



Official Gazette

City of Spokane, Washington

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

Volume 109

SEPTEMBER 25, 2019

Issue 39



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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STATEMENT OF OWNERSHIP**MANAGEMENT AND CIRCULATION**

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I certify that the statements made by me above are true and complete.

September 24, 2019 TERRI L. PFISTER, Editor

Publish: September 25, 2019

Minutes

MINUTES OF SPOKANE CITY COUNCIL

Monday, September 16, 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, Burke, Fagan, Kinnear, Mumm, and Stratton were present.

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

Advance Agenda Review

The City Council received an overview from staff on the September 23, 2019, Advance Agenda items.

Reappointments to the Northeast Public Development Authority Board Commission (CPR 2012-0032)

Motion by Council Member Mumm, seconded by Council Member Beggs, **to remove** the (four) reappointments to the Northeast Public Development Authority Board Commission; **carried unanimously.**

Reappointments to the Office of Police Ombudsman Commission (CPR 2015-0034)

Motion by Council Member Fagan, seconded by Council Member Mumm, **to move** the (two) Police Ombudsman Commission reappointments to tonight's (September 16, 2019) Agenda; **carried unanimously.**

Action to Approve September 23, 2019, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the September 23, 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, September 23, 2019; **carried unanimously.**

Current Agenda Review

The City Council reviewed changes to the September 16, 2019, Current Agenda items.

Consent Agenda Item No. 10 – City Council Meeting Minutes

Motion by Council Member Mumm, seconded by Council Member Kinnear, **to remove** Consent Agenda Item No. 10 ("City Council Meeting Minutes: _____, 2019") (as there were no meeting minutes available for Council approval); **carried unanimously.**

CONSENT AGENDA

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

Five-year Citywide Value Blanket Order with Fastenal, Inc. (Spokane, WA) using Sourcewell Contract #121218-FAS for miscellaneous hydraulic hoses and fittings and keep fill services for Fleet Services--\$75,000 estimated annual usage.

One-year Contract Extensions to provide bacteriological and chemical analysis of groundwater and drinking water for Solid Waste Disposal and Water Departments with:

- a. Anatek Labs, Inc. (Spokane, WA)—not to exceed \$58,575.
- b. Edge Analytical (Burlington, WA)—not to exceed \$58,575.

Renewal of existing Contract and Value Blanket with Western Systems Fabrication (Spokane Valley, WA) for as-needed purchases of equipment and replacement parts and equipment repair services—Not to exceed \$195,000 (incl. tax).

Authorization to increase the administrative reserve on the contract with Bacon Concrete, Inc. (Spokane, WA) for 2017 Traffic Calming – Cycle 7—increase of \$75,000 for a total administrative reserve of \$183,295.93 or 17% of the contract. Total contract: \$1,266,255.18.

Contract with Mackin & Little, Inc. (Spokane, WA) for boiler replacement and shop unit heater at the Water Department's meter shop building--\$79,473.05 (incl. tax).

Low Bids of:

- a. Spokane Roofing, LLC (Spokane, WA) for lower roof replacement on the Sewer Maintenance Building--\$96,568.71 (incl. tax).
- b. Spokane Roofing, LLC (Spokane, WA) for middle roof replacement on the Sewer Maintenance Building--\$201,715.47 (incl. tax).
- c. Icon Corporation for roof replacement on the Water Department's meter shop building--\$201,514.01 (incl. tax).

Contract with Cerium Networks, Inc. (Spokane, WA) using Washington State Contract #05116, to provide new VMware virtualization software, annual support, and training on the new platform from September 1, 2019 through August 31, 2024--\$98,360.41 (incl. tax).

Purchase and Sale Agreement between City of Spokane (Buyer) and Burlington Northern Sante Fe Railway Company (Seller) for the purchase of a portion of property located in the area of 909 E. Sprague Avenue--\$1,559.712.

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through September 9, 2019, total \$5,774,099.97 (Check Nos. 564031 -564256; ACH Payment Nos. 68458-68689), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$5,491.131. (CPR 2019-0002)
- b. Payroll claims of previously approved obligations through September 7, 2019: \$7,394,959.36 (Check Nos. 564031-564256; ACH Payment Nos. 68458-68689). (CPR 2019-0003)

Council Recess/Executive Session

The City Council adjourned at 3:54 p.m. No Executive Session was held. The City Council reconvened again at 6:00 p.m. for the Legislative / Town Hall Session at the Northeast Community Center, 4001 N. Cook Street.

LEGISLATIVE / TOWN HALL SESSION

Pledge of Allegiance

The Pledge of Allegiance was led Rogers High School JROTC.

Invocation / Poetry at the Podium

Molly Ayers, Director of Center for Community Engagement, Gonzaga University, presented a poem by Edward Hayes and noted she selected the poem because of the changing weather.

Roll Call

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

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

BOARDS AND COMMISSIONS APPOINTMENTS

Reappointments to Office of Police Ombudsman (CPR 2015-0034)

Upon Unanimous Voice Vote (in the affirmative), the City Council **approved** (and thereby confirmed) the following reappointments to the Police Ombudsman Commission:

- Reappointment of Ladd Smith for a term of September 16, 2019, to September 16, 2022.
- Reappointment of James Willburn for a term of October 2, 2019, to October 2, 2022.

MOMENT OF SILENCE

The City Council held a moment of silence in remembrance of Alfredo Llamedo, a valued member of our community, who passed away over the weekend.

MAYORAL PROCLAMATIONS

September 20, 2019 *POW MIA Remembrance Day*

Council Member Fagan read the proclamation. State Chaplain Wes Anderson accepted the proclamation. The United States National POW MIA Recognition Day is observed across the nation on the third Friday of September each year. Americans take time to remember those who were prisoners of war and those who are missing in action as well as their families. Ensign John R. Monaghan, Post 51, Veterans of Foreign Wars, has recognized that 83,000 American service personnel are still missing in action. These service men and women are assumed dead, but are still unaccounted for. Ensign John R. Monaghan shall observe the 20th of September 2019 as the day to pause to remember the sacrifices and service of those who were prisoner of war, as well as those who are missing in action. The proclamation encourages all citizens to join in remembering the sacrifices and service of those who were prisoners of war, as well as those who are missing in action.

Council Member Fagan commented that if anyone is interested in seeing a POW MIA table ritual and a setting ceremony, he noted he will be presiding over such a thing this Friday as the Post Commander of the Hillyard VFW located at 2902 E. Diamond at 4:30 p.m.

September 19-21, 2019 *Lions Club International Day of Service and Leadership*

Council Member Stratton read the proclamation. No individuals were present to accept the proclamation. Lions Club International have a heritage of service and leadership within the communities that they are a part of. The mission of the U.S.A. Canada Lions Leadership Forum is to develop leaders, motivate and educate attendees, provide an open exchange of ideas, and support programs and goals of Lions Club International. The City of Spokane honors the local Lions Club and the Spokane region for the never ending service to those less fortunate.

September 17-23, 2019 *Constitution Week*

Council Member Kinnear read the proclamation. Representatives of the Daughters of the American Revolution accepted the proclamation. September 17, 2019, marks the 232nd Anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention. It is fitting and proper to accord official recognition to this magnificent document on its anniversary and to the patriotic celebrations which will commemorate the occasion. Public Law 915 establishes the issuing of a proclamation each year by the President of the United States designating September 17 through 23 as Constitution Week.

COUNCIL COMMITTEE REPORTS**Finance, Administration and Sustainable Resources Committee**

Council Member Mumm reported on the Finance, Administration and Sustainable Resources Committee meeting held earlier today (September 16, 2019). Minutes of the Finance, Administration and Sustainable Resources Committee meetings are filed with the City Clerk's Office and are available for review following approval by the Finance, Administration and Sustainable Resources Committee.

There was no **City Administration Report**.

OPEN FORUM

Jennifer Bates thanked Alfredo Llamedo for his bravery and facing sickness and standing up for his beliefs until the very end. In reference to Constitution Week, she thanked John McCain who she stated was a true American hero. In addition, she remarked on the opening of the Pavilion in Riverfront Park and Fiesta Spokane. She also remarked that open public restrooms are needed all across the City.

Freddie Walker stated he is working for a person who is running for Congress and questioned whether it is possible to use an event center such as the community center to run a political fundraiser.

Gerald Shuldt remarked that Spokane needs more bicycling facilities and stated Spokane is 30 years behind Seattle and 50 years behind Portland and 100 years behind Amsterdam and Copenhagen.

Tom Robinson stated he has an ancestor who was in the Revolution. He also referenced Alfredo Llamedo and recognized he is gone.

LEGISLATIVE AGENDA

There were no **Special Budget Ordinances**.

There were no **Emergency Ordinances**.

There were no **Resolutions**.

FINAL READING ORDINANCES

For Council Action on Final Reading Ordinance C35807, see section of minutes under “Hearings.”

Final Reading Ordinance C35811

Upon consideration of Final Reading Ordinance C35811, Council Member Mumm provided an overview of the substitute version of the ordinance and stated there would be an addition under 17D.075.060 that would state “Prior to the effective date of Ordinance C35811, the City Council shall adopt by resolution such additional criteria as the City Council wishes to have applied to requests for the exemption provided for in this section.” The following action was taken:

Motion by Council Member Mumm, seconded by Council Member Kinnear, **to substitute** Ordinance C35811 with a new version that includes language under Section 17D.075.060 to state “Prior to the effective date of Ordinance C35811, the City Council shall adopt by resolution such additional criteria as the City Council wishes to have applied to requests for the exemption provided for in this section;” **carried unanimously.**

Inga Note of Integrated Capital Management provided an overview of Ordinance C35811 and Council and staff discussion was held. The following action was taken:

Motion by Council Member Beggs, seconded by Council Member Mumm, **to add** language to adopt a cap on the bicycle parking of \$20,000 per project [thereby amending SMC 17D.075.070(B)(4)]; **carried unanimously.**

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

Upon Unanimous Voice Vote (in the affirmative), the City Council **passed Final Reading Ordinance C35811** (as amended) relating to transportation impact fees and amending SMC 17D.075.020 Definitions, 17D.075.040 Assessment of Impact Fees, 17D.075.070 Credits, 17D.075.100 Establishment of Impact Fee Account, 17D.075.110 Refunds, 17D.075.140 Review, 17D.075.180 Impact Fee Schedule, 17D.075.190 Service Area Map, 17D.075.200 Trip Rates, Passer-By Trips, and Trip Length Adjustment Factors, and 17D.075.210 Impact Fee Project list.

There were no **First Reading Ordinances.**

SPECIAL CONSIDERATIONS**Consideration of Mayoral Veto of Ordinance C35789**

The City Council considered the Mayoral Veto of Ordinance C35789 regulating the practice of loaning City employees and property to other government agencies. Subsequent to Council commentary, the following action was taken:

Upon Unanimous Voice Vote (in the affirmative), the City Council **approved override** of the Mayoral Veto of Ordinance C35789 regulating the practice of loaning City employees and property to other government agencies.

HEARINGS**Final Reading Ordinance C35807 Relating to Historic Preservation Procedures**

The Spokane City Council held a hearing on Final Reading Ordinance C35807. Subsequent to a brief overview by Council President Stuckart, public testimony from one individual, and Council commentary, the following action was taken:

Upon Unanimous Voice Vote (in the affirmative), the City Council **passed Final Reading Ordinance C35807** relating to historic preservation procedures; amending SMC sections 17D.100.040, 17D.100.080, 17D.100.100, 17D.100.200, 17D.100.210, 17G.050.310 and 17G.060.070, adopting new SMC sections 17D.100.025, 17D.100.215, and 17D.100.330 and repealing SMC 11.19.270.

NEIGHBORHOOD REPORTS

Heather Trautman, Neighborhood Services Director, provided introductory and welcoming remarks and commented on the Neighborhood Services program. She thanked all the neighborhood volunteers and the hours they put in. Dave Richardson, Northeast Community Center Executive Director, also provided welcoming remarks. He stated the Northeast Community Center represents an amazing public private partnership with a mission dedicated to improving the quality of life of residents in the Northeast portion of Spokane. He provided an overview the Community Center and its programs and services and

invited City Council to upcoming events. Mr. Richardson thanked Council Member Fagan for his years of service, his partnership, and leadership and helping to build trust and pride in the community. The City Council then received a presentation from Amber Waldref on the accomplishments of The Zone Project. Ms. Waldref noted The Zone Project is based out of the Northeast Community and has three goal areas: envision neighborhoods where all children are safe and nurtured; where families and residents are engaged in school and community; and where families have what they need to thrive.

