



Official Gazette

City of Spokane, Washington

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

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Issue 52



MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

BREEAN BEGGS (DISTRICT 2)

KATE BURKE (DISTRICT 1)

MIKE FAGAN (DISTRICT 1)

LORI KINNEAR (DISTRICT 2)

CANDACE MUMM (DISTRICT 3)

KAREN STRATTON (DISTRICT 3)

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Minutes

NOTICE**MEETING MINUTES OF SPOKANE CITY COUNCIL****Monday, December 16, 2019**

The minutes for the Monday, December 16, 2019, Spokane City Council Meeting were not available for publication in this issue of the *Official Gazette*. The minutes will be published in the Wednesday, January 1, 2020, issue of the *Official Gazette*.

MINUTES OF SPOKANE CITY COUNCIL**Monday, December 9, 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 Pro Tem Beggs (Chair) and Council President Stuckart and Council Members Burke, Fagan, Kinnear, Mumm, and Stratton were present.

City Attorney Mike Ormsby, City Council Policy Advisor Brian McClatchey, and Acting City Clerk Laurie Farnsworth were also present on the dais.

Advance Agenda Review

The City Council received an overview from staff on the December 16, 2019, Advance Agenda items.

Action to Approve December 16, 2019, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the December 16, 2019, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.B):

Motion by Council Member Fagan, seconded by Council Member Mumm, **to approve** the Advance Agenda for Monday, December 16, 2019; **carried unanimously**.

Current Agenda Review

The City Council considered changes to the December 9, 2019, Current Agenda.

Suspension of Council Rules

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

Resolution 2019-0113

Motion by Council Member Fagan, seconded by Council Member Mumm, **to defer** Resolution 2019-0113—approving claim of Adriano Eva settled through mediation—for one week (to December 16, 2019); **carried unanimously**.

Hearing on Vacation of the Alley between Francis Avenue and Decatur Avenue and Related First Reading Ordinance C35866

Motion by Council Member Fagan, seconded by Council Member Mumm, **to defer** Hearing Items H1.a. and H1.b.—Hearing on vacation of the alley between Francis Avenue and Decatur Avenue, from the east line of Haven Street to the west line of Market Street, as requested by Richard Ziesmer and related First Reading Ordinance C35866—to January 13, 2020; **carried unanimously**.

Construction Agreement Amendment with WSDOT (OPR 2019-0693)

Motion by Council Member Fagan, seconded by Council Member Kinnear, **to move** OPR 2019-0693—Construction Agreement Amendment with WSDOT to provide for the construction of a replacement water line on the new Trent Avenue Bridge—to consideration on today's Consent Agenda; **carried unanimously**.

First Reading Ordinance C35870

Motion by Council Member Burke, seconded by Council Member Mumm **to move** C35870—prohibiting the use of devices which emit high-frequency sound designed to be audible only to children and young adults, often called “mosquitos”—to First Reading Ordinances on this evening’s Current Legislative Agenda; **carried unanimously**.

CONSENT AGENDA

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

Three-year Value Blanket Extension with Fastenal (Spokane, WA) for miscellaneous cleaning supplies/consumable products and safety supplies for Fire facilities accessing NIPA Contract #R142101—\$690,000 (incl. tax) per year. (OPR 2019-1074)

Recommendations to list on the Spokane Register of Historical Places:

- a. the Ammann Apartments, 1516 West Riverside Avenue. (OPR 2019-1075)
- b. the Wulff-Bishop Architecture Office, 1526 West Riverside Ave. (OPR 2019-1076)
- c. the Fifth Avenue Flats, 519 West 5th Avenue. (OPR 2019-1077)

Master Engineering Consultant Contract with Jacobs Engineering (Spokane, WA) for on-call sewer system hydraulic and hydrologic analysis support for a variety of tasks and projects. (OPR 2019-1078)

Agreement with the West Plains/Airport Area Public Development Authority for joint planning for the Stormwater Management Plan Phase 1—\$150,000. (West Hills Neighborhood) (OPR 2019-1079)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through November 27, 2019, total \$3,251,206.04 (Check Nos. 566738-566940; ACH Payment Nos. 71987-72125), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$2,700,628.34. (CPR 2019-0002)
- b. Payroll claims of previously approved obligations through November 30, 2019: \$7,569,092.75 (Payroll Check Nos. 555555-555670). (CPR 2019-0003)

City Council Meeting Minutes: January 17, 2019, and November 25, 2019. (CPR 2019-0013)

Construction Agreement Amendment with WSDOT to provide for the construction of a replacement water line on the new Trent Avenue Bridge—\$83,691. (OPR 2019-0693)

Council Recess/Executive Session

The City Council adjourned at 3:58 p.m. No Executive Session was held. The City Council reconvened at 6:00 p.m. for the Legislative Session.

