. CM Burke responded that the ordinance won’t have a fiscal impact at all, but she admitted that there would be funding discussions around providing public restrooms and sanitation facilities associated with deliberations on the ordinance. CP Stuckart identified a number of instances where the proposal would directly contradict current municipal law and asked City Attorney Mike Ormsby for his thoughts. Mr. Ormsby said that this proposed ordinance would present a number of conflicts and would almost certainly invite litigation against the City, but he said that City Legal would have a complete analysis prepared later in the week. CM Beggs said he would send comments on the draft electronically; CM Burke thanked him and invited other CMs to do the same. She said that this was merely a first draft meant to start a conversation.

**SFD Personnel Safety around House of Charity – CM Kinnear**

CM Kinnear started the conversation by explaining how she had heard from multiple members of Local 29 about concerns for the safety of SFD and emergency response personnel when responding to calls for service at the House of Charity. Asst. Chief Wolford said that the Department has been working on this issue for over a year now. She said that ARUs typically respond to calls at and around the House of Charity. SFD’s concerns center on the theft of emergency response equipment off of the response vehicles while personnel has been inside the facility, the vandalism of response vehicles, as well as a number of threats made toward SFD personnel while rendering medical services. As a first solution, SFD personnel began accessing the facility through the back of the building, rather than the front, but this option offered accessibility challenges. As a second solution, SFD changed its response model for the House of Charity to increase the number of personnel responding so as to provide security crews to wait outside of the facility and safeguard the response vehicle. In many cases, however, SFD personnel have opted to stage outside of the House of Charity until law enforcement could arrive to provide security before contacting patients inside the facility. CM Stratton asked what the consequences would be for other community members not seeking services at the House of Charity should they harass SFD personnel or vandalize/steal from a response vehicle. Police Chief Meidl said it was usually a question of SPD availability to address those situations, but normally SPD would try to deescalate situations like these and only resort to arrest as a last resort. But for situations where SFD personnel are being assaulted verbally or physically, he said SPD would make arrests without question. Asst. Chief Wolford noted an improvement in the fall and winter months, but said that SFD leadership wasn’t sure if new response measures were having a continued impact or if certain problem groups had ceased their behavior. Theresa Sanders said these issues need to inform the City’s plan to open new, permanent shelter, as homeless shelters often do create unsafe situations and draw a high rate of calls for emergency services. CP Stuckart said that one solution could be the inclusion of an on-site medical/urgent care facility staffed by social workers and healthcare professionals at the new shelter, so that SFD wouldn’t have to respond repeatedly. Chief Schaeffer said that SFD is listening to the concerns of its employees in regards to these matters, and wanted to make sure that Council didn’t have the impression that SFD was ignoring the situations its employees are put in. CMs Kinnear and Fagan agreed that the individuals causing these problems are not indicative of the vulnerable homeless population, but rather are predators associated with the population on the periphery. Chief Schaeffer said he supports providing more on-site medical services at homeless shelters. CM Burke said that the Snohomish County stabilization center could serve as a model for solutions to issues like these. Chief Meidl said that SPD is working with Jonathan Mallahan at Catholic Charities to find funding to provide SPD presence at the House of Charity, which proved immensely positive in that neighborhood when instituted in the past. Discussions of a new MOU on that front are ongoing.

**SPD Vehicle Status Update – CM Kinnear**

CM Kinnear asked SPD leadership for an overview of the Department’s vehicle needs. Chief Meidl said that Capt. Richards is going to work with the SPD fleet management team to provide data to inform how SPD makes vehicle decisions in the future. CM Kinnear asked what benchmarks are set to determine when SPD vehicles are rotated out of service. Major Olsen said that SPD rotates out vehicles after roughly 100,000-120,000 miles. He said that SPD is already stretching the lives of its vehicles as it is, and that Capt. Richards would be in charge of making operational suggestions on vehicle needs going forward. CM Kinnear asked what the approximate cost is per patrol vehicle. Major Olsen said it was roughly \$53,000 for patrol vehicles and around \$32,000 for nonpatrol vehicles, figures which included commissioning costs.

**ADMINISTRATION REQUESTS:**

NONE

**Action Items:** NONE



**Executive Session:** The session was called to discuss a Consent Agenda item and began at 2:41 PM. All Council Members present for the PSCHC meeting attended. The session concluded at 2:50 PM.

**Adjournment:** CM Kinnear adjourned the meeting at 2:38 PM. The next PSCHC meeting will be held Monday, February 4, 2019.

**Attachments/Briefing Papers:**

September 10, 2018 PSCHC Meeting Minutes  
Property Crimes Initiative Project Charter  
Frontier Behavioral Health Contract  
Federal Civil Immigration Enforcement on City Property Ordinance & Briefing Paper

Referenced attachments to the minutes are on file in the Office of the City Clerk.

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**Public Safety & Community Health Committee  
Meeting Minutes – February 4, 2019**

**Call to Order:** 1:17 PM

**Attendance:**

**PSCHC Members Present:** PSCHC Chair CM Kinnear, CM Beggs, CM Burke, CM Fagan, CM Stratton (arrived at 1:34 PM)

**Staff/Others Present:** Chief Meidl, Asst. Chief Lundgren, Major Olsen, Major King, Dir. MacConnel, Dir. Jennifer Isaacson, Brian McClatchey, Mike Ormsby, Angie Napolitano, Adam McDaniel, Eric Finch, Ed Lukas, Bart Logue, Luvimae Omana, Alex Reynolds, Ariane Schmidt, Patrick Striker, Michele Anderson, Ariane Schmidt, Bart Logue, Tija Danzig, SFD Deputy Chief Jay Attwood, Andrew Rolwes, Crystal Marchand, Dan Buller, Theresa Sanders

**Approval of January 7, 2019 minutes:** Motion to approve by CM Beggs; M/S by CM Stratton. The committee approved the minutes from the January 7, 2018 PSCHC meeting unanimously.

**CONSENT AGENDA ITEMS**

**Monthly Reports:**

OPO Monthly Report – December 2018

**Photo Red Update (SPD):**

*CM Kinnear continued her emphasis that the traffic violations picked up by Photo Red cameras continue to hold steady. CM Kinnear indicated her desire to explore new solutions for reducing such violations.*  
Strategic Initiatives Monthly Update (SPD)

**Consent Agenda Portion:**

Social Service Projects 5-year RFP Proposal Review Update (CHHS)  
Warming Center Utilization January Update (CHHS)  
2nd & 3rd Ave. Storm Sewer Project Update (Public Works)

**STRATEGIC PLANNING SESSION**

**Strategic Priority: Integrated 911/Dispatch**

NONE

**Strategic Priority: Integrated Response**

**Integrated Social Services Pilot Update – Alex Reynolds**

Tim Sigler stepped in for Mr. Reynolds, who was absent, and gave the EnVision Center update. He said that all the furniture for the center had been moved in and that contracts to provide security at the facility were being completed. A work group to study key performance indicators has also been established, which will be led by Eastern Washington University. The work group will conduct studies throughout the pilot project to track performance measures by convening study groups consisting of service providers and those seeking services at the center. Mr. Sigler passed out an informational sheet outlining all the services being provided at the center, which showed that the services being offered at the center address issues far beyond that of housing. The EnVision Center will offer services onsite as well as avenues to further referrals to other services based on evaluations conducted onsite. CM Beggs then changed gears and asked Mr. Sigler for an update on extended hours at the City's Warming Centers. Tija Danzig came forward and explained the expanded hours of operations at the S Cannon and Ermina Warming Centers for the week of February 4th due to extremely cold temperatures in the forecast. Ms. Danzig's update concluded the discussion.

**Mental Health Crisis Stabilization Center Update – Ariane Schmidt**

Ariane Schmidt updated the committee on the purpose of the Mental Health Crisis Stabilization Center, as well as the status of planning for bringing the center online. The center will be the first true jail-diversion program in Spokane County. Once operational, it will allow law enforcement officers to make discretionary judgements to refer suspects charged with certain, eligible crimes to the stabilization center rather than sending them to jail, if the officer suspects that there is a significant mental health aspect of the case. The stabilization center fits into the long-term continuum of care that focuses on rehabilitation in the criminal justice process. CM Beggs praised the idea of the center, as it allows for mental health cases to be viewed through a public safety lens under a law enforcement officer's discretion. CM Beggs also noted how the center will simultaneously allow for viewing mental cases through a public health lens by focusing on how mental health status impacts criminal cases. Ms. Schmidt then gave an overview of the timeline for identifying the service provider to run the center. The Mental Health Crisis Stabilization Center Committee will ultimately select the service provider.

Ms. Schmidt then transitioned her presentation to focus on the specific aspects planned for the center, such as location, design, and the facilities it will contain. Ms. Schmidt said that an architect has been retained to perform design work once an official site for the center has been decided. Preferably, the ultimate site for the center will be near the public safety complex in West Central, but Ms. Schmidt clarified that the site for the center itself will not be a part of that complex. A promising potential site has been identified at the corner of N Cedar St and Boone Ave. The plan is to host 16 beds in the facility for long-term mental health stabilization, but the facility will also contain separate holding spaces for detox and sobering. CM Beggs mentioned the mental health facility in Everett, WA, as a model of success for connecting those with mental health needs to the appropriate services. The specific services the center will offer include: (1) medical clearance, (2) sobering/detox, (3) for those admitted, access to 1 of 16 beds in the long-term Mental Health Crisis Stabilization Center. Ms. Schmidt then presented on "high level" estimates of the costs for building construction, furnishing, the services operations contract, other subsidiary services (kitchen, laundry, etc.), and the County' administrative and management fees. The initial cost methodology, she continued, includes an annualized fee for service (with no fees based on bed utilization) that would be reconciled quarterly and would include a metric for including contributions expected from various partners in the center. With the aid of Assistant Police Chief Lundgren, Ms. Schmidt also gave a high-level overview of the funding options being considered. CM Kinnear asked about the soft-launch date, and Ariane said that the goal is to hold the launch in the first quarter 2020, but a better estimate would come once construction on facility renovations begins. CM Burke asked if the Spokane County Sheriff's Office will be participating in the program. Ms. Schmidt answered in the affirmative, and added that all law enforcement agencies in Spokane County will participate. CM Burke then asked what practices law enforcement would use in order to best utilize the center. Asst. Chief Lundgren explained that all law enforcement officers will receive special training in this regard once the center is open and operational. CM Burke asked if SFD and other emergency responders could utilize this center for drug-overdose responses. Ms. Schmidt explained that the focus is on law enforcement at this point, but didn't rule out expanding that focus in the future. Chief Schaeffer added that many times SFD and SPD respond to situations together and that law enforcement can still make a referral to the center in such cases.

**Strategic Priority: Criminal Justice Reform****Property Crime Initiative Update – CM Kinnear & Theresa Sanders**

City Administrator Theresa Sanders overviewed the initiative and described how it will attempt to keep the community informed with accurate information about property crimes. This initiative will be part of a long-term communications strategy to keep the public informed about public safety more generally, she added. CM Kinnear explained how, in her experiences interacting with Neighborhood Councils about the issue of property crime, she sees a need for more accurate information to be shared with the public. Ms. Sanders cited statistics about how members of community perceive property crime issue versus the actual data showing how incidence of property crime is declining. This is a campaign to structure positive narratives about property crime in order to make the community feel safer, while also providing tips for reducing property crime in Spokane.