Following Ms. Waldref's presentation, Ms. Trautman facilitated introductions of neighborhood representatives who reported on the successes, challenges, and concerns from the Northeast Community, as follows:

- Spokane C.O.P.S.
 - Kelly Cruz reported on C.O.P.S. on behalf of Patrick Striker (who was unable to attend the meeting) and he reported on Logan substation.
 - Barb Silvey reported on the Northeast substation.
 - Kelly Cruz (on behalf of Sandi Hoglund) reported on the Neva-Wood substation.
- Charles Hansen reported on Whitman.
- Colleen Gardner reported on Chief Garry Park.
- Cliff Winger reported on Shiloh Hills.
- Lindsey Shaw reported on Logan.
- Joe Carter reported on Hillyard.
- Barb Stout and Tim Benn reported on Minnehaha.
- Kathryn Alexander reported on Bemiss.
- Gabrielle Ryan from Neighborhood Services reported on Nevada Heights (in absence of Mindy Muglia who was unable to attend the meeting).

SECOND OPEN FORUM

Christine Catelli remarked on an incident involving Police and her son on March 9, 2018, where she indicates her son was arrested on a warrant that contained another individual's name and was tased.

Closing Remarks

Council President Stuckart thanked staff and Channel 5 for putting together the town hall meeting and especially thanked the neighbors for all they do. He noted this is his last town hall meeting as a councilperson. He noted the town hall meetings are the best meetings. He noted what is really great is there are the same themes across the city whether it's the northeast or northwest and that is we all want safer neighborhoods, we all want traffic safety in our neighborhoods, and we want our parks to be safe and built out. He also recognized Council Member Fagan and noted he is the best constituent services person that he has ever had the chance to work with and he has done an awesome job.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 8:06 p.m.

General Notices

Notice of Intent to Adopt Amendment to the Unified Development Code and SEPA Review

The City of Spokane is the lead on proposed amendments to SMC updating the construction and maintenance standards for street trees and associated planting areas in the City of Spokane. The proposal amends Spokane Municipal Code Sections 17C.200.040, 17C.200.050, 17C.200.080, 17C.200.090, 17C.200.100, 17C.200.110, and 17G.010.210; adopts new Sections 17C.200.120, 17C.200.130, 17C.200.140, and 17C.200.150; and, enacting a new Chapter 13.14 of the Spokane Municipal Code.

Project Description: The PLANT (Protecting Leaves and Adding New Trees) Ordinance builds off the City's Urban Forestry Ordinance and is the first step toward achieving the aspirational goals established in the Urban Forestry Program (SMC Section 12.02.900-985). It demonstrates the City's continued commitment to both preserve and enhance our urban canopy and seeks to help the community achieve its goal of reaching 30% tree canopy coverage by 2030. Amendments to Title 17 of the Spokane Municipal Code are intended to:

1. Remove exception for street tree planting requirements when construction new single family and duplex dwelling units;
2. Allow the City to undertake street tree maintenance work and charge abutting property owners when an adjacent owner fails to maintain adjacent street trees and required landscaping;

3. Require the installation of auto-irrigation systems (if not installed already) when a property undergoes new construction;
4. Implement fees in lieu of planting street trees in limited circumstances;
5. Emphasize and clarify regulations to protect trees during construction of new or renovated buildings; and,
6. Create a new incentive-based tree retention City Utility Bill Credit Program.

The PLANT Ordinance will also enact a new Chapter 13.14 – Credit for Private Tree Retention – which implements utilities incentives by establishing the program parameters from qualifications to periodic review and program expiration.

SEPA Status: A SEPA Determination has not yet been issued for this non-project action; a DNS is anticipated. A SEPA Checklist and project documents are on the project webpage: <https://my.spokanecity.org/projects/protecting-leaves-and-adding-new-trees-plant-ordinance/>

Legislative Process: An initial Plan Commission Workshop was held on August 14th to introduce the Commission to proposed amendments. A second Plan Commission Workshop is scheduled for September 25, 2019. A Plan Commission Public Hearing is tentatively scheduled for October 23, 2019. City Council action will occur this fall/winter, 2019.

More information: Any person may call for additional information and/or sign up to receive email updates on this project by sending an email to Giacobbe Byrd. Contact Person: Giacobbe Byrd, Legislative Assistant, gbyrd@spokanecity.org, 509-625-6715. A current draft, information about scheduled public meetings and additional documents may be viewed on the Project Page: <https://my.spokanecity.org/projects/protecting-leaves-and-adding-new-trees-plant-ordinance/>

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*.

NOTICE OF REPUBLICATION

Ordinance C35789 was passed by City Council on August 26, 2019, and was previously published on September 4, 2019 (Volume 107 Issue 36, of the *Official Gazette*). On September 12, 2019, a veto message was received from Mayor Condon. Subsequently on September 16, 2019 the veto was overridden by City Council upon a unanimous vote. The ordinance is being republished along with Mayor's veto message in this issue (Volume 108, Issue 39) of the *Official Gazette*.

ORDINANCE NO. C35789

An ordinance regulating the practice of loaning city employees and property to other entities; enacting new chapters 03.13 and 12.12 of the Spokane Municipal Code.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is enacted a new chapter 03.13 of the Spokane Municipal Code is amended to read as follows:

Chapter 03.13 Loaned Employees

Section 03.13.010 Purpose and Intent

- A. This chapter is intended to provide guidance for any loan of employees of the City of Spokane to other agencies, for any purpose.
- B. The City of Spokane encourages intergovernmental cooperation, information sharing, and collaborative projects. Except as otherwise provided in this chapter, nothing in this chapter limits City employees' ability to communicate with their peers from other public agencies, participate in meetings with other public agencies on projects or programs of interest to the City, work on projects or programs jointly-sponsored with other public agencies, participate in law enforcement task forces that involve other public agencies, or perform work in the exercise of professional courtesy or incidental service to other public agencies.

Section 03.13.020 Definitions

- A. "Borrowing entity" means any entity, whether a public agency, nonprofit corporation, or for-profit corporation, that receives the direct benefit of services of an employee loaned to it by the City of Spokane.

- B. "Loaned employee" means a regular City of Spokane employee who is assigned to perform specific work for the direct benefit of an entity other than the City of Spokane for twenty-five percent (25%) or more of their regular weekly working hours.
- C. "Public agency" means the state of Washington, a county, municipal corporation, public development authority, special taxing authority, or federally-recognized Indian tribe.

Section 03.13.030 Authority for Loan of City Employees

- A. The City of Spokane has the authority to loan City employees to another entity as part of its responsibilities to provide governmental services either in its own right or as part of a joint undertaking.
- B. As part of the City Council's duty and authority to adopt the annual budget for the City of Spokane, the City Council approves the use of City funds for personnel salaries and benefits under Section 26 of the City Charter and RCW 35.32A.050. The annual City budget authorizes City expenditures for employees to provide services to the City of Spokane, and not to other entities, except as provided in this chapter.

Section 03.13.040 Written Agreement Required for Loan of Employee; Mandatory Terms

- A. With the exception of law enforcement task forces, any loan of a City employee must be accompanied and governed by a written agreement, which must be approved by the City Council prior to the start of any work to be performed by a loaned City employee.
- B. Agreements providing for the loan of City employees shall specify, at a minimum, the following terms of the employee loan:
 - 1. The duration of the loan, which shall not exceed one 180-day period, unless otherwise extended;
 - 2. The activities the loaned employee will conduct for the direct benefit of the borrowing entity and the approximate number of hours each week which those activities shall require;
 - 3. the name of the person who will supervise work the loaned employee will undertake for the direct benefit of the borrowing entity;
 - 4. that the borrowing entity shall, each month during the duration of the employee loan, pay to the City an hourly fee based on the number of hours actually worked by the loaned employee for the direct benefit of the borrowing entity, reflecting the total cost of the loaned employee's regular compensation;
 - 5. That the borrowing entity shall keep and maintain a daily time report showing the hours worked by the loaned employee for the direct benefit of the borrowing entity
 - 6. That neither the City of Spokane, nor the loaned employee, shall have any obligation to pay for or provide any training, travel, use of a city vehicle, or any equipment the loaned employee requires in order to carry out the duties required for the direct benefit of the borrowing entity under the agreement, which costs shall be the sole responsibility of the borrowing entity;
 - 7. The agreement shall specify that during the term of the employee loan, the employee remains a regular employee of the City of Spokane for all purposes other than the specific work to be done for the direct benefit of the borrowing entity including, without limitation, collective bargaining, worker's compensation, vacation and leave accrual, and employee benefits; and
 - 8. standard dispute resolution provisions and all other provisions required by federal, state, or local law.
- C. The City Council may, by resolution, waive any of the provisions of SMC 03.13.040(B)(1)-(6).

Section 03.13.050 Emergencies

The Police and Fire Departments may, in response to emergency situations including, without limitation, statewide mobilizations, loan City employees under the following conditions:

- A. Notification, within a reasonable period of time, to the City Council of the existence of the emergency condition and the intent to loan City employees in response to the emergency is required;
- B. Emergency loans shall extend for no longer than fifteen (15) calendar days; and
- C. If the emergency need for the loan of City employees persists for longer than fifteen (15) calendar days, City Council approval is required for the extended loan period.

Section 2. That there is enacted a new chapter 12.12 of the Spokane Municipal Code to read as follows:

Chapter 12.12 Loan of City Property and Equipment

Section 12.12.010 Purpose and Intent

This chapter is intended to provide guidance for any loan of City property or equipment to another entity, for any purpose.

Section 12.12.020 Definitions

- A. "Borrowing entity" means any entity, whether a public agency, nonprofit corporation, or for-profit corporation, that receives the direct benefit or use of property or equipment loaned to it by the City of Spokane.
- B. "Loaned equipment" or "loaned property" personal property of the City of Spokane which is loaned to a borrowing entity while remaining the property of the City of Spokane. "Loaned equipment" or "loaned property" shall not apply to property or equipment purchased for use by jointly sponsored units or property or equipment which has a value less than \$5,000.
- C. "Public agency" means the state of Washington, a county, municipal corporation, public development authority, special taxing authority, or federally-recognized Indian tribe.

Section 12.12.030 Authority for Loan of City Property or Equipment

The City of Spokane has the authority to loan City property or equipment to another entity as part of its responsibilities to provide governmental services, either on its own or as part of a joint undertaking.

Section 12.12.040 Written Agreement Required; Mandatory Terms

- A. Any loan of City property or equipment must be by written agreement, which must be approved by the City Council prior to the start of any loan of City property or equipment.
- B. Agreements providing for the loan of City property or equipment shall specify, at a minimum, the following:
 - 1. The intended or anticipated duration of the loan, which, with the exception of written leases of City-owned real property, shall not exceed 180 calendar days, unless otherwise extended;
 - 2. The purpose(s) of the loan of City property or equipment;
 - 3. The name of the person responsible for the borrowing entity's care and maintenance of the loaned City property or equipment;
 - 4. That the borrowing entity shall pay to the City, at regular intervals throughout the loan period, a reasonable rental or lease rate, based upon fair market value, throughout the duration of the lease of the City property or equipment;
 - 5. That the borrowing entity shall, during the loan period, have the sole responsibility to repair any damages to the loaned property or equipment caused by the borrowing entity, reasonable wear and tear excepted;
 - 6. That during the loan period, the property or equipment remains the property of the City of Spokane, and the property shall be returned to the City in good and serviceable condition at the end of the loan period; and
 - 7. standard dispute resolution provisions and any other provisions required by federal, state, or local law.
- C. The City Council may, by resolution, waive any of the provisions of SMC 03.13.040(B)(1)-(6).

Section 12.12.050 Emergencies

The Police and Fire Departments may, in response to emergency situations including without limitation statewide mobilizations, loan City property or equipment under the following conditions:

- A. Notification, within a reasonable period of time, to the City Council of the existence of the emergency condition and the intent to loan City property or equipment in response to the emergency is required;
- B. Emergency loans of City property or equipment shall extend for no longer than fifteen (15) calendar days; and
- C. If the emergency need for the loan of City property or equipment persists for longer than fifteen (15) calendar days, City Council approval is required for the extended loan period.