LEGISLATIVE SESSION**Pledge of Allegiance**

The Pledge of Allegiance was led by Council President Pro Tem Beggs.

Roll Call

Council President Pro Tem Beggs (Chair) and Council President Stuckart and Council Members Burke, Fagan, Kinnear, Mumm, and Stratton were present.

City Council Policy Advisor Brian McClatchey and Acting City Clerk Laurie Farnsworth was also present on the dais.

Poetry at the Podium

Kelly Warner, who resides in the Emerson-Garfield Neighborhood, presented a poem called “Release.”

There were no **Mayoral Proclamations**.

There was no **Administrative Report**.

There were no **Council Committee Reports**.

REVIEW OF OPEN FORUM RULES

Council President Pro Tem Beggs reviewed the rules for Open Forum.

OPEN FORUM

Terri Anderson remarked on the process of how things get put on and taken off agendas and what happens with the process and how fair that is especially for those that are invisible in Spokane and basically don't have the same access as others do.

Deb Abrahamson remarked on the process also and stated the decision to defer the ordinance (establishing a local residential tenancy code) to March was heartless because we have so many homelessness people.

Steve Schneider state he is an attorney that represents mostly small landlords that have one or two units. He spoke regarding the costs of evictions and effect on small landlords.

Candy Turner stated she represents Summit Christian Academy and recognized the students accompany her in the audience. She stated many of her students have parents that have come from the former Soviet Union. She remarked on the goal of taking the students to Washington, D.C. and questioned whether there is something Summit Christian Academy could do and the City could pay for so that the Academy could earn the funds to go.

Eric Besset thanked the Council for listening to citizens and appreciates the opportunity to extend the conversation regarding the residential tenancy code.

Laura Renz remarked on the abuses of service dog laws.

Lainie Woolway also spoke about the abuses of service dog laws.

John Alder spoke regarding the need for affordable senior housing.

Joshua Scowden thanked Council for the deferral to March (of the tenancy code ordinance) and spoke about his experiences and doesn't want his ability to help people to be taken away.

Jeremy Logan spoke about the lack of tenant protections and objected to the deferral to March.

Will Neville stated he is with the Spokane Democrats Socialists of America and that he is here today to show solidarity for the all the tenants that live in Spokane, Spokane Valley, and all throughout the United States that have been affected on this ongoing housing crises.

Dave Schmitt remarked on City Administration and City elected officials considering human beings as a zero sum. He stated the City needs someone who will be able to interdict on behalf of the citizens, like the Ombudsman person does for the Police Department. He also remarked on economic issues.

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCES

Special Budget Ordinance C35859 and Resolution 2019-0114

Council President Pro Tem Beggs provided an overview of Special Budget Ordinance C35859. Council Member Fagan requested Resolution 2019-0114 be taken with Special Budget Ordinance C35859. Subsequent to public testimony from one individual, and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed/adopted** the following:

- **Passed Special Budget Ordinance C35850** amending Ordinance No. C35703 passed by the City Council December 10, 2018, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds, departments and

programs of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Property Acquisition Fund
FROM: Loan Proceeds, \$900,000;
TO: Capital Expenditures, \$900,000.

(This action allows budgeting for the Property Acquisition Fund to interfund loan the Parks Department to upgrade for construction of the Shane's Inspiration Inclusive Playground Project.)

- **Adopted Resolution 2019-0114** of the City of Spokane, Washington, providing for the issuance and sale of a taxable Limited Tax General Obligation Bond in the aggregate principal amount of not to exceed \$900,000 to secure an interfund loan from the Spokane Investment Pool to the Asset Management Fund to finance a portion of the costs of the acquisition, construction and installation of the Shane's Inspiration Inclusive Playground Project; fixing the date, form, maturity, interest rate, terms and covenants of the bond; establishing the provisions for repayment of the interfund loan established thereby; authorizing the sale and delivery of the bond to the City, and providing for other matters properly relating thereto.