**Strategic Priority: City-Wide Clean & Safe****SPD Vehicle Theft Taskforce Update – Asst. Chief Lundgren**

Asst. Chief Lundgren pointed to the January Strategic Initiatives Report and highlighted that in 2018, SPD's commendations outweighed the number of complaints received. He then moved on to discuss vehicle thefts. While the national trend of vehicle theft rates is increasing, the Asst. Chief said, Spokane is seeing a 6-7% decrease in the rate of vehicle theft in light of new vehicle theft taskforce efforts. SPD has witnessed an uptick in the number of vehicles stolen with keys left inside, and the number of vehicles stolen while left running. To combat this, he explained, continued community education will be essential. Overall, SPD has been making more arrests in vehicle theft cases as a result of the taskforce. CM Kinnear asked if there are seasonal changes in vehicle theft data. Asst. Chief Lundgren answered that there are usually more thefts of vehicles left running during the winter, as people leave cars running to warm up in colder weather.

**DISCUSSION ITEMS****Staff Requests:****Encampment Mitigation Project Preview – Carly Cortright**

Carly Cortright overviewed the project charter and noted how responding to homeless encampments touches a number of City agencies, departments and community partners. This project works with internal and external community stakeholders and will only focus on responses to homeless encampments, not long-term solutions to homelessness. The goal of the project is to establish a comprehensive process for reporting, tracking, and rendering services to encampment clean-up efforts. Ms. Cortright explained the results of the first project meeting with stakeholders, which discussed the intake process for reports of encampments and response efforts to those reports (including locating/tracking the camp, risk assessment of responding to an encampment, and the resources deployed in doing so). The costs associated with homeless encampments include both the negative impacts on the surrounding areas and public health, as well as the costs of solid waste removal. Ms. Cortright then provided an overview of the project's next steps. The next meeting will be held on Friday, February 8. Some initial ideas to be discussed at that meeting include: a new encampment reporting mechanism; developing a "pod approach" to responding (a pod with members of different response entities all responding to encampments together), and a prioritization system for determining which camps are cleaned up first. Ms. Cortright said the goal is to have final plan for the project in place by April with implementation occurring in June (at the latest). CM Stratton asked about staffing response efforts. Ms. Cortright said that having a pod approach might be the best option to determining the best staffing measures to take going forward.

#### **Regional Collaboration on Homelessness Update – Kelly Keenan**

Ariane Schmidt, Tija Danzig, and Tim Sigler all helped provide the update, as Mr. Keenan wasn't able to attend the meeting. There was a broader meeting of regional stakeholders to discuss a more comprehensive response to homelessness prior to the PSCHC meeting. Ms. Schmidt said that this meeting proved very productive. The City and Spokane County have different models for receiving, processing, and distributing state funds allocated to address homelessness. Through the Continuum of Care Board, there will be future reviews regarding how to better distribute these resources. The impetus to kick-start regional collaboration was an incident in which City of Spokane Valley police officers transported homeless individuals situated in the City of Spokane Valley to access warming centers in Spokane. CM Beggs noted the amount of City General Fund dollars that are being invested in addressing homelessness and said the goal needs to be having other jurisdictions invest their own general fund money into the problem beyond what the State provides. Ms. Danzig agreed with that assessment and said that is the long-term goal of the current discussions. CM Kinnear asked if the Homeless Coalition was involved in discussions, and Ms. Danzig answered in the affirmative. Mr. Sigler provided a final wrap-up of the regional collaborative efforts, and Ms. Danzig followed with a review of the Point-in-Time Count, which was conducted in late January. The Point-in-Time effort was successful and the next steps are a matter of analyzing data and getting ready to report that data out to the community. CM Stratton asked if the Spokane Tribe had been involved with the effort. Ms. Danzig answered in the affirmative and explained how, due to the Tribe's involvement, there was a substantial increase in the number of volunteers assisting the effort this year. CM Beggs asked about the other jurisdictions involved in the count beyond the City and asked how we can distinguish the results of the count within the City limits versus the broader County data. Ms. Danzig gave some options and explained how some of the count's survey questions specifically addressing the issue of where people are from and the locations of their last permanent addresses.

#### **Council Requests:**

##### **Supported Employment Resolution – CM Kinnear**

Following the Mayor's official announcement of a Supported Employment Program in the Civil Service Department, CM Kinnear wanted to bring forward this resolution to officially state Council's support for supported employment opportunities. This effort aims to increase employment opportunities with the City for disabled people in Spokane. City Administrator Sanders overviewed how the program will operate, with hiring decisions made by Civil Service in conjunction with Human Resources.

##### **State Legislative Update – CMs Beggs & Burke**

CM Beggs updated the committee on a potential Council resolution supporting state funding for legal services to the indigent. The resolution states the City's desire to receive more of those resources in the future. Brian McClatchey updated on two new bills currently under consideration in the State legislature connected to school safety in Washington. Both measures, he said, will have hearings this week that will inform how the City Council should respond. Mr. McClatchey also provided an update on three new bills regarding taxation and funding for affordable housing at the municipal level. Finally, he provided an update on a bill regarding property crime supervision statewide, as opposed to the previously proposed supervision pilot program, and said that a hearing would be held later that week. Mr. McClatchey concluded the conversation by asking Council members to give input on these potential bills so Council could instruct the City's State lobbyists on how to proceed.

#### **ADMINISTRATION REQUESTS:**

NONE

#### **Action Items:** NONE

#### **Executive Session:** NONE

**Adjournment:** CM Kinnear adjourned the meeting at 2:41 PM. The next PSCHC meeting will be held Monday, March 4, 2019.

**Attachments/Briefing Papers:**

January 7, 2019 PSCHC Meeting Minutes  
Property Crimes Initiative Project Charter  
Encampment Mitigation Initiative Project Charter  
Regional Collaboration on Homelessness Briefing Paper  
Supported Employment Resolution

Referenced attachments to the minutes are on file in the Office of the City Clerk.

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**Public Safety & Community Health Committee  
Meeting Minutes – March 4, 2019**

**Call to Order:** 1:15 PM

**Attendance:**

**PSCHC Members Present:** PSCHC Chair CM Kinnear, CM Burke, CM Fagan, CM Stratton, CP Stuckart, CM Beggs, CM Mumm (arrived at 1:21 PM)

**Staff/Others Present:** SPD Chief Meidl, Asst. Chief Lundgren, Major Olsen, Major King, Dir. MacConnel, Dir. Jennifer Isaacson, Brian McClatchey, Mike Ormsby, Adam McDaniel, Eric Finch, Ed Lukas, Bart Logue, Alex Reynolds, Ariane Schmidt, Patrick Striker, Michele Anderson, Ariane Schmidt, Bart Logue, Tija Danzig, Andrew Rolwes, Crystal Marchand, Dan Buller, Theresa Sanders, Justin Bingham, Kevin Freibot, Kelly Keenan, Tija Danzig, SFD Chief Schaeffer, Katherine Miller

**Approval of February 4, 2019 minutes:** Motion to approve by CM Fagan; M/S by CM Stratton. The committee approved the minutes from the February 4, 2018 PSCHC meeting unanimously.

**CONSENT AGENDA ITEMS**

**Monthly Reports:**

OPO Monthly Report – December 2018

2018 AMR Customer Service Survey Analysis (SFD)

Photo Red Update (SPD): *CM Kinnear began by noting that photo red incidents are still high, especially in school zones, but did acknowledge that they are going down. CM Fagan requested a full briefing on photo red from SPD focusing on intersection collisions for the April PSCHC meeting.*

Strategic Initiatives Monthly Update (SPD)

**Consent Agenda Portion:**

**Property Exchange with Union Gospel Mission (Public Works):** *CM Kinnear asked Dan Buller from Engineering Services to give a brief overview of the proposed property exchange. Mr. Buller said that this deal is, essentially, a swap of land that the City doesn't want or need for land currently owned by UGM that the City can use for storm and waste water treatment. He provided details of what pieces of land are involved and how maintenance of these pieces of land will be managed after the agreement is executed. This project will ultimately have a connection to the Ben Burr Trail. CM Stratton asked if there was any problem with this land transfer since UGM is a religious organization. Mr. Buller responded that there was no issue, as this deal is a win-win for both parties.*

Fleet Services Purchase of 4 Ford Escapes (Public Works)

Fleet Services Purchase of Combination Sewer Cleaner (Public Works)

Fleet Services Purchase of Cimline Crack Sealer (Public Works)

2019 Department of Ecology Grant (SFD)

FTE Increase for Police Property (SPD)

**STRATEGIC PLANNING SESSION**

**Proposed Strategic Plan Update – Theresa Sanders**

Ms. Sanders explained how this proposal for the Strategic Plan had been born out of the Administration's leadership retreat held the week prior to the PSCHC meeting. She distributed to committee members physical copies of a chart outlining what updates to the "Safe & Healthy" initiative would be included in the proposal. CM Mumm noted how Council was invited to the retreat, but didn't receive invitations until the business day before the event, which accounted for why no Council members were actually able to attend. She suggested holding a joint Council-Administration meeting on the Strategic Plan in the future. Ms. Sanders agreed with CM Mumm and suggested dedicating a Council Study Session to this purpose in the future.

Ms. Sanders proceeded to go through each of the “Safe & Healthy” priority’s four strategic initiatives and described the status of each and any items that have been added to those priorities under the administration’s proposal. CM Beggs asked specifically about pretrial supervision funding as part of the Criminal Justice Reform initiative, which commenced a further discussion. Ms. Sanders asked for a Council sponsor for an ordinance to “Implement Minimum Quality Housing Standards” under the “City Wide Clean & Safe” initiative. To this CP Stuckart responded by indicating his desire to ensure there would be resources offered to landlords who will be held to the new quality standards if adopted by the ordinance. CM Beggs offered to work on this ordinance going forward.

Finally, Ms. Sanders overviewed five new priorities relating to the “Safe & Healthy” initiative. These include: (1) expanding strategies for preventing future public safety issues – crime, homelessness, etc.; (2) improve regional coordination on supplying social services; (3) targeting top 5 key areas related to non-emergency response; (4) planning for co-location of criminal justice resources; and (5) defining a plan that utilizes predictive data to identify families at risk of experiencing significant difficulty. Ms. Sanders said that this priority-identification process will be repeated for the Strategic Plan’s other three priorities during the appropriate committee meetings.

**Strategic Priority: Integrated 911/Dispatch**  
**SREC Next-Steps Update – Theresa Sanders**

Ms. Sanders gave a very brief update on the relevant forthcoming meetings that would pertain to SREC. The Council Study Session on March 14, for example, is focused on the financial modeling for SREC. CM Mumm asked a question about SREC staffing and the occurrence of some City employees being loaned to SREC. Chief Schaeffer, CMs Mumm & Stratton, and Ms. Sanders then engaged in a discussion about the future of a certain City staff member who is working on joint City/County emergency response issues. Ms. Sanders said that the staff member’s work provides a benefit to the City as well as the County, which, she said, justified this person being on the City payroll while performing certain tasks for the County. Ms. Sanders said she would follow up on additional concerns with individual Council members in private meetings.

**Strategic Priority: Integrated Response**  
**Integrated Social Services Pilot Update – Alex Reynolds & Kelly Keenan**

Mr. Reynolds and CHHS Director Kelly Keenan provided the monthly update on the EnVision Center, officially called: “The Spokane Resource Center: a HUD EnVision Center”. The Center had been operating in a “soft” capacity since late February, with a planned grand opening and launch date set for mid-April. Under this “soft” operational capacity, the Center has been accepting walk-in appointments in the mornings and accepting only scheduled visits in the afternoons. Once the Center becomes fully operational, both all appointments will occur from 9am – 5pm on weekdays. CM Stratton asked a follow-up question regarding walk-ins visits versus appointments. Mr. Keenan said that appointments are being scheduled only during the “soft launch” period; all service provision will be on walk-in basis once the Center is fully operational. Mr. Keenan emphasized that the EnVision Center will offer a broad range of services focused on poverty reduction and will not be exclusively focused on homelessness. A key focus of the center will be providing services to people and households that might be on the cusp of becoming homeless, a demographic which is not being adequately addressed by current homelessness services. CM Stratton asked about potential plans to provide transportation access to and from the Center for those in need. Mr. Reynolds answered that two different STA bus lines service the Center; further, CHHS has applied for an STA van grant to gain access to vans to provide additional transportation options. CM Mumm, the current STA Board chair, said that a decision on awarding that van grant will be made within two weeks.