Passed by City Council August 26, 2019

Delivered to Mayor September 3, 2019

Vetoed by Mayor Condon on September 12, 2019

Council override of Mayoral Veto on September 16, 2019



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CITY CLERK'S OFFICE

Mayor David A. Condon

September 12, 2019

Spokane City Council
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Dear City Council President Stackart and Council Members,

I am writing to inform you that I am vetoing Ordinance C35789 relating to the practice of loaning City employees and property to other government agencies. While the purpose and intent of the Ordinance states that the City encourages intergovernmental cooperation, the reality is that the Ordinance effectively stifles all ability to loan our employees' expertise and equipment to the advancement of our City in a meaningful way and is prohibited under the City Charter Article IV, Section 22.

Our Joint Administration-Council Strategic Plan, which was developed in collaboration, is the guide we should be following. In order to be One Spokane, we decided where to focus our time and make our investments – urban experience, safe and healthy communities, innovative infrastructure, and sustainable resources. These goals were put in place because we recognized that when we work together, Spokane is safer, smarter, and healthier. Ordinance C35789 strays from our strategic plan, and in this case, actively works against our stated goal to work collaboratively with regional partners, specifically in areas of criminal justice reform, economic development in our PDAs, and recreationally in our river trail systems.

Regional collaboration with the strong partners we have is essential to continuing our vitality. Prohibiting the loaning of City employees and equipment to other entities unless a myriad of rules are followed sends the message to our partners that their local government at best is uncooperative, and at worst completely off limits. On the contrary, we should embrace collaboration, letting our talented employees easily work with regional agencies to drive innovation and growth. And once again, the Ordinance ignores City Charter Section 22, which explicitly states that "neither the council president, the city council, nor any member thereof shall give orders to any subordinate of the City under the jurisdiction of the mayor, either publicly or privately."

While I appreciate the Council's effort to codify the practice of loaning employees to other agencies, the extensive barriers put in place are not reasonable. We need to work together to build Spokane as the City of Choice.

Sincerely,

A handwritten signature in blue ink that reads "David A. Condon".

David A. Condon
Mayor

The City of Choice

808 W. Spokane Falls Blvd. • Spokane, Washington 99201-3535
Phone: 509.625.6250 FAX: 509.625.6563

ORDINANCE NO. C35807

An ordinance relating to historic preservation procedures; amending SMC sections 17D.100.040, 17D.100.080, 17D.100.100, 17D.100.200, 17D.100.210, 17G.050.310 and 17G.060.070, adopting new SMC sections 17D.100.025, 17D.100.215, and 17D.100.330 and repealing SMC 11.19.270.

WHEREAS, the City and Spokane County find that the establishment of a landmarks commission with specific duties to recognize, protect, enhance and preserve those buildings, districts, objects, sites and structures which serve as visible reminders of the historical, archaeological, architectural, educational and cultural heritage of the City and County is a public necessity; and

WHEREAS, the City Council adopted Ordinance No. C-35580 on February 12, 2018 whereby the City Council recodified the City's Historic Preservation Ordinance, part of which included the process for the formation of local historic districts; and

WHEREAS, in processing the recent application for the adoption of the Browne's Addition Local Historic District, staff from the Historic Preservation Office, the Planning and Development Services and the Legal Department compiled proposed amendments to the procedures relating to historic preservation contained in Title 17D and Title 17G, which are contained in this ordinance;

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That there is adopted a new section 17D.100.025 to Chapter 17D.100 SMC to read as follows:

Section 17D.100.025 Compatibility of Historic Standards with Title 17 Development Standards

- A. All property designated by the City as a historic landmark or that is located within a historic district that has been designated by the City pursuant to this chapter, shall be subject to all of the controls, standards, and procedures set forth in Title 17 SMC, including those contained in this chapter, applicable to the area in which it is presently located, and the owners of the property shall comply with the mandates of this Title 17 SMC in addition to all other applicable Spokane Municipal Code requirements for the area in which such property is located. In the event of a conflict between the application of this chapter and other codes and ordinances of the City, the more restrictive shall govern, except where otherwise indicated.
- B. Coordination with Underlying Zoning. In certain cases, application of the development standards, including those for height, bulk, scale, and setbacks, may conflict with historic preservation standards or criteria and result in adverse effects to historic landmarks or properties located in historic districts. In such cases, properties subject to design review and approval by the Landmarks Commission shall be exempted from the standards that conflict with the Landmarks Commission's application of the historic preservation standards adopted in this chapter. The issuance of a certificate of appropriateness for final design by the Landmarks Commission shall include specific references to any conflicts between the historic standards and those in Title 17 SMC generally, and specifically request the appropriate exemptions.

Section 2. That SMC 17D.100.040 is amended to read as follows:

Section 17D.100.040 Procedure - Preliminary Designation

- A. Public hearings of the commission are publicly advertised. Staff causes notice, containing the time, place and date of the hearing and a description of the location of the property in nonlegal language, to be mailed to all property owners of record, and in the case of a proposed historic district, to the owners of property within the proposed historic district, by publication in a newspaper of general circulation, and to be advertised in the legal newspaper of the board or council, as appropriate, at least thirty (30) days prior to the hearing. For proposed historic districts, ((No--))no later than thirty (30) days prior to the hearing, staff shall cause the posting of a sign containing the notice provisions of this section to be posted ((at the property, or in the case of district,--))at a central location within the proposed district.
- B. At a publicly advertised hearing, the commission takes testimony concerning the nomination and formulates a recommendation as to the designation. The commission may decide to:
 - 1. recommend approval of designation of the property or district to the council or board as appropriate; or
 - 2. recommend denial of designation of the property or district to the council or board as appropriate; or
 - 3. defer the consideration of the nomination to a continued public hearing, if necessary.

Section 3. That SMC 17D.100.080 is amended to read as follows:

Section 17D.100.080 Procedure - Appeal of Preliminary Designation

- A. The commission's recommendation may be appealed to the Hearing Examiner pursuant to SMC 17G.050.310 by filing with an appeal with the Hearing Examiner's office with a copy to the HPO.
- B. An appeal may only be filed (i) by an owner of record whose property is the subject of the preliminary designation decision or, (ii) in the case of historic district designations, on petition of at least 25% of the owners of property located within the proposed historic district.
- C. An appeal filed under this section may only be accepted if it is filed within ~~((thirty (30)))~~ fourteen (14) days of the execution of the findings of fact set forth in SMC 17D.100.050.
- D. An appeal filed under this section must state the grounds upon which the appeal is based, such as procedural irregularities or a clear error of law.
- E. Appeals filed pursuant to this section are reviewed by the Hearing Examiner on a closed record; that is, in rendering a decision, the Hearing Examiner may only take into consideration the written record of the commission's deliberations, factual findings, and preliminary designation. No additional evidence shall be considered by the Hearing Examiner on appeal.
- F. The Hearing Examiner may either affirm the preliminary designation or remand the matter to the commission for further proceedings.

Section 4. That SMC 17D.100.100 is amended to read as follows:

Section 17D.100.100 Property Management and Design Standards – Agreement

- A. In the case of individual properties, in order for the preliminary designation to become final and the property to be designated as an historic landmark, the owner(s) must enter into appropriate management standards as recommended by the commission for the property under consideration. If the owner does not enter into a management agreement, the preliminary designation does not become final and the property is not listed on the Spokane historic register.
- B. In the case of a historic district, ~~((The-))~~the proposed ~~((management and-))~~design standards and guidelines shall only be effective if a majority of the owners of properties located within the boundaries of the proposed historic district sign a petition, on a form prescribed by the HPO, seeking the formation of the proposed historic district, under the management standards applicable to the district as a whole, within the sixty (60) day consideration period. Following the expiration of the sixty (60) day consideration period, the HPO shall report to the commission concerning the number of properties within the proposed district and the number of signatures contained on the petition. If the HPO determines that the petition contains the requisite number of signatures, the commission shall set the property management and design standards for the district. For purposes of this requirement, "owners of property" includes owners of units within a condominium association.
- C. If the commission finds that both the requisite number of signatures are present on the petition and that the ~~((property management and-))~~design standards and guidelines should be set for the district, the historic district shall be designated as such on the official City zoning map by the use of an historic district overlay zone. The Commission shall, pursuant to SMC 17D.100.050, forward its findings to the City Council for adoption of the appropriate legislation to adopt the historic district overlay zone as part of the official zoning map. Non-contributing resources within the overlay zone are subject to administrative ~~((and-))~~or commission review for significant alterations and demolition, including the resulting replacement structures, consistent with the requirements of the design standards and guidelines. No less than every five (5) years, the commission shall review and consider amendments to the design standards and guidelines for each district established under this section and forward its findings and recommendations to the City Council for adoption.
- D. The property management agreement for individual properties and the design standards and guidelines for historic districts are not applicable to the public right of way.
- E. Local historic district design standards and guidelines are intended to provide guidance for decision making by both the property owner when undertaking work within a local historic district and the historic preservation officer and commission when issuing certificates of appropriateness in the district. Local historic district design standards and guidelines are not development regulations but are instead used to assist the HPO and commission making decisions in accordance with the Secretary of Interior's Standards for Rehabilitation. Final decisions of the HPO or the commission are based on the Secretary of Interior Standards for Rehabilitation

(Department of Interior regulations, 36 CFR 67). The Standards for Rehabilitation pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards for Rehabilitation are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

Section 5. That SMC 17D.100.200 is amended to read as follows:

Section 17D.100.200 Certificates of Appropriateness - When Required

- A. A certificate of appropriateness is required prior to the issuance of any permit for the following activities:
1. Demolition of a Spokane Register historic landmark or a contributing resource located within an historic district (National or Spokane Register);
 2. Relocation of an historic landmark or a contributing resource located within an historic district;
 3. any work that affects the exterior appearance of an historic landmark;
 4. any work that significantly affects the street-facing façade of a building located within an historic district; and
 5. development or new construction located within the designated boundaries of an historic district.
 6. The HPO may administratively approve certificate of appropriateness applications for non-contributing resources within historic districts in consultation with the Design Review Committee of the Commission.
- B. ~~((The HPO may exempt ordinary repairs and maintenance from the permit requirements of this section if the work does not involve a change in design, material or exterior treatment or otherwise affect the exterior appearance.))~~
Exemptions. The following activities do not require a certificate of appropriateness or review by the HPO or the Commission.
1. Ordinary repair and maintenance activities, including emergency measures, which do not affect significant historic features.
 2. Ordinary repairs and maintenance which do not alter the appearance of a significant feature and do not utilize substitute materials.
 3. Repairs to or replacement of utility systems if such work does not alter a significant feature.
- C. Table 17D.100-1 sets forth the list of the types of work that are reviewed by the full commission, types of work that can be approved administratively and types of work that are exempt from the requirement of a certificate of appropriateness.

Section 6. That SMC 17D.100.210 is amended to read as follows:

Section 17D.100.210 Certificates of Appropriateness – Procedure

- A. Any application for an action which requires a certificate of appropriateness under this chapter or which may be within the scope of agreed management standards under this chapter must meet minimum submittal requirements established by the HPO. Prior to taking action on the application, the official responsible for processing the application shall request review of the action by the commission. For non-contributing resources within a local register historic district, an administrative approval may be considered.
- B. The requests for review and issuance of a certificate of appropriateness and any supplemental information shall be transmitted by the HPO to the commission, the property owner or applicant, the neighborhood council where the property is located and interested parties of record at least fourteen (14) days prior to the next scheduled meeting of the commission. The review of requests for certificate of appropriateness which may be approved by the HPO are deemed to be ministerial permits. The HPO shall issue the administrative decision within fourteen (14) days after receipt of the application. The review of requests for certificates of appropriateness which are approved by the landmarks commission are subject to the timeline and procedures contained in this section.
- C. At its next scheduled meeting, the commission reviews the request and decides whether to issue a certificate of appropriateness. The commission transmits its findings to the property owner or applicant, the neighborhood council and interested parties of record. If the commission is unable to process the request, the commission may extend the time for its determination.
- D. The commission reviews the request for certificates of appropriateness under the following procedure:
1. The applicant for a certificate of appropriateness must provide to the commission drawings of the proposed work, photographs of the existing building or structure and adjacent properties, information about the building materials to be used, and any other information requested by the HPO or commission.
 2. In making a decision on an application, the commission uses the Secretary of the Interior's Standards for Rehabilitation, historic district design standards and other general guidelines established and adopted by the commission. In adopting and using standards, the commission does not limit new construction to any one architectural style but seeks to preserve the character and integrity of the landmark or the historic district through contemporary compatible designs.