There were no **Emergency Ordinances**.

RESOLUTIONS

Resolution 2019-0113 is deferred to December 16, 2019, Agenda. (See Council Action under 3:30 p.m. Administrative Session.)

Resolution 2019-0114 was considered with Special Budget Ordinance C35859. (See section of minutes under "Special Budget Ordinances.")

Resolution 2019-0115

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

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2019-0115** regarding the application of TDS Metrocom, LLC for a cable franchise.

FINAL READING ORDINANCES

Final Reading Ordinance C35845 (First Reading held on November 18, 2019, Agenda)

Council President Stuckart provided an overview of Final Reading Ordinance C35845. Public testimony was received and Council commentary held, after which the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35845** imposing a sales and use tax, as a deduction from existing state sales and use tax collection, to fund investments in affordable and supportive housing; enacting a new chapter 8.07B; and amending section 8.07.040 of the Spokane Municipal Code.

Final Reading Ordinance C35846

Subsequent to an overview of Ordinance C35846 by Judge Mary Logan; an opportunity for public testimony, with no individuals requesting to speak; and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35846** codifying the Spokane Municipal Court's establishment of the Spokane Municipal Community Court, Spokane Veterans Court, and Spokane Municipal DUI Court as permanent programs of the Municipal Court; enacting a new Chapter 05A.18 of the Spokane Municipal Code, entitled "Problem Solving Therapeutic Courts."

For Final Reading Ordinance C35838 through C35842, see section of minutes under "Hearings."

For Final Reading Ordinances C35866 and C35867, see section of minutes under "Hearings."

FIRST READING ORDINANCES

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

- ORD C35862** Relating to the Salary Review Commission; amending SMC sections 2.05.020, 2.05.030, 2.05.040 and 2.05.050.
- ORD C35863** Relating to arterial streets; changing Section 12.08.040 of the Spokane Municipal Code.
- ORD C35864** Relating to the Pretreatment requirements; amending SMC Section 13.03A.0204 of the Spokane Municipal Code; and setting an effective date.
- ORD C35870** Prohibiting the use of devices which emit high-frequency sound designed to be audible only to children and young adults, often called “mosquitos”; amending sections 10.08D.030, 10.08D.050, and 10.08D.140 of the Spokane Municipal Code.

For Council Action on First Reading Ordinance C35866, see section of minutes under 3:30 p.m. Administrative Session.

For Council Action on First Reading Ordinance C35867, see section of minutes under “Hearings.”

SPECIAL CONSIDERATIONS**Multiple Family Housing Property Tax Exemption Agreements (OPR 2019-0911 and OPR 2019-0912) (Deferred from December 2, 2019, Agenda)**

Subsequent to an overview of the Multiple Family Housing Property Tax Exemption Agreements with Black Enterprises, LP, and M & J Scott St, LLC by Ali Brast from the City’s Development Services Center, public testimony, and Council commentary, the following action was taken:

Upon 6-1 Roll Call Vote (Council Member Burke voting “no”), the City Council **approved** the following Multiple Family Housing Property Tax Exemption Agreements with:

- a. Black Enterprises, LP for 50 new multi-family housing units located at 107 S. Howard Street, Parcel Number 35191.2401 and
- b. M & J Scott St, LLC 9 new multi-family housing units located at 509, 515, and 521 S. Scott Street, Parcel Numbers 35201.5357, 35201.5356, and 35201.5355.

HEARINGS**Hearing on Vacation of the Alley in Block 9 of the Plat of Englebart Addition**

The Spokane City Council held a hearing on the vacation of the alley in Block 9 of the Plat Englebart Addition, as requested by Matt Barton. Subsequent to an opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **approved, subject to conditions,** the vacation of the alley in Block 9 of the plat of Englebart Addition, as requested by Matt Barton.

In conjunction with the hearing, Ordinance C35867—vacating the alley in Block 9 of the plat of Englebart Addition—was read for the first time, with further action deferred.