**Strategic Priority: Criminal Justice Reform**  
**SPD Use-of-Force Update – Chief Meidl**

Chief Meidl explained that SPD experienced a substantial increase in calls for service during 2018 as compared to 2017, but said that the percentage of incidents that resulted in a use-of-force decreased. Most use-of-force incidents, the Chief continued, arise from responses to calls for service. Domestic Violence cases accounted for 23% of all use-of-force incidents in 2018. CM Kinnear asked about potential policies and procedures that could be considered in order to reduce use-of-force incidents going forward. Chief Meidl said that SPD has an extensive administrative policy for reviewing and mitigating uses of force, which is modeled on the policy of the Los Angeles Police Department. Chief Meidl then gave a full, detailed explanation of the review policies for use-of-force incidents and said that a similar process exists for processing all complaints made against SPD. A final 2018 use-of-force report from SPD will be forthcoming.

**Strategic Priority: City-Wide Clean & Safe**  
NONE

**DISCUSSION ITEMS**

**Staff Requests:**  
**Shared Mobility Ordinance – Brandon Blankenagel**

Mr. Blankenagel passed around the final draft version of the ordinance, which was updated after the previous week’s full briefing during the P.I.E.S. Committee meeting. The version distributed to the PSCHC will be filed for official Council consideration on March 5<sup>th</sup>. CP Stuckart suggested moving this item until it can be voted on officially at a town hall

Council meeting, as it will have a significant community impact and a high amount of community engagement. Mr. Blankenagel responded that the City intended to relaunch shared mobility programming in May. He then briefed the two main features of the ordinance pertaining to helmet requirements. CP Stuckart indicated his support for completely striking the helmet requirement for shared mobility vehicles. CM Mumm asked about helmet language in state policy discussions on mobility sharing programs. CM Beggs asked Chief Meidl about enforcement of helmet requirement laws; the Chief responded that helmet enforcement would not be a high priority for SPD and explained how having a helmet requirement law might put SPD in an awkward position over fair and uniform enforcement of helmet requirements. CM Stratton asked about the possibility of promoting a public outreach helmet awareness campaign in partnership with various shared mobility vendors. Mr. Blankenagel explained that vendors had agreed to participate in such a campaign as a trade-off for not having to provide riders with helmets. As currently written, there is a helmet requirement for riders, but there is no requirement that vendors provide helmets. CM Beggs asked for a report from SPD on helmet citations issued in recent months, and Chief Meidl committed to providing one during the April PSCHC meeting. City Administrator Theresa Sanders explained that the Administration fully supports shared mobility and is willing to have the difficult conversations over helmets and the other details necessary to make the concept work. CM Kinnear asked for an amendment to be prepared regarding helmet policy to consider when Council takes up the ordinance for a final vote. CM Burke expressed her desire to see the broader ordinance considered and voted on while holding the helmet issue out for further discussion. CM Beggs rebutted that the ordinance should be passed all at once.

### **Proposed Additions to Homelessness Shelter System – Kelly Keenan**

In early 2018, Mr. Keenan began, the City reviewed multiple different long-term homelessness shelter system models. The CHHS Department is now suggesting to Council that the City consider investing in three new sites for targeted capacity shelters. The first site would be the location of the current warming center on S Cannon Street. This site would offer a mixture of emergency shelter space for the chronically homeless, stabilization beds for those looking to transition to long-term housing, and a day-time space for outreach services and meal provision. The location of the second site would still need to be determined, but it would likely require the City to purchase a space for an estimated \$400,000 to be used as a continuous day shelter. The third site would be located in the current Spokane Housing Authority building, and would operate as a youth-focused center under the EnVision Center colocation model focused on providing services to those between the ages of 13 and 24-years-old.

The conversation then turned to funding these additions to the homelessness shelter system. CP Stuckart asked if the proposed sites should be funded by an SIP Loan rather than through General Fund reserves that are better saved to be used in the case of an economic downturn that could decrease City revenue (CM Mumm agreed with that point). CP Stuckart further reiterated that, if the City is going to purchase a building to house one of the sites, then it must be large enough to accommodate the EnVision Center and the shelter space in the same facility in the long term. CM Mumm advocated studying if leasing the properties would make more long-term sense than purchasing new buildings to add shelter capacity. CM Mumm suggested that one of these additions shelter be located near the jurisdictional lines between the City of Spokane and the City of Spokane Valley as a way of enticing more funding contributions from the City of Spokane Valley.

### **Regional Collaboration on Homelessness Update – Kelly Keenan**

Mr. Keenan pointed the committee members to the charts CHHS provided in the PSCHC agenda packet showing the total funding for homelessness services expended by both Spokane County and the City of Spokane over the two year period from summer of 2017 to summer of 2019. During that cycle, joint City/County spending exclusively for funding homelessness services equaled roughly \$22 million (about \$19 million from the City; \$2-3 million from County). CM Beggs said he had explored the idea of renting out a hotel/motel to provide shelter space for the homeless and asked if a hoteling option is being considered by CHHS. Mr. Keenan responded that CHHS had considered it, but that a potential hoteling option would only be used as an emergency last resort. CM Stratton asked if hoteling had worked in the past as a shelter model; Mr. Keenan responded that hoteling has had mixed results in this regard.

### **Council Requests:**

#### **CPTED BID Assessment Rebate Program Resolution – CMs Kinnear & Beggs**

As CM Kinnear prepared to overview the program and associated resolution, she invited Andrew Rolwes from DSP up to participate in the discussion. The Downtown BID CPTED Assessment Rebate Program will offer rebates to downtown ratepayers on their annual BID assessment fees to match dollars that those ratepayers invest in CPTED-endorsed public safety improvements on their properties, up to a certain amount. Implementing CPTED strategies is a public safety priority for both SPD and the DSP, and DSP had three of its security staff members go through CPTED certification training last year. CM Beggs said the goal of the program is to get property/business owners downtown to invest in CPTED improvements. Allowing property owners to choose which kinds of improvements to invest in makes more sense than the City mandating certain improvements, he said, and the program allows for this to happen. The rebate funds will only be matched to dollars invested by the property owner, so the program is not footing the entire bill for these improvements.

#### **Baby-Changing Facilities Requirement Ordinance – CM Stratton**

CM Stratton provided an overview of the proposed ordinance, which requires baby-changing facilities be made accessible in all public restrooms on City-owned properties. This mandate would include basement and first-floor bathrooms in City Hall. Under the ordinance, both men's and women's bathrooms would be required to have accessible

changing stations installed. CM Stratton said that the estimated costs of compliance with the proposal at City Hall would be roughly \$5,000, which would cover implementation in the lower-level bathrooms as well as the installation of appropriate signage in the lobby on the main level. Other public facilities that would be impacted by the ordinance include: libraries, the public defenders' office, and waste-management facilities.

**State Legislative Update:**

CM Beggs gave a brief update on the status of the state-wide property crime supervision bill.

**ADMINISTRATION REQUESTS:**

NONE

**Action Items:** NONE

**Executive Session:** NONE

**Adjournment:** CM Kinnear adjourned the meeting at 2:47 PM. The next PSCHC meeting will be held Monday, April 8, 2019.

**Attachments/Briefing Papers:**

January 7, 2019 PSCHC Meeting Minutes  
Property Crimes Initiative Project Charter  
Encampment Mitigation Initiative Project Charter  
Regional Collaboration on Homelessness Briefing Paper  
Supported Employment Resolution

Referenced attachments to the minutes are on file in the Office of the City Clerk.

# General Notices

**SPECIAL MEETING NOTICE  
WEST QUADRANT TIF NEIGHBORHOOD  
PROJECT ADVISORY COMMITTEE**

**MEETING OF WEDNESDAY, MAY 1, 2019  
CHANGE TO SCHEDULED MEETING TIME/LOCATION**

Please be advised that the meeting of the West Quadrant TIF Neighborhood Project Advisory Committee, previously scheduled for Wednesday, May 1, 2019 at 12:00 pm in Conference Room 3B of City Hall, 808 West Spokane Falls Boulevard, will instead be held Wednesday, May 1, 2019 from 4:00 to 5:00 pm in the First Floor Tribal Conference Room of City Hall, 808 West Spokane Falls Boulevard.

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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 NO. C35756

An ordinance relating to the Code of Ethics; amending SMC sections 1.04A.020 1.04A.110 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That SMC 1.04A.020 is amended to read as follows:

### 1.04A.020 Definitions

The following words and phrases as used in this chapter, unless the context clearly indicates otherwise, shall have the following meanings:

- A. "Agency" means any City board, commission, bureau, committee, department, institution, division or tribunal in City government.
- B. "Assist" means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to or otherwise provide assistance to another person, believing that the action is of help, aid, advice or assistance of the person with intent so to assist such person.
- C. "Beneficial interest" has the meaning ascribed to it under the Washington case law. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.
- D. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, consultant, holding company, joint stock company, receivership, trust or any legal entity organized for profit.
- E. "City" means the City of Spokane, Washington.
- F. "City action" means any action on the part of an agency, including, but not limited to:
  - 1. a decision, determination, finding, ruling or order; and
  - 2. a grant, payment, award, license, contract, transaction, sanction or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling or order.
- G. "City officer" means every individual elected, appointed, hired or otherwise selected to an office or position with the City, or any subdivision, agency, committee or board thereof, whether such individual is paid or unpaid.
- H. "Compensation" means anything of economic value, however designated, that is paid, loaned, granted or transferred, or to be paid, loaned, granted or transferred for, or in consideration of, personal services to any person.
- I. "Confidential information" means:
  - 1. Specific information, rather than generalized knowledge, that is not available to the general public on request; or
  - 2. Information made confidential by law including but not limited to taxpayer information, RCW 82.32.330; information regarding organized crime, RCW 43.43.856; criminal history information, Chapter 10.97 RCW; medical records, Chapter 70.02 RCW; and juvenile records, RCW 13.50.010; or
  - 3. Information that is initially disclosed or discussed in executive session, and which is not available to the general public on request; however

4. Confidential information does not include information authorized by the mayor or a majority vote of the council to be disclosed.
- J. "Contract" or "grant" means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement or a sales agreement.
- K. "De Minimis" means a violation of lesser significance, or a violation more technical than substantial.
- L. "Dishonesty" means behavior that intends to deceive or cheat people; untruthfulness; untrustworthiness. It is not possible to be negligently "dishonest."
- ~~((K))~~M. "Ethics Commission" means the commission on ethical conduct for and duly appointed by the City.
- ~~((L))~~N. "Employee" means any person holding a regularly compensated position of employment with the City but does not include elected officers and persons who serve without compensation on City boards and commissions.
- ~~((M))~~O. "Exempt employee" shall mean those City employees not represented by a recognized labor union and identified by both the City administration and the applicable labor unions as exempt confidential employees.
- P. "False and frivolous complaint" means a complaint with no basis in fact or law.
- ~~((N))~~Q. "Family member" means:
1. a spouse or domestic partner; or
  2. any dependent parent, parent-in-law, child or son-in-law or daughter-in-law; or
  3. any parent, parent-in-law, child, son-in-law, daughter-in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of the City officer or employee.
- ~~((O))~~R. "Gift" means anything of economic value or tangible worth for which no consideration is given. "Gift" does not include:
1. items from family members or friends where it is clear that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;
  2. items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;
  3. items exchanged among officials and employees or a social event hosted or sponsored by a City officer or City employee for coworkers;
  4. payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging and subsistence expenses incurred the day before through the day after the event;
  5. items a City officer or City employee is authorized by law to accept;
  6. payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging and subsistence expenses incurred the day before through the day after the event;
  7. items returned by the recipient to the donor within thirty days of receipt or donated to a charitable organization within thirty days of receipt;
  8. campaign contributions reported under chapter 42.17 RCW;
  9. discounts available to an individual as a member of an employee group, occupation or similar broad-based group;
  10. awards, prizes, scholarships or other items provided in recognition of academic or scientific achievement;
  11. attendance of a City officer or employee at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of City business or where official attendance by the officer or employee as a City representative is appropriate;
  12. an award publicly presented in recognition of public service; or
  13. any item of nominal value which cannot reasonably be presumed to influence the vote, action or judgment of the City officer or employee, or be considered as part of a reward for action or inaction. An item of nominal value shall include incidental items associated with the professional conduct or courtesies of a City officer or employee's duty including the acceptance during the conduct of official business of such items as refreshments, note pads, pens, pins and books.