- ((4))3. The HPO reviews each application, certifies it complete and, within seven (7) days of certification, causes notice of application to be provided to the property owner or applicant, the neighborhood council and interested parties of record. The notice of application shall be provided electronically to the e-mail on record or by mail if there is no e-mail address. After the notice of application has been given, a public comment period is provided until the commission closes the public comment period upon completion of the public hearing. The purpose of the public comment period is to provide the opportunity for public review and comment on the application. Comments on the application will be accepted at or any time prior to the closing of the record of the open-record public hearing.
- ((2))4. ~~((At the close of the public comment period, the HPO consults with the commission regarding a date and time for public hearing.))~~At least ~~((fifteen (15)))~~fourteen (14) days prior to the public hearing, the officer causes notice of hearing to be provided, which shall consist of notification to the property owner or applicant and interested parties of record of the date and time of the public hearing before the commission.
- ((3))5. Commission review.
- a. The HPO makes a written report regarding the application to the commission, ensures that the application is sent to appropriate other City departments, coordinates their review of the application and assembles their comments and remarks for inclusion in the report to the commission as appropriate. The report of the HPO contains a description of the proposal, a summary of the pertinent Secretary of the Interior's Standards for Rehabilitation, findings and conclusions relating to those standards and a recommendation. If the recommendation is for approval with conditions, the report also identifies appropriate conditions of approval. At least ten (10) days prior to the scheduled public hearing, the report is filed with the commission as appropriate and copies are mailed to the applicant and the applicant's representative. Copies of the report are also made available to any interested person for the cost of reproduction. If a report is not made available as provided in this subsection, commission may reschedule or continue the hearing, or make a decision without regard to any report.
 - b. The commission makes a decision regarding the application within ten (10) days of the date the record regarding the application is closed. The time for decision may be extended if the applicant agrees. In making the decision, the commission may approve, approve with conditions, or deny the permit application. The decision is in writing.
- ((4))6. Within seven (7) days of making the decision, the permit authority causes a notice of decision to be provided to the property owner or applicant, the neighborhood council and interested parties of record.
~~((5. The applicant for a certificate of appropriateness must provide to the commission drawings of the proposed work, photographs of the existing building or structure and adjacent properties, information about the building materials to be used, and any other information requested by the HPO or commission.~~
 6. In making a decision on an application, the commission uses the Secretary of the Interior's Standards for Rehabilitation, historic district design standards and other general guidelines established and adopted by the commission. In adopting and using standards, the commission does not limit new construction to any one architectural style but seeks to preserve the character and integrity of the landmark or the historic district through contemporary compatible designs.))

Section 7. That there is adopted a new section 17D.100.215 to Chapter 17D.100 SMC to read as follows:

Section 17D.100.215 Vesting Project Permits

A complete application for a project permit that is entitled to vesting under Washington law and that is subject to a certificate of appropriateness shall be considered under the land use codes and other land use control ordinances in effect on the date a complete application for a certificate of appropriateness as set forth in chapter 17D.100 SMC is submitted to the HPO, provided that a complete project permit application is filed within one hundred eighty days of the landmark commission's final decision.

Section 8. That there is adopted a new section 17D.100.330 to Chapter 17D.100 SMC to read as follows:

Section 17D.100.330 Project Permit Exclusion

Pursuant to RCW 36.70B.140, and subject to SMC 17D.100.025, the City Council finds that the certificates of appropriateness required under this chapter warrant a review process different from that provided in RCW 36.70B.060 through 36.70B.080 and 36.70B.110 through 36.70B.130 and Chapter 17G.060 SMC, and hereby excludes such certificates of appropriateness from the review processes provided for therein.

Section 9. That SMC 17G.050.310 is amended to read as follows:

Section 17G.050.310 Right of Appeal

- A. The applicant or a person with standing as defined in chapter 17A.020 SMC may appeal to the hearing examiner a decision of the director of planning services, engineering services, the building official, the responsible official

under SEPA as provided in SMC 17G.060.210 and the landmarks commission related to applications for certificate of appropriateness and determination of eligibility under Chapter 17D.100 SMC ((17D.040.230-)) by filing with the permit application department a written appeal within fourteen days of the date of the written decision. For purposes of this section, the neighborhood council in which the property to which the decision being appealed is located shall have standing, subject to the neighborhood council demonstrating that it adhered to established bylaws in making the decision to bring the appeal.

- B. The applicant, a person with standing, or a City department may appeal decisions of the hearing examiner as provided in SMC 17G.060.210.

Section 10. That SMC 17G.060.070 is amended to read as follows:

Section 17G.060.070 Application Requirements

- A. Application requirements for Type I, II, and III project permit applications shall contain the following:
1. Predevelopment meeting summary as provided in SMC 17G.060.050(B), if required in Table 17G.060-3.
 2. Application documents provided by the department specifically including:
 - a. General application;
 - b. Supplemental application;
 - c. Environmental checklist, if required under chapter 17E.050 SMC;
 - d. Filing fees as required under chapter 8.02 SMC;
 - e. A site plan drawn to scale showing:
 - i. property dimensions;
 - ii. location and dimensions of all existing and proposed physical improvements;
 - iii. location and type of landscaping;
 - iv. walkways and pedestrian areas;
 - v. off-street parking areas and access drives;
 - vi. refuse facilities; and
 - vii. significant natural features, such as slopes, trees, rock outcrops including critical areas.
 - f. Required number of documents, plans, or maps (as set forth in the application checklist);
 - g. Written narrative identifying consistency with the applicable policies, regulations, and criteria for approval of the permit requested;
 - h. Other plans, such as building elevations, landscaping plans, or sign plans, which are determined by the permitting department to be necessary to support the application; and
 - i. Additional application information may be requested by the permitting department and may include, but is not limited to, the following:
 - i. geotechnical studies,
 - ii. hydrologic studies,
 - iii. critical area studies,
 - iv. noise studies,
 - v. air quality studies,
 - vi. visual analysis, and
 - vii. transportation impact studies.
 3. A certificate of appropriateness if required by chapter 17D.100 SMC.
- B. The following Type II and III applications shall meet the requirements in this subsection in addition to the provisions of subsection (A) of this section:
1. Shoreline – Substantial Development Permit, Conditional Use Permit and Variance.
 - a. Name, address, and phone number of the applicant. The applicant should be the owner of the property or the primary proponent of the project and not the representative of the owner or primary proponent.
 - b. Name, address, and phone number of the applicant's representative if other than the applicant.
 - c. Name, address, and phone number of the property owner, if other than the applicant.
 - d. Location of the property. This shall, at a minimum, include the property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute.
 - e. Identification of the name of the shoreline (water body) with which the site of the proposal is associated.
 - f. General description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project.
 - g. General description of the property as it now exists, including its physical characteristics and improvements and structures.
 - h. General description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics.
 - i. A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to depict clearly all required information, photographs and text which shall include:

- i. the boundary of the parcels(s) of land upon which the development is proposed;
 - ii. the ordinary high-water mark of all water bodies located adjacent to or within the boundary of the project. This may be an approximate location, provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high-water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan. Where the ordinary high-water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high-water mark of a shoreline;
 - iii. existing and proposed land contours. The contours shall be at intervals sufficient to accurately determine the existing character of the property and the extent of proposed change to the land that is necessary for the development. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area;
 - iv. a delineation of all wetland areas that will be altered or used as a part of the development;
 - v. the dimensions and locations of all existing and proposed structures and improvements, including but not limited to: buildings, paved or graveled areas, roads, utilities, material stockpiles or surcharge, and stormwater management facilities;
 - vi. an inventory of the existing vegetation on the proposed project site, including the location, type, size, and condition, pursuant to SMC 17E.060.240, Shoreline Vegetation Inventory;
 - vii. a landscape plan prepared and stamped by a licensed landscape architect, registered in the state of Washington;
 - viii. where applicable, plans for development of areas on or off the site as mitigation for impacts associated with the proposed project shall be included;
 - ix. quality, source and composition of any fill material that is placed on the site, whether temporary or permanent;
 - x. quantity, composition and destination of any excavated or dredged material;
 - xi. vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments, and uses on adjacent properties;
 - xii. where applicable, a depiction of the impacts to views from existing residential uses;
 - xiii. on all variance applications, the plans shall clearly indicate where development could occur without the approval of a variance, the physical features and circumstances of the property that provide a basis for the request, and the location of adjacent structures and uses.
2. Certificate of Compliance.
 - a. Site plan is to be prepared by a licensed surveyor; and
 - b. Copies of building permits or other data necessary to demonstrate the building was erected in good faith and all reasonable efforts comply with the code.
3. Plans-in-lieu of Compliance.
 - a. Alternative development plan designed in conformance with the applicable development regulations; and
 - b. A written narrative of how the proposed development plan is superior, or more innovative, or provides greater public benefit.
4. Preliminary Plat, Short Plat, and Binding Site Plan. As provided in chapter 17G.080 SMC.
5. PUD.
 - a. Profiles of any structures more than one story, shown in relation to finished grade.
 - b. Location, dimension, and boundary of proposed open space.
 - c. Site plan demonstrating compliance with chapter 11.19 SMC including signs, off-street parking, structure height, building coverage, yards, density, screening, buffering, and lighting.
6. Skywalk.
 - a. A legal description of airspace to be occupied.
 - b. Architectural and engineering plans.
 - c. Artist's rendering of the proposed skywalk; and
 - d. Written narrative of the access for the public from the street, other buildings, and other skywalks.
7. Floodplain – Floodplain Development Permit and Variance. As provided in chapter 17E.030 SMC.

Section 11. That SMC 11.19.270 is repealed.

Passed by City Council September 16, 2019
Delivered to Mayor September 23, 2019

ORDINANCE NO. C35811

An ordinance relating to transportation impact fees; amending sections 17D.075.020, 17D.075.040, 17D.075.070, 17D.075.100, 17D.075.110, 17D.075.140, 17D.075.180, 17D.075.190, 17D.075.200, and 17D.075.210 of the Spokane Municipal Code.

WHEREAS, the City Council adopted Ordinance No. C34673, implementing the transportation impact fees authorized by Chapter 82.02 RCW, establishing transportation impact fee service areas, project lists, and adopting transportation impact fee schedules, all of which is codified in Chapter 17D.075 of the Spokane Municipal Code (SMC); and

WHEREAS, since that time, the City has annexed a large portion of an area commonly referred to as the West Plains; and

WHEREAS, a large portion of the West Plains annexation area is comprised of land that is owned jointly by the City and County of Spokane, but under the management and control of the Spokane Airport Board pursuant to interlocal agreement and Chapter 14.08 RCW; and

WHEREAS, Chapter 14.08 RCW anticipates that jointly controlled and operated airports will be under the exclusive jurisdiction and control of the municipalities operating the airports and will enjoy a certain level of autonomy, and for this reason the City Council finds that land under the management and control of the Spokane Airport Board shall not be included within West Plains Service Area as established by this Ordinance; and

WHEREAS, the West Plains (minus the land area that is under the control of the Spokane Airport Board) is a geographic area defined by the City on the basis of sound planning and engineering principles in which a defined set of public facilities are needed to provide service to development within the area; and

WHEREAS, the City's annexation of the West Plains created the need to establish a new West Plains impact fee service area to ensure that the impact fees assessed on new growth and development in that area are proportionate to and reasonably related to the service area-wide need for new transportation improvements created by the development; and

WHEREAS, SMC 17D.075.140 anticipates periodic review and updates to the project lists and fee schedules, and further anticipates the formation of an impact fee advisory board consisting of various community representatives; and

WHEREAS, consistent with SMC 17D.075.140, the City established an impact fee advisory board consisting of various community representatives; and

WHEREAS, the impact fee advisory board informally agreed on a set of recommended updates to Chapter 17D.075 SMC relating particularly to the addition of the West Plains impact fee service area, and updated project lists and fee schedules; and

WHEREAS, the updated impact fee schedules have been prepared to reflect the estimated cost of the projects included in the updated Impact Fee Project List (the "Updated Impact Fee Rate Schedule"); and

WHEREAS, on or about February 14, 2018, following a public process involving a number of public workshops and a public hearing, a majority of the City of Spokane Plan Commission voted to recommend approval of an ordinance amending Chapter 17D.075 SMC relating to (i) the updated Impact Fee Project List; (ii) the Updated Impact Fee Rate Schedule; and (iii) adding the West Plains service district; and

WHEREAS, in making its recommendation, the Plan Commission found that, pursuant to the Amended Transportation Impact Fee Ordinance, the impact fee(s) assessed a specific development will be proportionate to and reasonably related to the service area-wide need for new transportation improvements created by the development; and

WHEREAS, the Plan Commission further found that every land use benefits from a smoothly functioning transportation system with adequate capacity; and

WHEREAS, in connection with the original Impact Fee Ordinance, the responsible official issued a Determination of Nonsignificance, dated March 27, 2008 ("DNS"); and

WHEREAS, pursuant to WAC 197-11-800, this update to Chapter 17D.075 SMC is categorically exempt from the threshold determination and environmental impact statement requirements under Chapter 43.21C RCW (SEPA); and

WHEREAS, Chapter 17D.075 SMC, as amended by this Ordinance, is consistent with the City's Comprehensive Plan which, in CFU 2.4, recognizes impact fees as a possible mechanism to fund capital improvements so new growth and development activity that has an impact upon public facilities pays a proportionate share of the cost of facilities that reasonably benefit the development; and

WHEREAS, the Comprehensive Plan and the entire record relative to the adoption of Chapter 17D.075 SMC and this update are incorporated into this Ordinance by reference; and

WHEREAS, the City has complied with RCW 36.70A.370 in adopting this Ordinance; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this Ordinance.