Hearing on Final Reading Ordinance C35855

The City Council held a hearing on the 2020 Assessments and Assessment Roll for the East Sprague Parking and Business Improvement Area. Council President Pro Tem Beggs invited a motion to accept the most recently filed assessments and assessment rolls. The following action was taken:

Motion by Council President Stuckart, seconded by Council Member Kinnear, **to accept** the most current version of the assessments and assessment rolls on both East Sprague Parking and Business Improvement Area and Downtown Spokane Parking and Business Improvement Area; **carried unanimously.**

Subsequent to an overview by Assistant Planner Christopher Green and Laverne Biel, with the East Spokane Business Association and manager of the East Sprague Parking and Business Improvement District, and an opportunity for public testimony and Council commentary, with no individuals requesting to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35855** approving and confirming the 2020 assessments and assessment roll for the East Sprague Parking and Business Improvement Area, prepared under Ordinance C35377 as codified and amended in Chapter 4.31C SMC.

Hearing on Final Reading Ordinance C35856

The City Council held a hearing on the 2020 Assessments and Assessment Roll for the Downtown Spokane Parking and Business Improvement Area. (Clerical Note: See action above under the "Hearing on Final Reading Ordinance C35855" as it pertains to the acceptance by Council of the most current version of the assessments and assessment rolls for the Downtown Spokane Parking and Business Improvement Area.) Assistant Planner Christopher Green introduced Mark Richard of the Downtown Spokane Partnership who provided an overview of the Downtown Spokane Parking and Business Improvement Area. Subsequent to an opportunity for public testimony and Council commentary, the following action was taken:

Upon 6-1 Roll Call Vote (Council Member Burke voting "no"), the City Council **passed Final Reading Ordinance C35856** approving and confirming the 2020 assessments and assessment roll for the Downtown Spokane Parking and Business Improvement Area, prepared under Ordinance C32923 as codified and amended in Chapter 4.31C SMC.

Hearings on Comprehensive Plan Amendment Ordinances C35838 through C35842

The City Council held a Hearing on Comprehensive Plan Amendment Ordinance C35838 through C35842. Public testimony was received, with one individual providing comments regarding Ordinance C35842, and another individual providing remarks pertaining to Ordinances C35838 through C35840. Subsequent to presentations by City staff on each of the respective ordinances and Council and staff commentary, the following actions were taken:

(Note: Council Member Mumm left the meeting at 7:48 p.m. and returned at 7:52 p.m.)

Final Reading Ordinance C35838

Upon 6-0 Roll Call Vote (Council Member Mumm absent), the City Council **passed Final Reading Ordinance C35838** relating to application Planning File Z18-882COMP amending map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 15-30" to "General Commercial" for approximately 0.12 acres described as lot 15, block 57 of the Lidgerwood Addition and amending the zoning map from "Residential Multifamily" (RMF) To "General Commercial" (GC-70). (Applicant: H A Tombari LLC) (Plan Commission approved 7 to 0)

Final Reading Ordinance C35839

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35839** relating to application Planning File Z18-883COMP and amending map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 15-30" to "Office" for approximately 0.29 acres described as lots 1 and 2 of the subdivision of lot 5 of GH Morgan's Addition and amending the zoning map from "Residential Multifamily (RMF)" to "Office (O-35)". (Applicant: David Jeter, MPT, COMT, Acceleration Physical Therapy/Carl Upton and Patricia Upton aka Patricia Reilly) (Plan Commission approved 6 to 1)

Final Reading Ordinance C35840

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35840** relating to application Planning File Z18-884COMP and amending map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Office" for approximately 0.85 acres described as lots 10 through 15 of Block 36, Monroe Park Addition and amending the zoning map from "Residential Single Family (RSF)" to "Office (O-35)". (Applicant: Washington State Department of Ecology) (Plan Commission approved 7 to 0)

Final Reading Ordinance C35841

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35841** relating to application Z18-958COMP, amending Chapter 3 of the City's Comprehensive Plan to include a new policy encouraging transit supported development in the vicinity of high-performance transit stops in the City of Spokane. (Applicant: Council President Ben Stuckart, on behalf of the Spokane City Council) (Plan Commission approved 7 to 0)

Final Reading Ordinance C35842

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35842** relating to application Z19-002COMP, amending policy LU 1.8, general commercial uses, in Chapter 3 of the Comprehensive Plan as it relates to directing new commercial growth to centers and corridors. (Applicant: Council Member Candace Mumm, on behalf of the Spokane City Council) (Plan Commission approved 7 to 0)

SECOND OPEN FORUM

Cherie Barnett commented on the law of unintended consequences, broken faith with Judeo-Christian foundations, Planned Parenthood, and provided other remarks.