- ((P))S. "Head of agency" means the chief executive officer of an agency. In the case of an agency headed by a commission, board, committee or other body consisting of more than one natural person, agency head means the person or board authorized to appoint agency employees and regulate their conduct.
- ((Q))T. "Honorarium" means money or thing of value offered to a City officer or City employee for a speech, appearance, article or similar item or activity in connection with the City officer's or City employee's official role.
- ((R))U. "Household member" means any person having a close relationship with and residing in the same household of the City officer or employee, and having agreed to be jointly responsible for basic living expenses.
- V. "Jurisdiction," for purposes of SMC 1.04A.110, means that the Commission has authority to hear and decide the case, pursuant to SMC chapter 1.04A.
- W. "Mitigating circumstances" means factors for the Commission's determination that might explain a violation, in whole or in part, or make the violation more understandable and/or less subject to condemnation.
- X. "Moral turpitude" is conduct that violates commonly accepted standards of good morals, honesty, and justice; the application of this standard depends upon the collective conscience and judgment of the members of the Commission.
- ((S))Y. "Person" means any individual, partnership, association, firm, institution or corporation, business or other entity, however constituted, organized or designated.
- ((T))Z. "Personal interest" means direct or indirect pecuniary or material benefit accruing to a City officer or employee as a result of legislation or a contract or transaction which is or may be the subject of an official act or action by or with the City except for such contracts or transactions which confer similar benefits to all other persons and/or property similarly situated. For the purpose of this chapter, a City officer or employee is deemed to have a personal interest in the affairs of:
1. any person who is a City officer or employee's family member or household member, as defined in this chapter;
  2. any business entity in which the City officer or employee is an officer, director or employee;
  3. any business entity in which the stock of, or legal or beneficial ownership of, in excess of five percent of the total stock or total legal and beneficial ownership, is controlled or owned directly or indirectly by the City officer or employee;
  4. any person or business entity with whom a contractual relationship exists with the City officer or employee; provided, that a contractual obligation of less than five hundred dollars, or a commercially reasonable loan made in the ordinary course of business or a contract for a commercial retail sale shall not be deemed to create an interest in violation of this chapter.
- ((U))AA. "Regulatory agency" means any City board, commission, department or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.
- ((V))BB. "Represented employee" shall mean a City employee represented by a recognized labor union.
- ((W))CC. "Responsibility" in connection with a transaction involving the City, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove or otherwise direct City action in respect of such transaction.
- ((X))DD. "Staff Director" means the employee appointed by the City Attorney to, in addition to other responsibilities, assist the Ethics Commission in its duties.
- EE. "Stipulation" means agreement.

Section 2. That SMC 1.04A.110 is amended to read as follows:

#### **1.04A.110 Complaint Process of the Ethics Commission**

- A. A complaint that this Code of Ethics has been violated by a City employee or a City officer shall be filed with the Ethics Commission.
- B. Any person may file an official written complaint or inquiry with the Ethics Commission asking whether a current City officer or employee has failed to comply with this Code of Ethics.

- C. Complaints and inquiries must be in writing on a form approved by the Ethics Commission. The form shall contain a statement that must be signed and which states that, to the best of the person's knowledge, information, and belief formed after reasonable reflection, the information in the complaint or inquiry is true. The complaint must describe the facts that constitute the violation of this Code of Ethics in sufficient detail so that the Commission and the person who is the subject of the complaint or inquiry can reasonably be expected to understand the nature of any offense that is being alleged.
- D. The Commission, upon receipt of the complaint, shall acknowledge receipt of the complaint, forward the complaint simultaneously to the person who is complained against, if known, and the City Attorney, and promptly meet and review the complaint. As soon as practicable after giving due consideration to a complaint the Commission shall either:
1. Dismiss the complaint based on any of the following grounds:
    - a. It has no jurisdiction;
    - b. The alleged violation, if true, would not constitute a violation of this article;
    - c. The alleged violation is a minor or de minimis violation;
    - d. The complaint or inquiry is, on its face, frivolous, groundless or brought for purposes of harassment;
    - e. The matter has become moot because the person who is the subject of the complaint or inquiry is no longer a City officer or employee;
    - f. The appointing authority has already taken action as a result of finding a violation and the Commission believes the action was appropriate; ((or))
    - g. The respondent had previously requested and followed the documented advice regarding compliance with the Ethics Code provided by the legal counsel for the Ethics Commission;
    - h. The respondent had previously been the subject of a prior ethics complaint based upon the same set of facts and alleging the same violation(s) of the Code of Ethics and regarding which the Ethics Commission issued a decision.
  2. Determine that:
    - a. The complaint alleges facts which, if found to be true, would be sufficient to constitute a violation of the Code of Ethics;
    - b. Further information must be presented for the Commission to determine if a violation of the Code of Ethics has occurred.
  3. The Commission Chairperson may summarily dismiss a complaint if the respondent is not subject to the Code of Ethics. The Chairperson shall issue a written decision setting forth the legal and/or factual basis for the dismissal, which shall be provided to the complainant and the Commission. The complainant may appeal the Chairperson's decision to the Commission within ten days of the date of the Chairperson's decision. In the event of an appeal, the Chairperson shall not participate in the Commission's deliberation or decision. The appeal will be determined by the remaining members of the Commission.
- E. If the Commission determines the complaint alleges facts which, if found to be true by a preponderance of the evidence, would be sufficient to constitute a violation of the Code of Ethics, it may create a stipulation for the City officer or employee subject to the complaint resolving the complaint, the determination of compliance and the penalty, if any to be imposed.
- F. If the complaint is not resolved by stipulation, or earlier in the adjudication process, or additional information is required to establish the factual record necessary for the Commission to determine whether a violation of the Code of Ethics has occurred, the ~~((board))~~ Commission may convene a hearing at a future date certain.
1. As part of the hearing process, the Commission may consider preliminary motions, such as a motion to dismiss. At such a hearing, the Commission shall consider additional evidence submitted by the parties including the submission of affidavits and documentary evidence. The Commission may consider whether to subpoena and hear the testimony of witnesses, including cross examination, if, in the opinion of the Commission, such testimony would serve the Commission to establish the factual record ((may call additional witnesses or consider additional documentary evidence)). The Commission may issue a prehearing order, including for hearing matters involving the testimony of witnesses. The Commission shall adopt as part of its policies and procedures a standard pre-hearing order to be used by parties appearing before the Commission.
  2. The Commission decides issues before it based upon the preponderance of the evidence standard. That is, a violation must be more likely than not to have occurred before the Commission will hold for the complainant. The Commission shall rely, for its ultimate decision, upon evidence, whether or not technically admissible into evidence in a court of law, on which a reasonably prudent person would base significant decisions affecting his or her person or business. The Commission may utilize the rules of evidence of judicial tribunals for purposes of admitting and evaluating evidence, however, such rules are not binding and the Commission may determine the relevancy and weight to be given to the submitted evidence.

3. After final deliberations on additional testimony, statements, or documents presented at the hearing, the Commission shall determine whether or not a violation of the Code of Ethics has occurred.

- G. Any person who is the subject of a complaint may designate a representative if he or she wishes to be represented (~~((by someone else, to present evidence, and to cross-examine witnesses))~~). The person who submitted the complaint and the subject of the complaint must be allowed sufficient time to examine and respond to any evidence not presented to them in advance of the hearing.
- H. After the Commission has made its final determination, the Commission shall issue its written findings of fact and conclusions of law, along with its recommended disposition (if applicable). The Commission may, in addition, issue any additional reports, opinions, or recommendations as it deems advisable under the circumstances. All such reports shall be reviewed by the city attorney (or independent legal counsel in the event that a conflict of interest prevents the city attorney from conducting the review) prior to their issuance. The Commission's conclusions shall be based on the preponderance of the evidence standard.
- I. The investigation of complaints shall be completed by the Ethics Commission and written findings and conclusions prepared within sixty days of the date of the complaint. A copy of the written investigation findings and conclusions shall be served on any party against whom a complaint is filed within three days of the Ethics Commission's final decision. It shall be posted on the City's website for the Ethics Commission no more than twenty-four hours later. Posting on the website will clearly indicate the disposition of the issue in the text of the link and not in the text of the document only.
- J. The City Attorney may require the investigation of complaints and written findings to be completed by the Ethics Commission, in a reasonable amount of time, less than that stated in (I) in circumstances where the matter should be resolved more quickly.
- K. Any individual who is advised of another's violation of this code is responsible to direct the advising party of this code and its procedure for filing complaints.

Section 3. That the attached Ethics Commission Policy and Procedural Manual is approved.

Referenced attachment is on file in the Office of the City Clerk.

**Passed by City Council April 22, 2019**

**Delivered to Mayor April 25, 2019**

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#### **ORDINANCE NO. C35758**

An ordinance regarding Spokane's Urban Forestry Program; amending Article V of chapter 12.02 of the Spokane Municipal Code.

**WHEREAS**, Spokane's urban forest provides many economic, health and environmental benefits for city residents and businesses; and

**WHEREAS**, trees produce oxygen and filter airborne particulates which improves Spokane's air quality; and

**WHEREAS**, trees improve water quality and reduce storm water runoff – reducing pollutants and mitigation costs; and

**WHEREAS**, trees save energy costs by providing shade, contributing to summer cooling, and moderating the effects of wind – according to the U.S. Forest Service's Center for Urban Forest Research, properly placing just three trees near a home can reduce that home's energy costs by up to 30%; and

**WHEREAS**, there are over 76,000 street trees which have been inventoried and analyzed for value and benefits in the City of Spokane, and those trees provide tangible financial value, such as:

- Over \$700,000 in reduced heating and cooling costs annually,
- Over \$75,000 in annual reductions of atmospheric CO<sub>2</sub>,
- Nearly \$300,000 in annual savings for our storm water mitigation efforts due to rain interception and storage, and
- Lowered crime rates and increased marketability and property values of about \$2,800,000 annually; and

**WHEREAS**, pavement which is shaded by trees will last 10 years longer than exposed pavement, resulting in less maintenance and savings in paving material and labor costs; and

**WHEREAS**, people are more likely to shop in business districts with treescaping and are likely to spend more when doing so; and

**WHEREAS**, patients with even just a view of greenery, such as parks, gardens, and/or trees, heal faster; and

**WHEREAS**, trees provide a wealth of wildlife habitat and are especially important in urban areas as connections to open space and wild areas; and

**WHEREAS**, studies have shown that properly-designed plantings of trees and shrubs can reduce the apparent loudness of urban areas by 6-10 decibels; and

**WHEREAS**, the City of Spokane recognizes the central part that trees play in our culture, our environment, and our city's distinctive character by adopting the Ponderosa Pine as our official city tree; and

**WHEREAS**, trees make our city more livable and a healthy urban forest plays important roles in our quality of life and the sustainability of Spokane's environment by lowering our energy costs, giving us clean air and clean water, imparting a distinctive character and beauty, enriching the aesthetic experience of the community, softening and screening urban development, providing habitat for wildlife, and adding to our history, civic pride and public life.