NOW, THEREFORE, The City of Spokane does ordain:

Section 1. That section 17D.075.020 of the Spokane Municipal Code is amended to read as follows:

Section 17D.075.020 Definitions

As used in this chapter, the following words and terms shall have the following meanings unless the context clearly requires otherwise. Terms otherwise not defined herein shall be defined pursuant to RCW 82.02.090, or given their usual and customary meaning.

- A. "Accessory dwelling unit" means a dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for cooking, eating, sanitation, and sleeping.
- B. "Act" means the Growth Management Act, as codified in chapter 36.70A RCW, as now in existence or as hereafter amended.
- C. "Applicant" means the owner of real property according to the records of the Spokane County, or the applicant's authorized agent.
- D. "Baseline study" means the 2008 transportation baseline study that has been developed by HDR Engineering and Planning, City Project No. 2005155.
- E. "Building permit" means the official document or certification that is issued by the building department and that authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, tenant improvement, demolition, moving or repair of a building or structure.
- F. "Capital facilities" means the facilities or improvements included in the capital facilities plan.
- G. "Capital facilities plan" means the capital facilities plan element of the City's comprehensive plan adopted pursuant to chapter 36.70A RCW, as amended from time to time.
- H. "Certificate of occupancy" means the term as defined in the International Building Code. In the case of a change in use or occupancy of an existing building or structure which may not require a building permit, the term shall specifically include certificate of occupancy and for residential development the final inspection, as those permits are defined or required by this code.
- I. "City" means the City of Spokane.
- J. "City council" means the city council of the City of Spokane.
- K. "Comprehensive plan" means the City of Spokane comprehensive plan adopted pursuant to chapter 46.70A RCW, as amended from time to time.
- L. "Complete street" means a landscaped, tree-lined street corridor designed for multiple modes of transportation, consistent with SMC 17C.124.035. Complete streets balance the various needs of pedestrian and vehicular use. Some include bicycle and transit improvements as well. Pedestrian amenities on Complete streets may include street furniture, decorative lighting, wide sidewalks with curb extensions (bulb-outs) at street corners, decorative crosswalks, public art, outdoor restaurants, plazas, and improved sidewalk-building interfaces (e.g., awnings, street-oriented retail activity).
- M. "Concurrent" or "concurrency" means that the public facilities are in place at the time the impacts of development occur, or that the necessary financial commitments are in place, which shall include the impacts fees anticipated to be generated by the development, to complete the public facilities necessary to meet the specified standards of service defined in the comprehensive plan within six years of the time the impacts of development occur.
- N. "Department" means the department of engineering services.

- O. "Development activity" means any construction or expansion of a building, structure, or use, or any change in use of a building or structure, or any changes in the use of land, that creates additional demand and need for public facilities.
- P. "Development approval" means any written authorization from the City that authorizes the commencement of development activity.
- Q. "Director" means the director of engineering services, or the director's designee.
- R. "Dwelling unit" means a single unit providing complete and independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation needs.
- S. "Encumbered" means to have reserved, set aside or otherwise earmarked the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.
- T. "Feepayer" is a person, corporation, partnership, an incorporated association, or any other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a land development activity that creates the demand for additional public facilities, and which requires the issuance of a building permit. "Feepayer" includes an applicant for an impact fee credit.
- U. "Gross floor area" is the total square footage of all floors in a structure as defined in chapter 17A.020 SMC.
- V. "Hearing examiner" means the person who exercises the authority of chapter 17G.050 SMC.
- W. "Impact fee" means a payment of money imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the public facilities, and that is used for facilities that reasonably benefit the new development. "Impact fee" does not include a reasonable permit fee, an application fee, or the cost for reviewing independent fee calculations.
- X. "Impact fee account" or "account" means the account(s) established for each service area for the system improvements for which impact fees are collected. The accounts shall be established pursuant to this chapter, and shall comply with the requirements of RCW 82.02.070.
- Y. "Independent fee calculation" means the impact fee calculation and or economic documentation prepared by a feepayer to support the assessment of an impact fee other than by the use of schedule set forth in SMC 17D.075.180, or the calculations prepared by the Director where none of the fee categories or fee amounts in the schedules in this chapter accurately describe or capture the impacts of the new development on public facilities.
- Z. "Interest" means the interest rate earned by local jurisdictions in the State of Washington local government investment pool, if not otherwise defined.
- AA. "Interlocal agreement" or "agreement" means a transportation interlocal agreement, authorized in this chapter, by and between the City and other government agencies concerning the collection and expenditure of impact fees, or any other interlocal agreement entered by and between the City and another municipality, public agency or governmental body to implement the provisions of this chapter.
- AB. "ITE manual" means Institute of Transportation Engineers (ITE) Trip Generation Manual (7th Edition), as amended from time to time.
- AC. "Owner" means the owner of real property according to the records of the Spokane County department of records and elections, provided that if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.
- AD. "Pass-by trip rates" means those rate study pass-by rates set forth in SMC 17D.075.200.
- AE. "Proportionate share" means that portion of the cost of public facility improvements that are reasonably related to the service demands and needs of new development.
- AF. "Project improvements" means site improvements and facilities that are planned and designed to provide service for a particular development and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the City's capital facilities plan shall be considered a project improvement.

- AG. "Public facilities" means publicly owned streets and roads, including related sidewalk and streetscape improvements required by the City's comprehensive plan and related development regulations.
- AH. "Rate study" means the 2007 transportation impact fee rate study, dated October 26, 2007, as updated and amended from time to time.
- AI. "Residential" means housing, such as single-family dwellings, accessory dwelling units, apartments, condominiums, mobile homes, and/or manufactured homes, intended for occupancy by one or more persons and not offering other services.
- AJ. "Square footage" means the square footage of the gross floor area of the development as defined chapter 17A.020 SMC.
- AK. "Service area" means one of the ~~((four))~~ five geographic areas defined by the City in which a defined set of public facilities provide service to development within each of the identified areas. The City has identified the service areas, based on sound planning and engineering principles. These service areas are generally referred to as the downtown service area, the northwest service area, the northeast service area, and the south service area. Maps depicting the service areas are set forth in SMC 17D.075.190 and shall also be maintained by the director in the offices of the engineering services department and shall be available for public inspection during regular business hours.
- AL. "System improvements" means public facilities included in the capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.
- AM. "Trip length adjustment factor" means the trip length adjustment factors identified in SMC 17D.075.200.

Section 2. That section 17D.075.040 of the Spokane Municipal Code is amended to read as follows:

Section 17D.075.040 Assessment of Impact Fees

- A. The City shall collect impact fees, based on the schedules in SMC 17D.075.180, or an independent fee calculation as provided for in SMC 17D.075.050, from any applicant seeking development approval from the City. The impact fees in SMC 17D.075.180 are generated from the formula for calculating impact fees set forth in the rate study, one copy of which shall be kept on file with the office of the city clerk and which is adopted and incorporated herein by reference. Except as otherwise provided in this chapter, all new development approval in the City will be charged the transportation impact fees in SMC 17D.075.180. Subject to the review provisions set forth in SMC 17D.075.140 below, the transportation impact fees in SMC 17D.075.180 will ~~((be adjusted--))~~ increase annually in the amount of 1.96% starting January 1st, 2019. ((in accordance with the Washington State department of transportation construction cost index ("CCI"), with the first such increase taking effect within two years of adoption of this chapter and with subsequent increases to coincide with the City's annual adoption of its six-year street plan, provided the impact fees shall never be reduced solely because of a decline in the CCI--)) This annual increase is based on the average of the Federal Highway Administration's National Highway Construction Cost Index for the years 2012 through 2016, and shall remain in effect until the transportation impact fee advisory board meets again. Provided further, for purposes of this chapter only, the following shall not constitute development activity:
1. Replacement of a commercial structure with a new structure of the same size and use or a residential structure with the same number of residential units, both at the same site or lot, where demolition of the prior commercial or residential structure occurred after May 2001. Replacement of a commercial structure with a new commercial structure of the same size shall be interpreted to include any structure for which the gross square footage of the building will not be increased by more than one hundred twenty square feet. It shall be the feepayer's responsibility to establish the existence of a qualifying prior use to the director's reasonable satisfaction.
 2. Expansions of existing residential structures that do not add residential dwelling units.
 3. Alteration of an existing nonresidential structure that does not expand the usable space, add any residential units, or result in a change in use.
 4. Miscellaneous improvements that do not create additional demand and need for public facilities, including, but not limited to, fences, walls, swimming pools, and signs.
 5. Demolition or moving of a structure.
 6. Re-use or change in use of existing structure.
 - a. Re-use or change in use of an existing structure that does not create additional demand and need for public facilities (*i.e.*, where the trip generation of the re-use is equal to or less than trip generation of prior use) shall not constitute development activity for purposes of this chapter.
 - b. It shall be the feepayer's responsibility to establish the existence of a qualifying prior use to the Director's reasonable satisfaction.

- c. For a change in use of an existing structure that does create additional demand and need for public facilities (*i.e.*, where the trip generation of the re-use is greater than the trip generation of the prior use), the City shall collect impact fees for the new use based on the schedules in SMC 17D.075.180, less the fees that would have been payable as a result of the prior use.
- B. The director shall be authorized to determine whether a particular development activity constitutes development activity subject to the payment of impact fees under this chapter. Determinations of the Director shall be in writing issued within fourteen days of submitting a complete application and shall be subject to the appeals procedures set forth in SMC 17D.075.090.
- C. Impact fees shall be assessed prior to the issuance of a building permit for each unit in a development, using either the impact fee schedules then in effect or an independent fee calculation, at the election of the applicant and pursuant to the requirements set forth in SMC 17D.075.050. The impact fees shall be paid at the issuance of a building permit or at the completion of construction. To defer the payment of the impact fee to the end of construction, the developer shall provide prior to issuance of a building permit a recorded "certificate of title notice" evidencing an encumbrance on the title for each parcel of land, on forms provided by the city attorney's office, recorded with the Spokane County auditor's office which requires that the impact fee be paid as part of the closing of the construction financing, transfer of title to another party or issuance of a certificate of occupancy, whichever shall first occur. For commercial development involving multiple users, impact fees shall be assessed and collected prior to issuance of building permits that authorize completion of tenant improvements for each use. Furthermore, the City shall not accept an application for a building permit unless, prior to submittal or concurrent with submittal, the feepayer submits complete applications for all other discretionary reviews needed, including, but not limited to, design review, the environmental determination, and the accompanying checklist.
- D. Applicants that have been awarded credits prior to the submittal of the complete building permit application pursuant to SMC 17D.075.070, shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the director pursuant to SMC 17D.075.070 setting forth the dollar amount of the credit awarded. Impact fees, as determined after the application of appropriate credits, shall be collected from the feepayer at the time the building permit is issued for each unit in the development.
- E. For mixed use buildings or development, impact fees shall be imposed for the proportionate share of each land use based on the applicable unit of measurement found on the schedule in SMC 17D.075.180.
- F. The department shall place a hold on permits for development approval unless and until the impact fees required by this chapter, less any permitted exemptions, credits or deductions, have been paid.