Eugen Knowles commented on housing crisis and homelessness.

Steven Wareham shared his experience renting out a home and remarked on low income housing.

Mariah McKay stated she is here in her capacity as a landlord and community manager for Our Natural Homes Rental Company. She stated she is disappointed in the deferral of Ordinances C35860 and C35861 and that it's past time to take decisive and needed action to protect the most vulnerable in the community. She shared background on Our Natural Homes' unique rental model and concerns about the housing crises.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 8:14 p.m.

STUDY SESSION MEETING MINUTES SPOKANE CITY COUNCIL Thursday, December 12, 2019

A Special Meeting of the Spokane City Council was held on the above date at 1:05 p.m. in the City Council Briefing Center, Lower Level – City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. Council Members Beggs, Burke, Mumm (as chair) and Stratton were present. Council Member Kinnear arrived at 1:06 p.m. Council President Stuckart and Council Member Fagan were absent. The purpose of the meeting was to hold discussion, along with City of Spokane Valley, City of Cheney and State officials, on the following topic:

- 2020 State Legislative Agenda

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

The meeting adjourned at 3:27 p.m.

General Notices

RESOLUTION 2019-05

BE IT RESOLVED BY THE CIVIL SERVICE COMMISSION that the following Civil Service Rule Change was adopted on December 17, 2019.

RULE CHANGE:

Rule V Section 10 Probation:

- All open entry appointments shall have a probationary period not to exceed one year from the date of appointment to the classified position.
- When injury or other adverse circumstance causes an extended absence which prevents the full and fair evaluation of an employee during a probationary period, the employing department head may request extension of the probationary period. Extensions shall not to exceed the length of the extended absence. Extensions must be requested within 10 working days of the conclusion of the absence or the scheduled end of the probationary period, whichever comes first. The Chief Examiner may approve or deny the request. If approved, all applicable personnel records shall be annotated and adjusted accordingly. Failure to make a request within these provisions shall automatically make the appointment permanent.
- The appointing officer shall remove a probationer found to be unsatisfactory at any time during the probationary period, and shall notify the Commission of such action on the form provided. If probation is by appointment from an open eligible list, the probationer shall be dropped from the service except as provide for transfers in Rule VII,

Section 2 (a); OR, where a classified position is vacated to accept the open entry appointment, the probationer shall be placed on the laid off list for the previously held classification.

Rule VI Section 14 Probation:

- (a) All promotional appointments shall have a probationary period not to exceed six months from the date of appointment to the classified position.
- (b) When injury or other adverse circumstance causes an extended absence which prevents the full and fair evaluation of an employee during a probationary period, the employing department head may request extension of the probationary period. Extensions shall not to exceed the length of the extended absence. Extensions must be requested within 10 working days of the conclusion of the absence or the scheduled end of the probationary period, whichever comes first. The Chief Examiner may approve or deny the request. If approved, all applicable personnel records shall be annotated and adjusted accordingly. Failure to make a request within these provisions shall automatically make the appointment permanent.
- (c) The appointing officer shall remove a probationer found to be unsatisfactory at any time during the probationary period. The probationer shall be returned to the former classification; provided, the employee shall not displace any other employee with greater classification seniority. Should no position exist, the employee shall then be given the option of appointment to a position in the next lower classification or placement on the laid off list.

Ordinances

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

ORDINANCE NO. C35836

An ordinance granting a non-exclusive franchise to use the public right of way to provide noncable telecommunication service to the public to Noel Communications, Inc., subject to certain conditions and duties as further provided (in the ordinance).