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

**Section 1.** That Article V of Chapter 12.02 of the Spokane Municipal Code is amended to read as follows:

**Article V: Urban Forestry Program**

**Section 12.02.900 ((Urban Forestry Program))Findings, Purpose, and Intent**

~~((A new article is created in chapter 12.02 SMC, designated Article V, Urban Forestry Program, to consist of SMC 12.02.900 through SMC 12.02.958.))~~

- A. The City of Spokane recognizes that the design of the urban environment must ultimately be for the benefit of the quality of life of the human inhabitants, and that a healthy urban forest is a key component of the quality of life.
- B. The focus of the urban forestry program is to balance competing needs of the community, in the context of limited municipal resources, while promoting and maintaining a healthy urban forest.
- C. The City of Spokane intends, by enacting this chapter, to:
  - a. promote the restoration and preservation of desirable trees and shrubs;
  - b. advocate for the establishment and retention of adequate tree planting spaces while considering the community's desire for urban aesthetics; and
  - c. as resources may allow, to address problems arising from improper planting, maintenance, or removal of trees and shrubs.
- D. The implementation of this Article V is at all times subject to appropriations. It is not a purpose of this article to create or expand any duty, responsibility, or liability on the part of the City of Spokane, its officers, agents, employees, or contractors. Any such duty nonetheless deemed created does not extend to any specific or identifiable person or class. Additionally, nothing in this article and no action taken or inaction by the City, its officers, agents, employees, or contractors shall reduce the responsibility of other persons or entities for intentional or negligent acts or omissions, including failure to maintain their property, curtilage or related areas with reasonable care. This subsection (D) controls all other provisions.

**Section ~~((12.02.902))12.02.905 ((Purpose))Spokane Urban Forestry Plan and Goals~~**

- A. ~~((The city council and park board recognize that the design of the urban environment must ultimately be for the benefit of the quality of life of the human inhabitants, and that a healthy urban forest is a key component of the quality of life. The focus of the urban forestry program will be on balancing competing needs of the community, in the context of limited municipal resources, while promoting and maintaining a healthy urban forest.~~
- B. ~~The purpose of this article is to promote and protect the public health, safety and general welfare through the initiation of an urban forestry program, including supervision of the planting, pruning, removal and maintenance of trees, shrubs, and other plants within the public rights of way and public places of the City and by offering education and assistance to citizens to promote a healthy urban forest.~~
- C. ~~It is also the intent of the city council to:~~

- ~~1. promote the restoration and preservation of desirable trees and shrubs;~~

- ~~2. advocate for the establishment and retention of adequate tree planting spaces while considering the community desire for urban aesthetics; and~~
- ~~3. as resources may allow, to address problems arising from improper planting, maintenance, or removal of trees and shrubs.~~

~~D. The urban forestry program reflects a municipal goal, but its implementation may be subject to budget or other limitations or restrictions from time to time. It is not a purpose of this article to create or expand any duty, responsibility, or liability on the part of the City of Spokane, its officers, agents, employees, or contractors. Any such duty nonetheless deemed created does not extend to any specific or identifiable person or class. Additionally, nothing in this article and no action taken or inaction by the City, its officers, agents, employees, or contractors shall reduce the responsibility of other persons or entities for intentional or negligent acts or omissions, including failure to maintain their property, curtilage or related areas with reasonable care. This subsection (D) controls all other provisions.)~~

A. It is the goal of the City of Spokane that thirty percent (30%) of the total land area within the City of Spokane has a healthy and functioning tree canopy coverage by 2030.

B. It is a goal of the City of Spokane to create and maintain active re-forestation programs in Spokane.

C. Beginning on the effective date of this section, the City of Spokane will update its urban forestry plan at least every five (5) years.

### **Section 12.02.910 Definitions**

~~((The following definitions, SMC 12.02.932 through SMC 12.02.958, apply to this article.))~~

A. "Arboricultural manual" means the Arboricultural Specifications and Standards of Practice for the City of Spokane which contains regulations and standards for the planting, pruning, removal, and maintenance of trees and shrubs on public property and a program for developing and improving the tree, shrub, and other plant resources of the community.

B. "Commercial tree work" means any work performed on street or public trees by a person retained by the property owner or public utility.

C. "Director" means the director of the parks and recreation division or the director's designee.

D. "Hazardous tree" means any tree or tree part that poses a high risk of damage to persons or property.

E. "Heritage tree" means a tree or collection of trees that is particularly desirable because it has valued, unique characteristics that set it apart from other similar trees as specified by SMC 12.02.975.

F. "Major pruning" means the pruning or cutting out of branches two inches (2") in diameter or greater, root pruning, cutting out of branches and limbs constituting greater than fifteen percent (15%) of the tree's foliage bearing area and pruning trees with branches that are within ten feet (10') of overhead power lines. The work shall retain the natural form of the tree.

G. "Minor pruning" means pruning or cutting out of water sprouts, suckers, twigs, or branches less than two inches (2") in diameter, or which constitutes less than fifteen percent (15%) of the tree's foliage bearing area. The work shall retain the natural form of the tree. Removal of dead wood, broken branches, and stubs are included within the definition of minor pruning. Minor pruning of street trees may be performed by the owner of the adjacent property without obtaining a permit from the City.

H. "Public place" means property owned in fee by the City of Spokane.

I. "Public Tree" is a tree on City-owned property. A public tree may also be a street tree.

J. "Public utility" means any organization that has a franchise to utilize the public rights-of-way.

K. "Right-of-way" means that strip of land:

1. dedicated for public travel, including the main traveled portions of the streets and sidewalks as well as parking or planting strips, pedestrian buffer strips, and other associated areas, or over which is built, public streets, sidewalks, or alleys for public travel; or
2. used for or dedicated to utilities installation within the right-of-way.



- L. "Severe crown reduction" means the specific reduction in the overall size of a tree and/or the severe internodal cutting back of branches or limbs to stubs within the tree's crown to such a degree as to remove the normal tree canopy and disfigure the tree. Severe crown reduction is not a form of pruning and, for street trees and trees within the public right-of-way, is prohibited.
- M. "Street tree" means any tree or shrub located within the public right-of-way.
- N. "Tree committee" means the urban forestry tree committee created by SMC 04.28.010.
- O. "Tree lawn," "parking strip," and "planting strip" are used interchangeably to mean the area between the curb and sidewalk.
- P. "Urban forestry plan" means a comprehensive plan addressing the long-term goals and strategic planning related to tree planting, pruning, removal, and maintenance needs of trees located in public places to encourage the sustainability of the urban forest. Neighborhood specific tree plans or neighborhood land use plans which incorporate sections or language related to public trees shall be incorporated in the general urban forestry plan and neighborhoods shall consider the urban forestry plan in the development of neighborhood specific tree plans or land use plans.

#### **Section ~~((12.02.904))~~12.02.915 Urban Forestry Program**

- A. Establishment.  
The urban forestry program is established within the parks and recreation ~~((department))~~division, which exercises jurisdiction over street trees and shrubs ~~((within the public rights of way--))~~and trees and shrubs located in other public places as defined in SMC 12.02.910(H).
- B. Responsible Official.  
The director of parks and recreation is designated as the responsible official for administering the urban forestry program. The director may designate an employee as the urban forester to perform the duties to administer the program.
- C. Authority.
1. The director regulates and permits the planting, pruning, removal, replacement, and maintenance of all street trees.
  2. The director, with the advice and assistance of the tree committee, will prepare the Arboricultural Manual and associated administrative policy and will present the manual and administrative policy to the park board and city council~~((for adoption))~~.
  3. The director, with the advice and assistance of the tree committee, will prepare the urban forestry ~~((management))~~ plan and associated administrative policy and will present the plan and administrative policy to the park board, plan commission, and city council for adoption.
  4. The director examines all trees and shrubs within the scope of this article to determine whether they are contagiously diseased, dead, or hazardous, obstructing the right-of-way, or posing a threat to public safety, having the right to take samples from trees and shrubs for laboratory testing.
  5. The director, with the advice and assistance of the tree committee, will develop a plan for assisting property owners with their street trees, which plan includes educational programs and criteria for financial assistance.
  6. The director will develop educational programs for the public promoting proper urban forestry practices.
  7. The director will facilitate the establishment of a citizen advisory committee to facilitate citizen participation in the urban forestry program.
  8. In carrying out the duties prescribed by this section, the director shall consult and coordinate with the director of the neighborhood and business services division.

#### **Section ~~((12.02.906))~~12.02.920 Hazard Evaluation Criteria**

Municipal response to tree or other hazards within the scope of this article is in the City's sole discretion. In prioritizing a response, City officials may use the International Society of Arboriculture's ~~((twelve point hazard evaluation system))~~ current best practices for Tree Risk Assessment, but no obligation to act is created.

#### **Section ~~((12.02.908))~~12.02.925 Abutting Owner Responsibilities – City Tree Maintenance List**

- A. Abutting property owners are responsible for the following:

1. Protection of street tree health by obtaining all permits as required by this article for planting, removal, or pruning of street trees. The property owners may perform minor pruning of street trees ~~((or))~~ abutting their property without obtaining a permit.
  2. Care and maintenance of the tree lawn to ensure proper health of the trees.
  3. Removal and replacement of street trees which are topped or improperly pruned if the director determines that a street tree's health is severely degraded.
  4. Care and maintenance of trees on their property in such a way as to not cause a hazard to the public safety or to the health of public, landmark or street trees.
  5. Removal of trees located on their property that have been declared a public nuisance or hazard.
  6. Abutting property owners must exercise reasonable care in the use or condition of their property so as not to render the right-of-way unsafe for ordinary travel or to endanger persons or property of persons using the right-of-way. Abutting property conditions may include planting or allowing trees, shrubs, plants, or other natural or human placed installations which affect the right-of-way directly or indirectly. Uses include a use with may cause or promote damage, unauthorized alteration, or interference with the right-of-way, not by way of limitation. The abutting property includes the curtilage and areas in or near the right-of-way, whether or not actively used for public travel.
- B. Any duty imposed upon a property owner applies jointly and severally to a property occupant, but enforcement action against an occupant does not release the owner from ultimate responsibility hereunder.
- C. Sometimes, funding may become available for the ~~((park department))~~ program to assist in planting new street trees, pruning, removal, or otherwise helping with street tree maintenance for street trees on tree lawns. This effort may arise in low income neighborhoods or become available through community development federal funding or other public or private resources. No action by the ~~((park department))~~ program shall relieve a property owner of an obligation under this article except to the extent the ~~((park department))~~ program may be able to assist and support the property owner, and no municipal duty is created thereby. If a new street tree is proposed to be planted, the ~~((park department))~~ program shall work with the abutting property owner to confirm the owner's understanding of owner's responsibilities under this article. Specific reference is made to policy NE 12.5 in the Natural Environment chapter of the City of Spokane comprehensive plan, which provides for a policy of "no net loss" in street trees, explaining that street tree removal should only be granted when a tree is determined by the City to be sick, damaged, or near the end of life. This does not restrict removal for public health and safety reasons, in the determination of public safety officials.
- D. The director may develop a maintenance list for street trees or other trees in certain areas where the ~~((department))~~ program is able to perform tree maintenance work. Except in such circumstances, and only to the extent resources may be available, ~~((or to the extent SMC 12.02.935(F) may apply,))~~ actions taken under this article are at the cost and liability of the abutting property owner or other responsible party or parties, as may be determined by the director.