Section 3. That section 17D.075.060 of the Spokane Municipal Code is amended to read as follows:

Section 17D.075.060 Exemptions (~~[[RESERVED]]~~)

- A. The City Council finds that development of (i) manufacturing and production facilities (see SMC 17C.190.320), (ii) industrial service (see SMC 17C.190.310), (iii) warehouse and freight movement (see SMC 17C.190.340), (iv) hotels and motels, (v) office uses (see SMC 17C.190.250), and (vi) residential household living uses (see SMC 17C.190.110) within the boundaries of the Northeast Public Development Authority and the West Plains/Airport Area Public Development Authority may, in the appropriate circumstances, have broad public purposes and therefore may be exempted from the payment of impact fees within the process provided by this section. Prior to the effective date of Ordinance C35811, the City Council shall adopt by resolution such additional criteria as the City Council wishes to have applied to requests for the exemption provided for in this section.
- B. Requests for the exemptions set forth in subsection A of this Section 17D.075.060 shall be submitted to the Department on such forms as the Director may provide. The Director shall make a threshold determination whether the particular development activity described in the request for an exemption falls within the parameters of SMC 17D.075.060(A) and whether funds are available. If so, the Director shall provide a recommendation to the City Council concerning the request for an exemption, which Council may grant or deny in an open public meeting.
- C. The impact fee for an exempt development shall be calculated as provided for in this Chapter and paid with public funds other than the impact fee account. Such payment may be made by including such amount(s) in the public share of system improvements undertaken within the applicable service area.
- D. On an annual basis, simultaneous with the report required under Section 17D.075.100, the Director shall provide a report to the council regarding the exemptions approved under this Section and the status of public funds available to pay the impact fees that would have otherwise been paid by the exempted development activity.

Section 4. That section 17D.075.070 of the Spokane Municipal Code is amended to read as follows:

Section 17D.075.070 Credits

- A. A feepayer can request a credit for the total value of dedicated land or public facilities provided by the feepayer if the land and public facilities are identified as system improvements or in cases where the director, in the director's discretion, determines that such dedication of land or public facilities would serve the goals and objectives of the capital facilities plan.
- B. The city council finds that certain types of development activity (~~((including))~~ such as development with the City's center and corridor zones and housing at a density of at least fifteen (15) units per acre) (~~((is--))~~ are likely to generate fewer p.m. peak hour vehicle trips than other development activity. Consistent with this finding, a feepayer may request a partial credit for the following:
1. Development within center and corridor zones shall qualify for a partial credit of ten percent of the impact fees otherwise payable as a result of the development activity.
 2. Mixed use development which features both (~~((incorporating--))~~ an "active" first floor (e.g. office, retail) and a residential component shall qualify for a partial credit of ten percent (10%) of the impact fees otherwise payable as a result of the development activity, which shall be doubled if at least twenty percent (20%) of the residential portion of the mixed-use development is affordable housing for low-income households or individuals, as these terms are defined in SMC 08.15.020(A) and (G).
 3. Development of (~~((complete streets that provide--))~~ bicycle and pedestrian connections through their site to (~~((surrounding neighborhoods and districts--))~~ a public park or school, or that expand the connectivity of the trail network shall entitle a feepayer to a partial credit of ten percent of the impact fees otherwise payable as a result of the development activity. (~~((The credit provided for in this section shall only apply to the extent a feepayer is developing a complete street on the entire length of the block on which the development activity is occurring--))~~ The credit provided for in this section shall be limited to the cost incurred by the feepayer in developing the (~~((complete street--))~~ connection.
 4. Development projects that incorporate covered and lockable bicycle storage for at least fifty percent of their required bicycle parking shall qualify for a credit of \$1,000 per bike space, not to exceed \$20,000.00 per project. The bicycle storage area must be dedicated for that use only. See SMC 17C.230.200 for space requirements.
 5. Development projects located on a transit corridor may make improvements in coordination with Spokane Transit Authority (STA) and will qualify for a partial credit of up to ten percent of the impact fees otherwise payable as a result of the development activity. The credit provided for in this section shall be limited to the cost incurred by the feepayer in developing the improvements. Eligible improvements include the installation of weather cover, lighting, HPTN stop infrastructure or the dedication of right-of-way for transit stop improvements, as warranted by current or reasonably anticipated future usage of a transit stop, consistent with STA's established policies and design standards. The credit provided for in this section shall be limited to the cost of the right-of-way or the expense incurred by the feepayer in developing the transit stop.
 - ~~((4. The cumulative credits granted in subsections (B)(1) through (B)(3) above for center and corridor development, mixed use development incorporating active first floors, and development of complete streets, shall not exceed twenty percent of the impact fees otherwise payable as a result of the development activity.))~~
 - ~~((5))~~ 6. The director shall be authorized to determine whether a particular development activity falls within a credit identified in this Section B, in any other section, or under other applicable law. Determinations of the director shall be in writing issued within fourteen days of a complete application and shall be subject to the appeals procedures set forth in SMC 17D.075.090.
- C. For each request for a credit, under subsection (A) above, if appropriate, the director shall select an appraiser or the feepayer may select an independent appraiser acceptable to the director. The appraiser must be a Washington State certified appraiser or must possess other equivalent certification and shall not have a fiduciary or personal interest in the property being appraised. A description of the appraiser's certification shall be included with the appraisal, and the appraiser shall certify that he/she does not have a fiduciary or personal interest in the property being appraised.
- D. The appraiser shall be directed to determine the total value of the dedicated land and/or public facilities provided by the feepayer on a case-by-case basis.
- E. The feepayer shall pay for the cost of the appraisal. The feepayer may request that the cost of the appraisal be deducted from the credit which the director may be providing to the feepayer, in the event that a credit is awarded.
- F. After receiving the appraisal, and where consistent with the requirements of this section, the director shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, the legal description of the site donated where applicable, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate, and return such signed document to the director before the impact fee credit will be awarded. The failure of the

applicant to sign, date, and return such document within sixty calendar days shall nullify the credit. The credit must be used within seventy-two months of the award of the credit.

- G. Any claim for credit must be made prior to issuance of a building permit, provided any claim for credit submitted later than twenty calendar days after the submission of an application for a building permit shall constitute a waiver and suspension of timelines established by state and/or local law for processing of permit applications.
- H. In no event shall the credit exceed the amount of the impact fees that would have been due for the proposed development activity.
- I. No credit shall be given for project improvements.
- J. Determinations made by the director pursuant to this section shall be subject to the appeals procedures set forth in SMC 17D.075.090.

Section 5. That section 17D.075.100 of the Spokane Municipal Code is amended to read as follows:

Section 17D.075.100 Establishment of Impact Fee Account

- A. Impact fee receipts shall be earmarked specifically and deposited in special interest-bearing accounts for each service area. The fees received shall be prudently invested in a manner consistent with the investment policies of the City.
- B. There is hereby established an impact fee account for the fees collected pursuant to this chapter known as the transportation impact account. Except as provided in SMC 17D.075.080, funds withdrawn from this account must be used in accordance with the provisions of SMC 17D.075.120. Interest earned on the fees shall be retained in each of the accounts and expended for the purposes for which the impact fees were collected.
- C. On an annual basis, the chief financial officer and director shall provide a report to the council on the account showing the source and amount of all moneys collected, earned, or received, and system improvements that were financed in whole or in part by impact fees and contributions towards meeting concurrency goals and requirements.
- D. Impact fees shall be expended or encumbered within ~~((six-))~~ten years of receipt, unless the council identifies in written findings an extraordinary and compelling reason or reasons for the City to hold the fees beyond the ~~((six-
year-))~~ten-year period. Under such circumstances, the council shall establish the period of time within which the impact fees shall be expended or encumbered.

Section 6. That section 17D.075.110 of the Spokane Municipal Code is amended to read as follows:

Section 17D.075.110 Refunds

- A. If the City fails to expend or encumber the impact fees within ~~((six-))~~ten years of when the fees were paid, the current owner of the property for which impact fees have been paid may receive a refund of such fees, provided a refund is not required where extraordinary or compelling reasons exist for holding the fees longer than ~~((six-))~~ten years, as identified in written findings by the city council. In determining whether impact fees have been expended or encumbered, impact fees shall be considered expended or encumbered on a first in, first out basis.
- B. The City shall notify potential claimants by first class mail deposited with the United States postal service at the last known address of the claimants.
- C. Property owners seeking a refund of impact fees must submit a written request for a refund of the fees to the director within one year of the date the right to claim the refund arises or the date that notice is given, whichever is later.
- D. Any impact fees for which no application for a refund has been made within the one-year period shall be retained by the City and expended on the appropriate public facilities.
- E. Refunds of impact fees under this chapter shall include any interest earned on the impact fees by the City.
- F. A feepayer may request and shall receive a refund, including interest earned on the impact fees, when the feepayer and/or the feepayer's successors and assigns do not proceed with the development activity and there has been no impact to the City's transportation system. A request for a refund pursuant to this section must be accompanied by an acknowledgement that the feepayer's underlying development approval, including any associated permits, has expired and that any application to reinstate the development approval shall be subject to the payment of impact fees pursuant to this chapter.

Section 7. That section 17D.075.140 of the Spokane Municipal Code is amended to read as follows:

Section 17D.075.140 Review

- A. The fee schedules set forth in this chapter shall be reviewed by the city council as it may deem necessary and appropriate ~~((every two years in conjunction with the annual update of the capital facilities plan element of the City's comprehensive plan-))~~ typically every four to six years, considering significant changes to the regional travel demand model, the impact fee projects in the City's comprehensive plan, and area growth.
- B. A transportation impact fee advisory board consisting of individuals representing the building, real estate, and property development industries, the broader business community, community leaders, community assembly, and citizens shall be appointed by the mayor to review proposed changes to the fee schedules set forth in this chapter prior to their review and adoption by the city council. This review shall occur ~~((when the city council may deem it necessary and appropriate every two years in conjunction with the annual update of the capital facilities plan element of the City's comprehensive plan-))~~ in accordance with 17D.075.140(A). Provided, this section shall not be interpreted as requiring review by an advisory board or city council prior to the automatic fee adjustments contemplated in SMC 17D.075.040(A).

Section 8. That section 17D.075.180 of the Spokane Municipal Code is amended as follows:

Section 17D.075.180 Appendix A – Impact Fee Schedule

Section 9. That section 17D.075.190 of the Spokane Municipal Code is amended as follows:

Section 17D.075.190 Appendix B – Service Area Map

Section 10. That section 17D.075.200 of the Spokane Municipal Code is amended as follows:

Section 17D.075.200 Appendix C – Trip Rates, Pass-By Trips, and Trip Length Adjustment Factors

Section 11. That section 17D.075.210 of the Spokane Municipal Code is amended as follows:

Section 17D.075.210 Appendix D – Impact Fee Project List

Appendix A, B, C & D are on file for review in the Office of the City Clerk

Passed by City Council September 16, 2019

Delivered to Mayor September 23, 2019

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.

BUSINESS SYSTEMS ANALYST II SPN 161 OPEN ENTRY

DATE OPEN: Monday, September 23, 2019

DATE CLOSED: Sunday, October 13, 2019 at 11:59 p.m.

SALARY: \$62,640.00 annual salary, payable bi-weekly, to a maximum of \$84,188.16

The City of Spokane's Project Management Office is seeking a self-directed, problem solving, Business System Analyst II to come join our driven team! The Project Management Office consults with various City departments on strategic initiatives and projects geared toward continuous improvement fostering an organizational culture of performance based management.

This position will work in a leadership capacity across the entire organization on numerous projects aimed at assisting the City of Spokane in building efficient processes that will directly impact and improve services to the community. The ideal candidate is ambitious, motivated, and an effective communicator that is able to work under limited supervision.