WHEREAS, the City of Spokane ("Grantor") granted to Noel Communications, Inc., a Washington corporation ("Grantee"), a franchise as set forth in Ordinance No. C35118, effective September 24, 2014, to use the public right of way for the purpose of providing telecommunications services to the public in the City of Spokane (the "Franchise");

WHEREAS, Grantee plans to enter into an agreement (the "Purchase Agreement") to sell certain of its assets and related business operations, including the Franchise (collectively, the "Business"), to Wholesail Networks LLC, a Washington limited liability company ("Assignee");

WHEREAS, Grantee submitted a letter to Grantor on or about August 13, 2019, requesting Grantor's consent to the Assignment of the Franchise from Grantee to Assignee (the "Consent Request");

WHEREAS, in connection with the consummation of the sale of the Business to Assignee, which is anticipated to take place on or around August 31, 2019 (the "Closing"), Grantee desires to assign its rights and delegate its obligations under the Franchise to Assignee (the "Assignment");

WHEREAS, Grantor has conducted a review of the legal, technical and financial qualifications of Assignee to hold the Franchise and own and operate the telecommunications network authorized by the Franchise;

WHEREAS, all written comments and staff reports have been received, and made a part of the record; and

WHEREAS, based on the foregoing, Grantor has concluded Assignee has established it meets the legal, technical and financial criteria to hold the Franchise and to operate the telecommunications network.

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

Section 1. Grantor hereby approves the Consent Request and consents to the transactions contemplated by the Purchase Agreement and the Assignment.

Section 2. Grantor confirms that: (a) the Franchise was duly issued to Grantee, is valid and enforceable in accordance with its terms, and is in full force and effect; (b) other than as set forth in this Ordinance, there have been no amendments or modifications to the Franchise; (c) to Grantor's knowledge, there are no defaults under the Franchise, and no event has occurred and is continuing which, with the giving of notice or passage of time, or both, could constitute a default thereunder; and (d) upon the Closing, the duly authorized franchisee under the Franchise will be Assignee.

Section 3. Assignee may hereafter, without the need to obtain the prior consent of Grantor, from time to time: (a) assign or transfer its assets, including the Franchise, provided however, that such assignment or transfer is to a parent or subsidiary of Assignee or another entity under direct or indirect control of the parent of Assignee; (b) restructure its debt or change the ownership interests among its equity participants, and/or its affiliates; (c) pledge or grant a security interest in its assets, including but not limited to the Franchise, or of the ownership interests in Assignee, to any secured lender(s) for purposes of securing indebtedness.

Section 4. The Franchise and this Ordinance were and are made, passed and adopted in accordance with all applicable notice and procedure requirements under all laws applicable to Grantor, and with all applicable notice and procedure requirements, and do not conflict with the laws, ordinances, resolutions and other regulations of Grantor, as presently in effect or as the same were in effect at the time the particular action was taken.

Section 5. Grantor's approval of the Consent Request and its consent to the Assignment of the Franchise to Assignee shall be effective from and after its adoption and approval by the Grantor. Assignee shall notify the Grantor in writing upon the date of the Closing.

Section 6. Grantor releases Grantee, effective upon the Closing, from all obligations and liabilities (including any guarantee or surety) under the Franchise related to the period on and after the date of the Closing; and Assignee shall be responsible for any obligations and liabilities under the Franchise related to the period on and after the date of the Closing.

**Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019**

ORDINANCE NO. C35857

An ordinance adopting the Annual Budget of the City of Spokane for 2020, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2020, declaring a public emergency, and providing it shall take effect immediately upon passage under Section 16(D) of the City Charter as necessary for the immediate support of the public health, safety, and welfare of the citizens of Spokane.

WHEREAS, the City of Spokane is a first-class city with a population of less than 300,000 persons and is required, pursuant to RCW 35.33.075 to adopt a final budget prior to the close of the current fiscal year at midnight, December 31, 2019; and

WHEREAS, all appropriations in the final budget must be limited to the total estimated revenues therein including the amount to be raised by all municipal revenue sources and the unencumbered fund balances estimated to be available at the close of the current fiscal year; and

WHEREAS, pursuant to RCW 35.33.121 the expenditures as classified and itemized by fund in the final budget adopted by the City Council shall constitute the City of Spokane's appropriations for the fiscal year commencing after midnight, December 31, 2019, subject to later adjustments as provided therein;

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1.