#### ~~((Section 12.02.930 Definitions~~

~~The following definitions, SMC 12.02.932 through SMC 12.02.958, apply to this article.~~

#### **Section 12.02.932 "Arboricultural Manual" Defined**

~~"Arboricultural manual" means the Arboricultural Specifications and Standards of Practice for the City of Spokane which contains regulations and standards for the planting, pruning, removal, and maintenance of trees and shrubs on public property and a program for developing and improving the tree, shrub, and other plant resources of the community.~~

#### **Section 12.02.934 "Commercial Tree Work" Defined**

~~"Commercial tree work" means any work performed on street or public trees by a person retained by the property owner or public utility.~~

#### **Section 12.02.936 "Director" Defined**

~~"Director" means the director of the parks and recreation department or the director's designee.~~

#### **Section 12.02.938 "Hazardous Tree" Defined**

~~"Hazardous tree" means any tree or tree part that poses a high risk of damage to persons or property.~~

#### **Section 12.02.940 "Person" Defined**

~~See SMC 1.02.100.~~

#### **Section 12.02.942 "Pruning" Defined**

- A. ~~"Major pruning" means the pruning or cutting out of branches three inches in diameter or greater, root pruning, or cutting out of branches and limbs constituting greater than fifteen percent of the tree's foliage bearing area. The work shall retain the natural form of the tree.~~

- B. ~~“Minor pruning” means pruning or cutting out of water sprouts, suckers, twigs, or branches less than three inches in diameter, or which constitutes less than fifteen percent of the tree’s foliage bearing area. The work shall retain the natural form of the tree. Removal of dead wood, broken branches, and stubs are included within the definition of minor pruning. Minor pruning may be performed by the property owner without obtaining a permit from the City.~~

#### **Section 12.02.944 “Public Place” Defined**

~~“Public place” means property owned in fee by the City of Spokane.~~

#### **Section 12.02.945 “Public Tree” Defined**

~~“Public Tree” is a tree on City-owned property or on the public right of way abutting City-owned property. A public tree may also be a street tree. “City-owned property” does not refer to the right of way.~~

#### **Section 12.02.946 “Public Utility” Defined**

~~“Public utility” means any organization that has a franchise to utilize the public rights of way.~~

#### **Section 12.02.948 “Right of way” Defined**

~~“Right of way” means that strip of land:~~

- ~~A. dedicated for public travel, including the main traveled portions of the streets and sidewalks as well as parking or planting strips, pedestrian buffer strips, and other associated areas, or over which is built, public streets, sidewalks, or alleys for public travel; or~~
- ~~B. used for or dedicated to utilities installation within the right of way.~~

~~The “right of way” is typically an easement over the land of the abutting property owner.~~

#### **Section 12.02.950 “Severe Crown Reduction” Defined**

~~“Severe crown reduction” means the specific reduction in the overall size of a tree and/or the severe internodal cutting back of branches or limbs to stubs within the tree’s crown to such a degree as to remove the normal tree canopy and disfigure the tree. Severe crown reduction is not a form of pruning.~~

#### **Section 12.02.952 “Street Tree” Defined**

~~“Street tree” means any tree or shrub located within the public right of way.~~

#### **Section 12.02.954 “Tree Committee” Defined**

~~“Tree committee” means the urban forestry tree committee created by chapter 4.28 SMC.~~

#### **Section 12.02.956 “Tree Lawn” Defined**

~~“Tree lawn” means the area within the right of way easement, generally the lawn between the curb and sidewalk; also known as the “parking or planting strip.”~~

#### **Section 12.02.958 “Vegetation Management Plan” Defined**

~~“Vegetation management plan” means a comprehensive plan addressing the long term goals and strategic planning related to tree planting, pruning, removal, and maintenance needs of community trees to encourage the sustainability of the urban forest. Neighborhood specific tree plans or neighborhood land use plans which incorporate sections or language related to public trees shall be incorporated in the general vegetation management plan and neighborhoods shall consider the vegetation management plan in the development of neighborhood specific tree plans or land use plans.)~~

#### **Section ((12.02.940))12.02.960 Tree Permit Required**

##### **A. Pruning and Removal of Trees.**

No person may perform major pruning (~~((of trees,))~~) or cause or authorize any person to prune or remove street trees(~~((;))~~) or trees located in planting strips(~~((rights of way,))~~) or other public places without first filing an application and obtaining a street tree pruning/removal permit from the City.

##### **1. Application Data.**

The application must state the location, number, and kind of trees to be pruned or removed; the kind of maintenance or other work to be done; and such other information as the director may find reasonably necessary to a fair determination of whether a permit should be issued.

##### **2. Standards for Issuance.**

The director issues the permit if in his or her judgment the proposed work is consistent with the ordinance and the proposed method and workmanship are satisfactory.

3. Time.  
Any permit issued shall contain a date of expiration and the work must be completed in the time allowed on the permit.
  4. Major Pruning.  
The City requires that the pruning be performed by a person licensed by the City pursuant to SMC 10.25.010.
- B. Planting of Trees.  
No person may plant a tree in any City rights-of-way without first obtaining a street tree permit from the City.
- C. Notice of Completion.  
A notice of work completion concerning tree planting, removal, or major pruning must be given by the permit holder within five days to the director for inspection. Inspection shall be completed within ten working days.
- D. Annual Permit for City Departments and Utilities with Easements or Franchises Within the Rights-of-Way.  
City departments and utilities may apply for an annual permit to perform pruning, planting, or removal of street trees ~~((within the rights-of-way))~~. The permit application must include an annual plan that identifies work that will be done during the year. The permit holder must file quarterly reports which will identify all work done on street trees and trees in public places.
- E. Emergency Pruning and Removal.  
If immediate removal or major pruning is required to protect the health and safety of the public, tree work to mitigate the immediate hazard may be performed without a permit. The director must be notified on the first working day after the tree work is begun and a permit must be obtained. In the case of a declaration of emergency notification may be made within a reasonable time.
- F. The director may decline to issue a permit, or revoke a permit issued, to any person who refuses or neglects to comply with any of the provisions of this code.

#### **Section ~~((12.02.942))~~ 12.02.965 Removal, Pruning of Trees and Shrubs**

- A. The director may authorize or order removal of or may remove street trees and shrubs situated within the rights-of-way, or other treatment or pruning, whenever one or more of the following criteria are met:
1. The tree or shrub is hazardous ~~((or other good cause))~~ as determined by SMC 12.02.920.
  2. The tree or shrub is damaging public improvements or public utilities and removal is necessary because of the installation of, or potential or actual damage to, a sidewalk, parkway, curb, gutter, pavement, sewer line, underground utility or other municipal improvement.
  3. There is infection or infestation of trees or shrubs with a disease or pest detrimental to the growth, health or life of such trees and which infection or infestation cannot be controlled or removed.
  4. The vegetation obstructs rights-of-way, authorized traffic signs or is determined to interfere with line of sight or creates other identified traffic or safety concerns.
  5. The tree's health is severely degraded because of improper pruning, including severe crown reduction.
- B. When the engineering services department determines that vegetation obstructs a public right-of-way, it notifies the director. Unless an emergency requires immediate abatement by the City, the director may utilize the procedures in SMC ~~((10.20.020))~~ 12.02.0210 ~~((SMC 12.02.930,))~~ or any other lawful means for pruning or removal.
- C. As a condition of removal, the director requires replacement with trees or shrubs that are appropriate for the location, unless replacement is not possible.
- D. If a street tree is to be removed at the order of the director, unless immediate removal is necessary to protect public health and safety, he notifies the property owner and tenants thirty (30) days prior to the proposed date of removal. The notice states the reason(s) for the removal and the proposed date of the removal. An order of removal may include an estimated cost and provide the property owner with the option of procuring removing within a time specified by authorized persons, but no estimate shall bind the City to accept any amount less than the true and actual cost determined after corrective action is taken.
- E. For City projects which will require removing one or more trees, the department will notify the property owner and tenants thirty (30) days prior to the proposed date of removal. A copy of the notice shall also be delivered to the department of neighborhood services and code enforcement within the same time frame.
- F. Questions affecting right-of-way management are referred to the director of the engineering services department. The parks and recreation director may also refer inquiries about interdepartmental assistance to the

director of engineering services, where a healthy tree may be preserved with extra measures involving additional cost or expense, on a site by site basis.

#### **Section ((12.02.914))12.02.970 Tree Protection, Conservation and Preservation**

- A. All street and public trees near any excavation, demolition, or construction of any building, structure, street, or utility work must be sufficiently guarded and protected by those responsible for such work as to minimize potential injury to said trees and to maximize their chance for survival. When street and public trees are near the project, any construction permits issued by the City must be approved by the director, who may require protective measures as specified in the Arboricultural Manual.
- B. No person may destroy, injure, or deface any street tree or public tree on public property by any means, including, but not limited to, the following methods:
  1. Impede the free passage of water, air, or fertilizer to the roots of any tree, shrub, or other plant by depositing vehicles, concrete, asphalt, plastic sheeting, or other material detrimental to trees or shrubs on the tree lawn or on the ground near any tree((-));
  2. Pour any toxic material on any tree or on the ground near any tree((-));
  3. Cause or encourage any fire or burning near or around any tree((-));
  4. Severely reduce the tree crown((except when pruning of trees under utility wires or obstructing the right-of-way as allowed by a permit issued by the director)). Removal or replacement is preferred to severe crown reduction((-));
  5. Carve or attach any sign, poster, notice, or other object on any tree or fasten any rope, wire, cable, nails, screws, staples, or other device to any tree except as used to support a young or broken tree; however, nothing in this section shall be construed in such a manner that it forbids lighting of a decorative or seasonal nature, provided that such lighting is not attached in such a way as to cause permanent damage to the tree((-)); or
  6. Plant trees reaching an expected mature height of twenty-five feet (25') or more under overhead power lines.
- C. No person may prevent, delay, or interfere with the director, or the director's designee, or any City employee in the execution or enforcement of the provisions of this article or otherwise violate this Article V.
- D. Any person responsible for a violation of this section must pay the cost of repairing or replacing any tree or shrub damaged by the violation and may be subject to treble the amount of damages assessed in any enforcement action brought by the City, pursuant to RCW 64.12.030. The value of trees and shrubs is to be determined in accordance with the latest revision of the Guide for Plant Appraisals as published by the International Society of Arboriculture.
- E. In addition to remedies under subsection (D) of this section, violation of this section is a class 1 civil infraction. The director has the discretion to issue a warning for a first-time violation.