In addition, our Project Management Office puts a high value on training and professional development and also offers flexible working schedules!

DUTIES:

- *This list is ILLUSTRATIVE only and is not a comprehensive listing of all functions and duties performed by the incumbent of this class. Duties may include any combination of the following or additional related assignments:*
 - Serves as the primary liaison for assigned specialized computer technology activities of their department.
 - Provides primary support and administration for one or more specialized departmental systems and/or applications.
 - Assists with the identification of business needs, desired outcomes and process adjustments.
 - Communicates with staff regarding system deficiencies and/or enhancement goals.
 - Coordinates the implementation of approved changes.
 - Works closely with departments to enhance operational effectiveness, providing training on the Lean Business Improvement Process and facilitating ongoing progress.
 - Monitors and reports on performance measurement related to identifying trends and root causes of performance gaps.
 - Participates on complex applications development, enhancement and integration projects by coordinating assigned technical activities such as installation and testing processes.
 - Makes system modifications as authorized.
 - Communicates with department staff to ensure that needs are being met and to relay any concerns or problems to the appropriate parties.
 - Troubleshoots, researches and resolves computer application and system performance, integrity, security, access and other issues/problems within technical parameters.
 - Coordinates complex system problems with outside vendors and/or Information Technology Department staff.
 - Reads and interprets computer printouts, reports and screen information.
 - Compiles and processes statistical and Ad Hoc data for departments, vendors and others; ensures that data is complete and accurate.
 - Provides applications-related training to end-users, employing a variety of software and methodologies to create instructional presentations; identifies repetitive user issues and either personally provides training or coordinates with vendors to provide more comprehensive training.
 - Performs professional technical administrative support work involving data compilation, technical reporting and other areas; sets up databases, spreadsheets, presentations, graphics and other documents; develops complex forms and templates.
 - Serves on committees and task forces.
 - Performs other related duties as assigned.

MINIMUM QUALIFICATIONS:**Open Entry Requirements:**

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

- *Education:* A bachelor's degree from an accredited four-year college or university in business or public administration, accounting, information systems, or a closely related field.
- *Experience:* Two years of progressively responsible professional experience in information technology support and business analysis or process improvement. .
- *Substitution:* An equivalent combination of education, training and experience may also be qualifying.

EXAMINATION DETAILS:

You are required to meet the minimum qualifications above and to pass the Civil Service examination for this position, in order to be eligible for hire.

- Your examination consists of a Training and Experience (T&E) Evaluation, in the form of a Supplemental Questionnaire, which will constitute 100% of your final exam score.
- You will receive your Civil Service Eligibility List ranking after the position is closed for applications and scoring is complete.

T&E Details:

You will complete the T&E Supplemental Questionnaire online as a part of the application process. You may preview the instructions and questions online in the tab marked "QUESTIONS" near the top of the job announcement.

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 19th day of September 2019.

MARK LINDSEY
Chair

AMBER RICHARDS
Chief Examiner

BUSINESS SYSTEMS ANALYST II SPN 161
PROMOTIONAL

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- Assists with the identification of business needs, desired outcomes and process adjustments.
- Communicates with staff regarding system deficiencies and/or enhancement goals.
- Coordinates the implementation of approved changes.
- Works closely with departments to enhance operational effectiveness, providing training on the Lean Business Improvement Process and facilitating ongoing progress.
- Monitors and reports on performance measurement related to identifying trends and root causes of performance gaps.
- Participates on complex applications development, enhancement and integration projects by coordinating assigned technical activities such as installation and testing processes.
- Makes system modifications as authorized.
- Communicates with department staff to ensure that needs are being met and to relay any concerns or problems to the appropriate parties.
- Troubleshoots, researches and resolves computer application and system performance, integrity, security, access and other issues/problems within technical parameters.
- Coordinates complex system problems with outside vendors and/or Information Technology Department staff.
- Reads and interprets computer printouts, reports and screen information.
- Compiles and processes statistical and Ad Hoc data for departments, vendors and others; ensures that data is complete and accurate.

- Provides applications-related training to end-users, employing a variety of software and methodologies to create instructional presentations; identifies repetitive user issues and either personally provides training or coordinates with vendors to provide more comprehensive training.
- Performs professional technical administrative support work involving data compilation, technical reporting and other areas; sets up databases, spreadsheets, presentations, graphics and other documents; develops complex forms and templates.
- Serves on committees and task forces.
- Performs other related duties as assigned.

MINIMUM QUALIFICATIONS:**Promotional Requirements: (Must be met at time of application)**

Two years of experience with the City in the classification of Business Systems Analyst I (SPN 160) or Information Systems Analyst I (SPN 164).

NOTE: 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, per Rule VI Section 5 of the Civil Service Rules.

Open Entry Requirements:

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

- *Education:* A bachelor's degree from an accredited four-year college or university in business or public administration, accounting, information systems, or a closely related field.
- *Experience:* Two years of progressively responsible professional experience in information technology support and business analysis or process improvement. .
- *Substitution:* An equivalent combination of education, training and experience may also be qualifying.

EXAMINATION DETAILS:

You are required to meet the minimum qualifications above and to pass the Civil Service examination for this position, in order to be eligible for hire.

- Your examination consists of a Training and Experience (T&E) Evaluation, in the form of a Supplemental Questionnaire, and a Promotional Evaluation (PAR).
- Exam weights are assigned as follows: T&E 80%, PAR 20%

T&E Details:

You will complete the T&E Supplemental Questionnaire online as a part of the application process. You may preview the instructions and questions online in the tab marked "QUESTIONS" near the top of the job announcement.

Promotional Evaluation Details:

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

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

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 with Job Title – Applicant Name in the subject line of the email

- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 19th day of September 2019.

MARK LINDSEY
Chair

AMBER RICHARDS
Chief Examiner

URBAN DESIGNER SPN 259
OPEN ENTRY

DATE OPEN: Monday, September 23, 2019

DATE CLOSED: Sunday, October 6, 2019 at 11:59 p.m.

SALARY: \$59,779.44 annual salary, payable bi-weekly, to a maximum of \$80,262.72

The City of Spokane's Neighborhood and Planning Services Department is seeking a talented and team oriented Urban Designer to come join our dynamic and diverse team! Our Neighborhood and Planning Department prides itself on ongoing and successful public engagement and assisting the community in shaping their vision for the future of Spokane!

The candidate selected for this position will have the opportunity to collaborate with the Spokane community, elected officials, and neighborhood groups on various City capital projects as well as participate in design review of public and private projects including downtown development, streetscapes and beautification projects. They will collaborate on the update of the City's design guidelines and work on sub-area planning while engaging the Spokane community and collecting public input. The person selected for this position will also have access to ongoing professional development and training opportunities!

Connect your passion with a purpose at the City of Spokane!

DUTIES:

Planning Department:

- Supervises and participates in the development of sub-area plan and neighborhood plans.
- Supervises and participates in the planning and development of project concepts for a variety of public and private planning level concepts.
- Designs, organizes, and illustrates the text and graphic content of reports and plans. Prepares graphic interpretations of urban design principles and objectives.

Integrated Capital Management Department:

- Supervises and participates in the development of capital improvement programs, including project scoping, project design, budgeting, text and graphic content creation, and document production.

General:

- Reviews land use, circulation, and site development aspects of proposals for adherence to principles of urban design.
- Participates in the preparation of new regulations to implement planning and design concepts and policies.
- Administers consultant contracts for project development work, and participates in the selection process.
- Makes formal presentations to citizens, neighborhood and business groups, the Planning Commission, and City Council. Meets with representatives of public and private agencies and citizens' groups.
- Responds to inquiries from the media, special interest groups, and the general public.
- Operates a calculator, photocopy machine, drafting equipment, cameras, audio-visual equipment, and personal computer. May operate an automobile.
- Reviews projects for adherence to adopted design standards and policies. Presents findings and makes recommendations to boards or officials.
- Performs related work as required.

MINIMUM QUALIFICATIONS:

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 bachelor's degree in Urban Design, Architecture, Landscape Architecture, or Environmental Design with course work in the principles and practices of urban planning.

- *Experience:* Completion of at least three years of public or private employment in planning or design.
- *Alternate Qualifications:* A bachelor's degree in Urban and Regional Planning combined with three years of public or private employment in urban design is also qualifying.
- *Substitution:* A master's degree in Urban Design may substitute for one year of experience.

License and Certifications:

Possession of a valid driver's license or evidence of equivalent mobility.

EXAMINATION DETAILS:**Examination Process:**

The examination will consist of a Portfolio and Training and Experience (T&E) Evaluation, weighted at 100% of the final score. You will need to meet the minimum qualifications and pass the examination for this position to be eligible for hire.

Portfolio Details:

A complete urban design portfolio is a required part of your application and must include the following four (4) items:

- One example of an illustrative plan view
- One example of a perspective
- One example of a building and/or site cross-section
- One example of 3D modeling

Complete details regarding this requirement are included in the supplemental questionnaire and can be previewed in the tab marked "QUESTIONS" on the job announcement.

Training and Experience Evaluation Details:

We have designed the T&E to evaluate the relevance, level, recentness, progression, and quality of the applicant's education and training, and to elicit sufficient job-related information to evaluate the amount and quality of the applicant's previous experience, as well as any other information deemed meaningful to performing the duties of the position.

Important: The T&E is the Civil Service examination for this position. We present it as a Supplemental Questionnaire, which needs to be completed online and submitted as part of the application. You may preview the questions online in the tab marked "QUESTIONS" on the job announcement.

Note:

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

We encourage you to apply immediately. Online applications must be completed and submitted 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 with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 19th day of September 2019.

MARK LINDSEY
Chair

AMBER RICHARDS
Chief Examiner

**LEAD ELECTRICAL/MECHANICAL INSPECTOR SPN 316
PROMOTIONAL**

DATE OPEN: Monday, September 23, 2019 **DATE CLOSED:** Sunday, September 29, 2019 at 11:59 p.m.
SALARY: \$52,258.46 annual salary, payable bi-weekly, to a maximum of \$86,061.10

DESCRIPTION:

Performs lead level supervisory and skilled technical inspection work in the administration and enforcement of a variety of municipal building, electrical, and mechanical codes and ordinances.

DUTIES:

- Works as a lead inspector.
- Organizes, assigns and supervises the work of inspectors engaged in the inspection of commercial and residential new construction, remodels, and repairs for electrical services, transformers, generators, circuits, equipment installations, HVAC systems and equipment, refrigeration systems and equipment, underground wiring and piping, gas piping, and other related electrical and mechanical systems and equipment.
- Tracks workloads and efficiency of inspectors.
- Conducts performance evaluations for subordinate staff and recommends discipline when needed.
- Identifies areas of training, and develops training programs.
- Conducts safety meetings concerning proper and safe inspection procedures, methods, and techniques.
- Reviews reports of inspectors, and advises them as to the proper procedures involved in the enforcement of building, electrical, and mechanical codes and the enforcement of offenses against public health.
- Participates in complex construction inspections, and renders decisions in cases where disputes arise between inspectors and contractors or with the public.
- Prepares correspondence, over own signature, regarding inspection findings, and code requirements of enforcement.
- Reviews and inspects electrical and mechanical plans and specifications for proposed buildings and structures in consultation with the Plan Examiners.
- Interprets laws and regulations pertaining to electrical and mechanical construction, and confers with builders, architects and contractors concerning the requirements of the code.
- Provides guidance and coordination to the plan review process.
- Assists in the interpretation of matters including enforcement.
- Confers with supervisor/manager on evidence gathered from inspections and prepares complaints for legal action against violators of building, electrical, and mechanical codes and related ordinances.
- Testifies and presents evidence at hearings and in courts of law.
- Recommends and assists in drafting changes in the building, electrical, and mechanical codes as necessary.
- Makes field inspections to determine that construction and alteration work being done complies with the City Codes and approved plans.
- Operates an automobile, inspection tools, and office equipment.
- Keeps records and makes reports of work accomplished.
- 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.)

- *Experience:* Currently a Certified Inspector (SPN 312) or higher, and two years of experience performing electrical/mechanical inspections for the City in the classification of Inspector (SPN 303) or higher.
- *Certification:* Applicants must possess a license as an active general journeyman's electrician (EL-01) or master general journey level electrician (ME-01) as issued by the State of Washington, and certifications as both an Electrical and Mechanical Inspector.
- *License:* Possession of a valid driver's license.