- A. That the revenues to be generated by the revenue sources set forth in the final budget are required for the continuation of the existing essential municipal programs and services of the City of Spokane.
- B. That without said essential municipal programs and services, the public health, safety and welfare of the citizens of the City of Spokane would be seriously impaired.
- C. That the following Annual Budget of the City of Spokane for 2020 reflects a continuation of said essential municipal services and programs provided by the City of Spokane for the public health, safety and welfare of the citizens of the City of Spokane as required by the constitution and laws of the State of Washington, the City Charter, ordinances, other legislative enactments and lawful obligations of the City of Spokane.

Section 2. That the Annual Budget of the City of Spokane for the fiscal year ending December 31, 2020, as set forth in the document attached hereto and entitled, "2020 Adopted Budget, City of Spokane, Washington," hereinafter referred to as the 2020 Annual Budget, be and the same is, hereby fixed, determined and adopted; and that the amounts set forth in said budget are hereby appropriated for the use of the several funds as specified.

Section 3. That the foregoing appropriations are to be paid from the respective funds as specifically indicated in the 2020 Annual Budget and the salaries and wages therein set forth in detail as prescribed by RCW 35.33.051 shall be paid on a biweekly basis, payable every other Friday of such fiscal year.

Section 4. That because this ordinance adopts the Annual Budget, as provided by Section 19(A)(3) of the City Charter, and because the Annual Budget is a public emergency ordinance which is necessary for the immediate support of the public health, safety, and welfare of the citizens of the City of Spokane, as provided by Section 16(D) of the City Charter, it shall take effect immediately upon its passage and shall not be subject to Mayoral veto.

Passed by City Council December 16, 2019

Delivered to Mayor December 20, 2019

ORDINANCE C35862

An ordinance relating to the Salary Review Commission; amending SMC sections 2.05.020, 2.05.030, 2.05.040 and 2.05.050.

The City of Spokane does ordain:

Section 1. The SMC Section 2.05.020 is amended to read as follows:

2.05.020 Membership – Term – Removal

A. Membership.

The commission shall consist of five members who are residents and registered voters of the City. Appointment shall be as follows:

1. Three Commission members shall have experience in the field of personnel management, or a demonstrated knowledge in the administration of compensation and benefits. Two Commission members shall have experience in finance, business management, or other related fields that demonstrate experience beneficial to the review of total compensation and establishment of salary. ~~((Two members shall be at-large appointments appointed by the mayor with the city council's approval.))~~
2. All members shall be at-large appointments nominated by the mayor and appointed by the city council. ~~((Three members shall be appointed by the mayor with city council approval with one member from each of the three city council districts respectively. The individuals submitted for appointment from the council districts shall be recommended by the city council to the mayor for appointment.))~~
3. Applications for positions to the salary review commission shall be reviewed by the City's ethics committee pursuant to SMC 1.04.170 as an advisory opinion for potential conflicts of interest or other conflicts with the ethics code.
4. The ethics committee's advisory opinion shall be filed with the mayor's office and with the city council.

B. Term.

Each member of the commission shall serve a four-year term, and no member shall be appointed to more than two terms regardless of whether the terms are held consecutively.

1. More than two years of a four-year term shall count as a whole term.
2. Initial appointments shall be as follows:
 - a. Three members shall be appointed for a period of four years; and
 - b. Two members shall be appointed for two years.
3. All subsequent appointments or reappointments shall be for a four-year term.
4. Appointments may be made to complete an unexpired term in the event of a vacancy.

C. Removal.

Commission members may only be removed during their terms of office by the city council with a recommendation from the mayor for cause of:

1. incapacity,
2. incompetence,
3. neglect of duty,
4. malfeasance in office, or
5. for a disqualifying change in:
 - a. residence, or
 - b. voter status.

D. Compensation.

Commission members shall serve without compensation.

E. Qualifications.

~~((1. Commission members shall have experience in finance, business management, or personnel management, or other related fields that demonstrate experience beneficial to the review and establishment of salaries for elected officials.))~~

~~((2))~~1. Officers, officials, and employees of the City and their immediate family members shall not be eligible to serve on the commission.

- a. For the purposes of this section, "immediate family member" shall mean a:
 - i. parent,
 - ii. stepparent,
 - iii. in-law,
 - iv. spouse,
 - v. sibling,
 - vi. stepsibling,
 - vii. child,
 - viii. stepchild, or
 - ix. dependent relative

of the officer, official or employee, whether or not living in the household of the officer, official or employee.