#### **Section ((12.02.916))12.02.975 Protection of Public and Private Historic and Heritage Trees**

- A. The historic and heritage tree preservation designation recognizes the significance of trees to the City. A tree may be retained beyond its useful life because of its contribution to the environment and City character. The intent of this ordinance is to balance the preservation of historic and heritage trees with the growth and development of the City of Spokane. A heritage or historical tree is designated by the tree committee based on the following criteria:
  1. Has historical significance to a person, place, or event.
  2. Has attained significant size in height, caliper, or canopy spread for its age and species.
  3. Has special aesthetic qualities for its species.
  4. Is prominently visible to the public, along major roads, or public places.
  5. Possesses rare horticulture value.
  6. Is not a hazard or obstruction.
  7. The owner of the tree agrees in writing to the "Heritage" designation of the tree and has complied with the nomination steps set forth in subsection D of this section.
- B. The purpose of the heritage tree program shall be to accomplish the following:
  1. Increase public awareness of trees in general and specifically Spokane's urban forest.
  2. Draw attention to and protect those significant heritage trees that are unique within the terms of ((as specified by))this section((SMC 12.02.916)).

3. Provide publicity for increased awareness of the purpose and activities of the Spokane urban forestry tree committee (UFTC), the UFTC citizen advisory committee and the urban forestry program.
4. Encourage public participation in the identification and perpetuation of heritage trees throughout the City.

~~((C. The definition of "heritage tree" is a tree or collection of trees that is particularly desirable because it has valued, unique characteristics that set it apart from other similar trees as specified by SMC 12.02.916.))~~

~~((D))~~C. The process for nomination shall be as follows:

1. Any individual or group of individuals interested in identifying and preserving heritage trees may nominate a tree or trees on any Spokane City property for "heritage" status.
2. The city council may nominate a tree or collection of trees on City property for heritage tree status.
3. Heritage tree nominations shall be submitted to the urban forest tree committee on nomination forms provided by the urban forestry program of the City.
4. The nomination shall at least include:
  - a. a description of the tree nominated;
  - b. the characteristics that merit the tree being designated for heritage tree status, (as designated within the terms of this section)(~~(in SMC 12.02.916)~~) including the history of the tree, if known;
  - c. a photograph of the tree; and
  - d. a map locating the tree.
5. The owner of the property on which the nominated tree is located shall agree to the nomination by signing the consent statement on the nominating form.
6. The owner of the property on which the nominated tree is located must agree in writing to allow the tree to be placed on a City map of heritage trees.
7. To inform future property owners, the owner of the property will be encouraged in the notification letter to record a notice to title indicating the location of the heritage tree on the property.
8. Upon recommendation by the urban forest tree committee, the council may remove designation of any tree as a heritage tree if it finds that such designation is no longer appropriate.

~~((E))~~D. The authority and process for designation of heritage trees shall be as follows:

1. The urban forest tree committee (UFTC) shall consider heritage tree nominations at their regular meetings, using the heritage tree designation guidance document to make their determination. The consideration meetings should take place within two months from receipt of a nomination. No tree may be given heritage tree status unless a quorum of UFTC members discuss and vote in favor of the heritage tree nomination.
2. Criteria to be considered by the urban forest tree committee for recommending a nomination for heritage tree status shall include the following (as designated within the terms of this section)(~~by SMC 12.02.916~~)):
  - a. Has historical significance to a person, place, or event.
  - b. Has attained significant size in height, caliper, or canopy spread for its age and species.
  - c. Has special aesthetic qualities for its species.
  - d. Is prominently visible to the public, along major roads or public places.
  - e. Possesses rare horticultural value.
  - f. Is not a hazard or obstruction.
  - g. The owner of the tree agrees in writing to the "heritage" designation of the tree and has complied with the nomination steps set forth in subsection D of this section.
3. All heritage trees will be identified and recorded in a register maintained by the urban forestry tree committee and the urban forestry program.
4. Notice of all trees identified as heritage trees by the urban forest tree committee shall be forwarded to the mayor. All designated trees, including names of the nominator and the property owner, will then be acknowledged in a letter from the mayor to the nominator and property owner. This letter will be provided by the urban forestry program to the mayor's staff. Further individual heritage tree publicity is at the discretion of the mayor and the urban forest tree committee, such as proclamations and publicity releases.
5. The urban forest tree committee shall give biannual updates to the city council on the number of trees designated.

~~((F))~~E. The city will provide the owner with a professional arborist's assessment of the health of the tree and recommendations for maintaining the tree according to accepted pruning and care standards.

((G))E. A heritage tree or collection of trees is retained by the property owner and does not become the property or responsibility of the City. The property owner is responsible for all maintenance and liability issues pertaining to the tree or trees. Prior to removal of a heritage tree, a property owner must consult with the urban forest tree committee, as specified on the consent form. The City strongly encourages all heritage tree property owners to retain these significant tree(s). However, a heritage tree designation does not prohibit a property owner from developing a property and/or removing the heritage tree or trees subject to the City's tree retention regulations.

((H))G. The tree committee may establish additional procedures for nomination of heritage trees consistent with this section. A registry of historic trees is maintained and the designation is indicated on the City tree inventory.

#### **Section ((12.02.948))12.02.980 Disposal of Urban Forest Products**

The urban forester may sell wood and other forest products generated during urban forestry and park operations. The proceeds from such sales will be deposited in the urban forestry fund, as provided in SMC 07.08.135.

#### **Section ((12.02.920))12.02.985 Appeal**

Decisions of the director under SMC ((12.02.940))12.02.930 and SMC ((12.02.942))12.02.935 may be appealed by the property owner to the ((tree committee))hearing examiner within thirty (30) days of receipt of the permit denial or the director's decision. The appeal notice must be in writing and submitted to the director. The notice must include, at a minimum, the following information:

- A. Name, address and telephone number of applicant.
- B. Location of trees involved in the appeal.
- C. Decision being appealed; and
- D. A concise statement of the reasons for appeal.

~~((The appeal is heard at the next regularly scheduled meeting of tree committee following receipt of the notice of appeal. Decisions of the tree committee may be appealed to the hearing examiner by filing a notice of appeal with the director within fifteen days of the tree committee's decision with a copy also filed with the City hearing examiner.))Any appeal from the decision of the hearing examiner is by writ to the appropriate court. There is no right of stay of any order pending appeal unless allowed by the director, conditioned upon posting of a bond or other security or requirements as the director may order.((An appealing party may request emergency review of a director's denial or conditioning of any stay, pending appeal, by the chair of the tree committee. Consideration of such a request is at the chair's sole discretion.))~~

**Passed by City Council April 22, 2019  
Delivered to Mayor April 25, 2019**

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### **ORDINANCE NO C35761**

An ordinance amending Ordinance No. C-35703, passed by the City Council December 10, 2018, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget Ordinance No. C-35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the appropriations of the Development Services Center (DSC) 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 Development Services Center Fund, and the budget annexed thereto with reference to the Development Services Center Fund, the following changes be made:

FROM:	4700-99999	Development Services Center	
	99999	Undesignated Reserves	<u>\$ 69,000</u>



TO:	4700-41200	Development Services Center	
	94000-56404	Vehicles	\$ 69,000

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 replace a vehicle that was totaled and two other vehicles that are aged and require repairs that take them out of service for long periods of time and impact our operations, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council April 22, 2019**  
**Delivered to Mayor April 25, 2019**

# Policies and Procedures

## CITY OF SPOKANE DEPARTMENT POLICY AND PROCEDURES

Pursuant to Administrative Policy and Procedure ADMIN 0325-15-01, Section 5.4.1., notice of adoption of the following Department Policy and Procedure(s) is published. All adopted City policy and procedures are available for review in the Office of the City Clerk and at the City Web site <https://my.spokanecity.org/opendata/documents/policies/>.

### City of Spokane Waste to Energy (WTE) Facility

#### Special Handling and Non-Typical Waste Procedure

Revision Date: March 23, 2019

DEPT 4490-15-05 / LGL 2005-0030

# 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.**

## ELECTRONICS TECHNICAL AIDE SPN 271 OPEN ENTRY

**DATE OPEN:** Monday, April 29, 2019      **DATE CLOSED:** Sunday, May 12, 2019 at 11:59 p.m.  
**SALARY:** \$39,473.64 annual salary, payable bi-weekly, to a maximum of \$62,109.65

### DESCRIPTION:

Performs semi-skilled electronic/electrical and manual work in the construction, installation, maintenance, and repair of flow measuring equipment, communications equipment, and other electronic/electrical systems and equipment.

### DUTIES:

- Assists in the installation, alteration, maintenance and repair of wireless and wired communications equipment and facilities, control devices, automated systems, and other electronic/electrical systems.
- Helps install and service electronic data logging communication equipment.
- Maintains electrical/electronic equipment. Troubleshoots basic malfunctions utilizing appropriate testing devices. Utilizes schematic diagrams and operations manuals to perform basic repairs. Keeps records as required.
- Utilizes personal computer for programming and maintenance of communication equipment, and record keeping.
- Maintains proper stocking levels of installation supplies and required tools. Purchases equipment and supplies.

- Assists in installation and erection of antennas and antenna towers. Digs trenches for conduits and antenna wires.
- Operates a vehicle and uses various tools and equipment as required.
- Cleans and cares for electronic and electrical equipment. Uses hand and power tools.
- Performs related work as required.

#### MINIMUM QUALIFICATIONS:

##### Open Entry Requirements:

(Open-entry applicants must meet all requirements when they apply.)

- *Education:* High school diploma or equivalent, and successful completion (grade of C or better) of class work in electronics at a junior college or military/trade school;.
- *Experience:* None is required, but see substitution.
- *Substitution:* One year of experience as an apprentice or helper in the repair and maintenance of electronics equipment may substitute for the electronics class work requirement.
- *License:* Possession of a valid driver's license.

#### EXAMINATION DETAILS:

You will need to meet the minimum qualifications and pass the examination for this position to be eligible for hire. The examination will consist of a written test.

Upon request, at the 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.

#### WRITTEN TEST DETAILS

Written testing will be conducted in the Civil Service Test Room (4th floor, City Hall) on **Tuesday, May 21, 2019, at 9:00 a.m.** The approximate duration of the test is 2 hours. Additional test sessions may be made available depending on the number of applicants.

Upon acceptance of your application, we will send you an e-mail with instructions to schedule your exam time.

The written test may include such subjects as Schematics, Safety, Electricity and Electronics, Public and Employee Relations, and Basic Computer Skills.

Please see the Test Information Guide for further details on our written testing process.

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

#### TO APPLY:

**An application is required for promotional applicants.** Applications must be completed online at: <http://my.spokanecity.org/jobs> by 11:59 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 25th day of April 2019.

MARK LINDSEY  
Chair

AMBER RICHARDS  
Chief Examiner

**CHEMIST SPN 655  
PROMOTIONAL****DATE OPEN: Monday, April 29, 2019****DATE CLOSED: Sunday, May 12, 2019 at 11:59 p.m.****SALARY: \$55,582.56 annual salary, payable bi-weekly, to a maximum of \$74,478.96****DESCRIPTION:**

Performs professional laboratory work in an Advanced Waste Water Treatment Plant making chemical and bacteriological analyses of waste water, bio-solids, soils, and industrial waste samples.

**DUTIES:**

- Performs a variety of water and waste water, sewage, biosolids and soil tests in the control of pollution.
- Conducts standardized chemical and bacteriological tests of influent, process and effluent waste water, sludge, and soils.
- Conducts waste water tests of selected industries to establish sewage rates.
- Conducts inspections and supervises monitoring activities of, and analyzes discharge data from industrial dischargers.
- Provides compliance and enforcement information to the supervisor.
- Develops and implements the laboratory Quality Assurance/Quality Control Program.
- Prepares reports as required.
- Supervises laboratory technicians.
- Performs more difficult chemical analyses including ultra trace metals analysis.
- Conducts research to improve analyses techniques, and prepares new analyses procedures and techniques.
- Makes recommendations regarding laboratory equipment purchases.
- Implements and assists in the development of plant process control diagnostic techniques utilized to direct changes in plant operating adjustments.
- Implements and supervises the industrial billing and sampling for the City of Spokane user charge program.
- Performs, or supervises the performance of exacting sample preparation, as required by environmental regulations.
- Coordinates "clean sampling" plant and river monitoring activities.
- Analyzes and interprets analytical data to implement regulatory requirements for industries proposing discharge to City facilities.
- Performs related work as required.