Commission:

(Employees in this job class must meet these requirements.)

Employees are required to obtain a limited law enforcement commission within the probationary period.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination to be eligible for promotion.

The Lead Electrical/Mechanical Inspector examination will consist of a multiple-choice test, a structured interview process, and a promotional evaluation, with weights assigned as follows:

- Multiple-choice test 40%
- Structured interview 40%
- PAR 20%

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.

MULTIPLE-CHOICE TEST DETAILS:

The multiple-choice test will be conducted in the Civil Service Test Room (4th floor, City Hall) on **Thursday, October 10, 2019, at 9:00 a.m.** The approximate duration of the test is 1 hour, 30 minutes.

The test may include the following subjects: Inspection; Interpersonal Relations; Safety & Occupational Hazards; and Leadership & Supervision.

STRUCTURED INTERVIEW TEST DETAILS:

The structured interview process is tentatively scheduled for **Thursday, October 10, 2019**, at City Hall. Candidates will be notified of the date and time to appear for their interviews after the close of the recruitment.

PROMOTIONAL EVALUATION DETAILS

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

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

Qualified applicants are encouraged to apply immediately. All applicants must 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 with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 19th day of September 2019.

MARK LINDSEY
Chair

AMBER RICHARDS
Chief Examiner

GARDENER I SPN 686
OPEN ENTRY

DATE OPEN: Monday, September 23, 2019 **DATE CLOSED:** Sunday, October 6, 2019 at 11:59 p.m.
SALARY: \$36,801.00 annual salary, payable bi-weekly, to a maximum of \$57,453.41

DESCRIPTION:

Performs semi-skilled gardening and nursery work in the propagation and cultivation of trees, shrubs, and plants in greenhouses and on grounds.

DUTIES:

- May be responsible for smaller gardens or a portion of a larger or main garden that require less skill to maintain.
- Sods, overseeds, thatches, and aerates turf.
- Irrigates turf, plant beds, trees, and shrubs.
- Makes emergency repairs to irrigation equipment and irrigation systems.
- Applies pesticides and fertilizers using both spray equipment and mechanical spreaders.
- Edges flower beds and paths, using power edgers and line trimmers.
- Mows turf using push and riding mowers.
- Seeds, plants, and transplants annuals, perennials, roses, shrubs, and trees.
- Weeds, rakes, and cultivates flower/shrub beds and paths.
- Digs, cleans, and stores tubers.
- Repairs tools, and paints stakes, signs and benches.
- Perform minor pruning in compliance with City of Spokane Municipal Code and City Arboricultural Specifications and Standards.
- Shear topiary shrubs and shrub hedges.
- Maintains water features such as fountains, pools, and ponds.
- May oversee a small group of temporary/seasonal workers performing manual work of a similar nature.
- May assist in maintenance and operations of greenhouse facilities and equipment.
- Answers visitors' questions regarding plant names, characteristics, and care.
- Operates pickup truck, hand and power tools, and related equipment normally operated within this classification.
- Performs related work as required.

MINIMUM QUALIFICATIONS:**Open-Entry Requirements:**

(Open-entry applicants must meet either the education or the experience requirement when they apply.)

- *Education:* Two years of study (60 semester or 90 quarter credit hours) at an accredited college or university that included at least 12 semester or 18 quarter credit hours in courses related to horticulture (e.g. agriculture, greenhouse-nursery, landscape design, etc.); OR
- *Experience:* Two years of full-time equivalent experience in the propagation and care of flowers and plants in a greenhouse nursery or garden.
- *License:* Possession of a valid driver's license.

Note: Current non-probationary City of Spokane employees within the line of progression who meet the Open-Entry requirements may apply on a Promotional basis, pursuant to Civil Service Rule VI Section 5.

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.)

- *Experience:* Two years experience in the classification of Park Caretaker (SPN 692), Laborer I (SPN 501) or Laborer II (SPN 502) in the Parks department.
- *License:* Possession of a valid driver's license.

License and Certifications:

(Employees in this job class must meet these requirements.)

- Gardener I employees must obtain a Public Pesticide Operator License within the probationary period. Employees must maintain this license while they hold this job class.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination to be eligible for hire.

This exam will consist of a written test with assigned weights as follows:

- Written test (100%)

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.

Written Test Details:

Applicants who pass minimum qualifications review will be notified to self-schedule their written test session, which will be held on October 15, 2019 at 1:00 p.m. in the Civil Service Test Room (4th floor, City Hall). The approximate duration of the test will be 2 hours.

Additional test sessions may be added based on the number of applications accepted.

The written test may include the following subjects:

Horticulture
Soil Science
Pest Control
Botany
Pathology
Basic Computer Skills
Mathematical Reasoning

We encourage you to apply immediately. Applicants must complete and submit a City of Spokane employment application online by 11:59 p.m. on the filing cut-off date.

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 19th day of September 2019.

MARK LINDSEY
Chair

AMBER RICHARDS
Chief Examiner

GARDENER I SPN 686
PROMOTIONAL

DATE OPEN: Monday, September 23, 2019

DATE CLOSED: Sunday, October 6, 2019 at 11:59 p.m.

SALARY: \$36,801.00 annual salary, payable bi-weekly, to a maximum of \$57,453.41

DESCRIPTION:

Performs semi-skilled gardening and nursery work in the propagation and cultivation of trees, shrubs, and plants in greenhouses and on grounds.

DUTIES:

- May be responsible for smaller gardens or a portion of a larger or main garden that require less skill to maintain.
- Sods, overseeds, thatches, and aerates turf.
- Irrigates turf, plant beds, trees, and shrubs.
- Makes emergency repairs to irrigation equipment and irrigation systems.
- Applies pesticides and fertilizers using both spray equipment and mechanical spreaders.
- Edges flower beds and paths, using power edgers and line trimmers.
- Mows turf using push and riding mowers.
- Seeds, plants, and transplants annuals, perennials, roses, shrubs, and trees.
- Weeds, rakes, and cultivates flower/shrub beds and paths.
- Digs, cleans, and stores tubers.
- Repairs tools, and paints stakes, signs and benches.
- Perform minor pruning in compliance with City of Spokane Municipal Code and City Arboricultural Specifications and Standards.
- Shear topiary shrubs and shrub hedges.

- Maintains water features such as fountains, pools, and ponds.
- May oversee a small group of temporary/seasonal workers performing manual work of a similar nature.
- May assist in maintenance and operations of greenhouse facilities and equipment.
- Answers visitors' questions regarding plant names, characteristics, and care.
- Operates pickup truck, hand and power tools, and related equipment normally operated within this classification.
- Performs related work as required.

MINIMUM QUALIFICATIONS:**Open-Entry Requirements:**

(Open-entry applicants must meet either the education or the experience requirement when they apply.)

- *Education:* Two years of study (60 semester or 90 quarter credit hours) at an accredited college or university that included at least 12 semester or 18 quarter credit hours in courses related to horticulture (e.g. agriculture, greenhouse-nursery, landscape design, etc.); OR
- *Experience:* Two years of full-time equivalent experience in the propagation and care of flowers and plants in a greenhouse nursery or garden.
- *License:* Possession of a valid driver's license.

Note: Current non-probationary City of Spokane employees within the line of progression who meet the Open-Entry requirements may apply on a Promotional basis, pursuant to Civil Service Rule VI Section 5.

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.)

- *Experience:* Two years experience in the classification of Park Caretaker (SPN 692), Laborer I (SPN 501) or Laborer II (SPN 502) in the Parks department.
- *License:* Possession of a valid driver's license.

License and Certifications:

(Employees in this job class must meet these requirements.)

- Gardener I employees must obtain a Public Pesticide Operator License within the probationary period. Employees must maintain this license while they hold this job class.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination to be eligible for hire.

The examination will consist of a written test and promotional evaluation, with weights assigned as follows:

- Written test (80%)
- Promotional Evaluation (20%)

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.

Written Test Details:

Applicants who pass the minimum qualifications review will be notified to self-schedule their written test session, which will be held on October 15, 2019 at 1:00 p.m. in the Civil Service Test Room (4th floor, City Hall). The approximate duration of the test will be 2 hours.

Additional test sessions may be added based on the number of applications accepted.

The written test may include the following subjects:

Horticulture
Soil Science
Pest Control
Botany
Pathology
Basic Computer Skills
Mathematical Reasoning

Promotional Evaluation Details: (PAR)

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

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

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

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 19th day of September 2019.

MARK LINDSEY
Chair

AMBER RICHARDS
Chief Examiner

Notice for Bids

Supplies, Equipment, Maintenance, etc.

REFRACTORY INSTALLATION AND SANDBLASTING SERVICES

Solid Waste Disposal – Waste to Energy Facility

#PW ITB 5164-19

INVITATION TO BID NOTICE

Description: The City of Spokane is soliciting electronic bids for Refractory Installation and Sandblasting Services

Bid Opening: Sealed electronic bids will be received until **Monday, October 7, 2019 at 1:00 pm**. At 1:15 pm they will be publicly opened in a meeting held in the City Briefing Center, LL City Hall, 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.procurement.com>, on or before the aforementioned date and time. Hard copy and/or late bids shall not be accepted.

Mandatory Pre-Bid Conference: City of Spokane Waste to Energy Facility, 2900 S Geiger Blvd, Spokane WA 99224 – Meet in the Admin Building. **Thursday, September 26, 2019 at 10:00 am.**

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.procurement.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: September 18 & 25, 2019

RIVERFRONT PARK SUSPENSION BRIDGES RENOVATION

Parks & Recreation Department
#PW ITB 5168-19

INVITATION TO BID NOTICE

Description: The City of Spokane is soliciting electronic bids for the Riverfront Park Suspension Bridges Renovation

Bid Opening: Sealed electronic bids will be received until **Thursday, October 24, 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: City of Spokane – City Hall Lobby Sister City Conference Room, Spokane, WA 99201 on **Thursday, October 3, 2019 at 11:00 am**.

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: September 25 & October 2, 2019

FISH LAKE TRAIL CONNECTION STUDY

City of Spokane Integrated Capital Management

RFQu #5172-19

Description: The City of Spokane is soliciting electronic Qualification Proposals for FISH LAKE TRAIL CONNECTION STUDY

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **OCTOBER 14, 2019 2019**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **FISH LAKE TRAIL CONNECTION STUDY** for the City of Spokane Integrated Capital Management.

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 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, October 14, 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 Proposals submitted late.

The right is reserved to reject any and all Proposals and to waive any informalities.

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

Publish: September 25 & October 2, 2019

**SPOKANE PUBLIC LIBRARY BOND PROJECTS
BUILDING ENVELOP SERVICES
Spokane Public Library**

RFQ #201909-01

Qualifications will be accepted by Hill International, for Building Envelop Services for the Spokane Public Library – Downtown Branch.

The Request for Qualifications document is available at the following web page:

www.spokanelibraryplanroom.com

Questions must be directed to Lorraine Mead, Hill International, P 509-570-0937, lorrainemead@hillintl.com

All firms responding must submit one (1) electronic copy of the response to Hill International no later than 4:00 p.m. on October 9, 2019.

Spokane Public Library reserves the right to reject any and all responses.

Penny Brown
Spokane Public Library

Publish: September 25 & October 2, 2019

NOTICE OF INTENT TO AWARD SOLE SOURCE

The City of Spokane intends to establish a sole source contract with **Pure Technologies**, San Diego, CA to provide the following:

**Comprehensive condition assessment of pipe utilizing the SmartBall, PipeDiver and PipeDiver Ultra tools
For
City of Spokane Water & Hydroelectric Services Department**

Firms who believe they can compete for this requirement are required to submit via email a brief statement of their intent to compete. The statement and any other questions regarding this sole source should be directed to Thea Prince, Senior Procurement Specialist at: tprince@spokanecity.org **by October 9, 2019 at 5:00 pm**. The City of Spokane does not guarantee that firms responding to this notice will be rendered a request to tender an offer for this procurement. In addition, the City of Spokane does not guarantee that any solicitation will occur for this procurement, but reserves the right to solicit proposals.

Firms who have not already done so should register at www.mrscrosters.com.

Dated this 19th day of September, 2019

Thea Prince
Senior Procurement Specialist

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