**MINIMUM QUALIFICATIONS:****Promotional Requirements:**

(Current employees of the City of Spokane may meet the promotional requirements. All promotional requirements must be met at the date of the examination.)

- *Education:* Graduation from an accredited four-year college or university with a degree in chemistry, bacteriology, biology, or related laboratory/physical science.
- *Experience:* Completion of the probationary period with the City in the classification of Laboratory Technician (SPN 654).

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

**Open Entry Requirements:**

(Open-entry applicants must meet all requirements when they apply.)

- *Education:* Graduation from an accredited four-year college or university with a degree in chemistry, bacteriology, or closely related laboratory science.
- *Experience:* One year of experience in an accredited laboratory.

**EXAMINATION DETAILS:****Application and Examination Instructions:**

- Applicants must pass the examination for this classification to be eligible for hire by the City of Spokane. This exam will consist of a written test and a performance evaluation, with weights assigned as follows: written test 80%, performance evaluation 20%.

- Written tests will be conducted in the Civil Service Test Room on Tuesday, June 4, 2019 at 1:00 p.m. The approximate duration of the test is 2 1/2 hours.
- Calculators will be furnished by the City for the test. Applicants may visit Civil Service during office hours if they wish to familiarize themselves with the calculators.
- The written test may include such subjects as:
  - o Chemistry
  - o Employee Relations
  - o Microsoft Excel
  - o Pretreatment
  - o Biosolids
  - o Dangerous Waste
  - o Lab Quality Control

**Promotional Evaluation Details:**

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

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

**Note:**

Upon request, at time of application, the City will provide alternative accessible tests to individuals with disabilities that impair manual, sensory or speaking skills needed to take the test, unless the test is intended to measure those skills.

**TO APPLY:**

**An application is required for promotional applicants.** Applications must be completed online at: <http://my.spokanecity.org/jobs> by 11:59 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 25th day of April 2019.

MARK LINDSEY  
Chair

AMBER RICHARDS  
Chief Examiner

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**PARKING EQUIPMENT SPECIALIST SPN 677**  
**OPEN ENTRY**

**DATE OPEN: Monday, April 29, 2019**

**DATE CLOSED: Sunday, May 12, 2019 at 11:59 p.m.**

**SALARY: \$42,190.13 annual salary, payable bi-weekly, to a maximum of \$65,732.33**

**DESCRIPTION:**

Performs skilled journey level work in the repair, maintenance, and fabrication of parts for grounds maintenance equipment and turf management equipment.

**DUTIES:**

- Applies journey level mechanical skills in the repair, maintenance, and overhaul including fabrication of parts, for a large variety of grounds maintenance and turf management equipment.
- Inspects, repairs, and maintains functional parts of mechanical equipment and machinery such as turf aerators, power ground sweepers, trailers, power-driven gas mowers, power edgers, tractors, and three and four wheel utility vehicles.
- Inspects defective equipment, including hydraulic and hydrostatic systems, and diagnoses malfunctions using motor analyzers, test stands, pressure gauges, chassis charts, and factory manuals. Makes repairs as required.
- Performs electrical system diagnosis and repair to include charging, starting, safety interlock, and fuel supply systems on gas and diesel powered equipment. Analyzes system integration and computer control malfunctions.

- Operates equipment to test functioning. Changes oil, checks batteries, and lubricates various park equipment and machinery. Disassembles and overhauls internal combustion engines, generators, transmissions, and clutches using hand tools, hoists, and machine shop equipment.
- Diagnoses operational and quality of cut problems in standard and specialized turf mowers. Refaces, sharpens, and repairs tools, bearing surfaces, and cutting edges of attachments. Mounts and removes attachments and implements on grounds maintenance equipment.
- Operates such tools and machines as a hoist, lathe, grinder, drill press, power hacksaw, welding and related equipment in the Park Department shop. Operates an automobile or truck to and from various equipment locations.
- Repairs and maintains shop tools and machines.
- Prepares cost estimates.
- Performs related work as required.

**MINIMUM QUALIFICATIONS:****Open Entry Requirements: (Must be met at time of application.)**

- Four years of experience in the maintenance, repair, and overhaul of grounds maintenance and turf management equipment to include large commercial-grade equipment such as utilized to maintain parks and/or golf courses.

Substitution: Completion of formal college education or an apprenticeship in equipment repair may be substituted on a year for year basis for up to two years of the experience requirement.  
A valid driver's license is required.

**EXAMINATION DETAILS:**

You are required to meet the posted minimum qualifications and pass the examination for this position to be eligible for hire. The exam is a written test, which is used for ranking on our Civil Service eligibility list.

**WRITTEN TEST DETAILS:**

- The written test will be conducted in the Civil Service Test Room (4th floor, City Hall) on **Wednesday, May 22, 2019 at 8:00 am**. The approximate duration of the test is 2 hours.
- Additional test sessions *may* be added, depending on the number of applications accepted.
- The multiple-choice written test may include such subjects as: Mechanical Knowledge, Equipment Maintenance and Repair, Metals and Welding, Occupational Safety and Health.
- Upon acceptance of your application, you will receive an email appointment confirmation for your Civil Service test.

We encourage you to apply immediately using the online application system. Submit your completed City of Spokane employment application online by 11:59 p.m. on the closing date.

Upon request, at time of application, the City will provide alternative accessible tests to individuals with disabilities that impair manual, sensory or speaking skills needed to take the test, unless the test is intended to measure those skills.

**TO APPLY:**

**An application is required for promotional applicants.** Applications must be completed online at: <http://my.spokanecity.org/jobs> by 11:59 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 25th day of April 2019.

MARK LINDSEY  
Chair

AMBER RICHARDS  
Chief Examiner

# Notice for Bids

## Paving, Sidewalks, Sewer, etc.

### CALL FOR BIDS

Cycle 7 (2017) Traffic Calming  
Engineering Services File No. 2017046, 047, 048

This project consists of the construction of approximately 2,208 square yards of sidewalk, 75 linear feet of storm sewer, two drainage structures, 2,789 linear feet of curb, 1,128 square yards of 3-inch thick pavement, 923 square yards of 3-inch thick pavement patching, 30 square yards of 5-inch thick pavement patching, 28 square yards of 6-inch thick pavement patching, 43 square yards of 7-inch thick pavement patching sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. May 20, 2019 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: May 1, 8 and 15, 2019

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**CALL FOR BIDS**

33rd Avenue from Bernard Street to Lamonte Street  
Engineering Services File No. 2017118

This project consists of the construction of approximately 1,500 cubic yards of excavation and embankment, 550 linear feet of storm sewer, 350 linear feet of storm sewer 15 drainage structures, 500 square yards of sidewalk, 6,150 square yards of 4-inch thick HMA pavement, 3,000 square yards of 2-inch thick HMA pavement 2,000 square yards of grinding, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. May 20, 2019 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: May 1, 8 and 15, 2019

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# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

### ESMERALDA GOLF COURSE IRRIGATION RENOVATION

Parks & Recreation Department  
#PW ITB 5057-19

#### INVITATION TO BID NOTICE

**Description:** The City of Spokane is soliciting electronic bids for the Esmeralda Golf Course Irrigation Renovation.

**Bid Opening:** Sealed electronic bids will be received until **Monday, May 20, 2019 at 1:00 pm**. At 1:15 pm they will be publicly opened in a meeting held in the City Council Chambers, LL, 808 W. Spokane Falls Blvd., Spokane WA. All bid responses are only to be submitted **electronically** through the City of Spokane's bidding portal: <https://spokane.procureware.com>, on or before the aforementioned date and time. Hard copy and/or late bids shall not be accepted.

**Mandatory Pre-Submittal Conference:** Esmeralda Golf Course Clubhouse, 3933 E Courtland Avenue, Spokane WA, 99217 on **Thursday, May 2, 2019 at 1:00 pm**.

To view this solicitation, access Plans and Specifications, and submit a bid response, you must first register in the City's bidding portal at <https://spokane.procureware.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, you will also be added to the solicitation distribution list for changes and/or additions via Addenda form.

Potential bidders are asked to post their questions on our bidding portal under the tab labeled "Clarifications" under the relative project number.

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.**

Thea Prince  
Purchasing Department

Publish: April 24 & May 1, 2019

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### IMPLEMENTATION OF 2019 DOWNTOWN PARKING STUDY

Parking Services Department  
#RFP 5061-19

#### REQUEST FOR PROPOSALS

**Description:** The City of Spokane is soliciting electronic proposals for the Implementation of the 2019 Downtown Parking Study.

**Bid Opening:** Sealed electronic proposals will be received until **Monday, May 20, 2019 at 1:00 pm**. At 1:15 pm they will be publicly acknowledged in a meeting held in the City Council Chambers, LL, 808 W. Spokane Falls Blvd., Spokane WA. All proposals are only to be submitted **electronically** through the City of Spokane's bidding portal: <https://spokane.procureware.com>, on or before the aforementioned date and time. Hard copy and/or late bids shall not be accepted.

To view this solicitation, access Plans and Specifications, and submit a proposal, you must first register in the City's bidding portal at <https://spokane.procureware.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, you will also be added to the solicitation distribution list for changes and/or additions via Addenda form.



Potential bidders are asked to post their questions on our bidding portal under the tab labeled "Clarifications" under the relative project number.

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.**

Thea Prince  
Purchasing Department

Publish: May 1 & 5, 2019

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## REQUEST FOR QUALIFICATIONS

### STRUCTURAL ENGINEERING SERVICES FOR 2019-2021 NON-FHWA FUNDED PROJECTS

City of Spokane Engineering Services Department

**RFQu #5062-19**

**Description:** The City of Spokane is soliciting electronic Statement of Qualification Proposals for Structural Engineering Services for 2019-2021 Non-FHWA Funded Projects.

Sealed Statement of Qualification Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, JUNE 3, 2019**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **STRUCTURAL ENGINEERING SERVICES FOR 2019-2021 NON-FHWA FUNDED PROJECTS** for the City of Spokane Engineering Services Department.

The Request for Qualifications document is available for download through the City of Spokane's online procurement system <https://spokane.procureware.com>. Registration is required to view and download this solicitation. Solicitation documents will not be mailed, e-mailed, or provided in person.

It is the responsibility of Proposers to check the City of Spokane's online procurement system identified above for Addenda or other additional information that may be posted regarding this Request for Qualifications.

Questions from potential Proposers will be accepted through the "Clarifications" tab under the associated project number in the online procurement system.

All Statement of Qualification Proposal documents shall be submitted electronically through the City of Spokane's online procurement system **no later than 1:00 p.m. on Monday, June 3, 2019**. Hard copy and/or late submittals will not be accepted. Proposals must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Statement of Qualification Proposals submitted late.

The right is reserved to reject any and all Statement of Qualification Proposals and to waive any informalities. Special attention will be directed to the qualifications of the Proposer when considering this contract.

All response packages are to be clearly marked with:

**"RFQu #5062-19, STRUCTURAL ENGINEERING SERVICES FOR 2019-2021 NON-FHWA FUNDED PROJECTS, DUE: 6/3/2019"**

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

Publish: May 1 & 8, 2019

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