Section 2. That SMC section 2.05.030 is amended to read as follows:

2.05.030 Definitions

A. "Elected officials" means the positions of mayor, council president and all council members.

B. "Salary" or "salaries", as used in this chapter, means ~~((any fixed compensation paid periodically for work or services.))~~ the annual wage paid for work or services to the positions of mayor, council president and all council members as contained in City Pay Plan A09.

1. ~~((This definition expressly excludes the total cost of any medical or other benefits provided to any elected official, as well as any expenses paid or reimbursed on behalf of an elected official in compliance with the City policies and procedures for expense reimbursements.))~~

Annual Wage – as applied to the positions of mayor, council president and all council members, "annual wage" or "annual wages" shall mean the specific dollar amount identified in City pay plans A09 and shall exclude the cost of all other benefits provided to the employee.

C. "Total Compensation" shall mean any salary plus any medical, dental, retirement, deferred compensation and all other benefits provided to the elected officials.

Section 3. That SMC section 2.05.040 is amended to read as follows:

2.05.040 Duties

A. It is the goal of the commission to base salaries of the mayor, council president and council members on realistic standards so that the elected officials may be paid according to the duties of their offices and so that citizens of the highest quality may be attracted to public service. The commission shall have the duty to review and establish the salary of the mayor, council president and council members. The commission shall study the relationship of ~~((salaries))~~ total cost of compensation to the duties of the mayor, council president and council members.

- B. A decision by the commission to change the salary of the mayor, council president or city council members, shall be filed by the commission with the city clerk by May 31st, shall be final and shall become effective and incorporated into the city budget without further action of the city council or salary commission.
1. Any change of salary, by the commission shall supersede any ordinance or resolution in effect at the time the salaries are changed but only to the extent of such conflict.
- C. Salary increases established by the commission for the mayor, council president and council members shall be effective on the first pay period of the year following the decision of the commission and shall apply to the mayor, council president and all city council members regardless of their terms of office.
- D. Salary decreases established by the commission shall become effective as to an incumbent mayor, council president or council member at the commencement of their next subsequent terms of office.

Section 4. That SMC section 2.050.050 is amended to read as follows:

2.05.050 Operations of Commission

- A. The commission may establish its own rules of procedures consistent with the Spokane Municipal Code and state law, which shall include a meeting schedule.
- B. The commission shall annually elect a chair and vice chair from its members.
- C. All meetings of the commission shall be open to the public.
1. At least one of the meetings shall include a public hearing held prior to the commission issuing a decision regarding the establishment of salaries in order to provide an opportunity for the public and the affected elected officials to address the commission.
- D. The commission shall meet to review the salary schedules of the mayor, council president and council members, during even numbered years and may meet more frequently on their own initiative or by a motion of the city council.
1. Decisions of the commission regarding an increase or decrease in the salary schedule shall be filed by the commission with the city clerk by May 31st.
- E. In determining the salaries for the mayor, council president and council members, the commission shall solicit information regarding the elected officials' duties and responsibilities. The commission shall utilize best-practice methodology for determining the elected official's salary giving consideration to data and other information gathered by the City's Human Resources Department and presented to the commission. The commission shall also consider each year information regarding cost of living adjustments (COLA), including the COLA provided by the City to the Managerial and Professional Association in its collective bargaining agreement. Prior to the commission issuing a salary schedule, the commission may request additional financial information and other relevant data from the appropriate city department.
- F. Three members of the commission shall constitute a quorum and the affirmative vote of three members shall be required to approve a salary schedule for the mayor, council president and council members as well as all other matters of the commission.
- G. The commission shall keep a written record of its proceedings, which shall be a public record in accordance with state law.
1. The commission shall provide written documentation forming the basis for the salary schedule.
- H. The commission shall be assisted in performing its duties by staff members; one budget staff member from the city council office and one staff member from the human resources department assigned by the city administration and the City Council. The staff members will research, review, and provide current data to commission about any proposed salary adjustment and may also make recommendations to the commission based on their research.

**Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019**

ORDINANCE NO. C35863

An ordinance relating to arterial streets; changing Section 12.08.040 of the Spokane Municipal Code.

WHEREAS, the Spokane City Council has adopted an Official Arterial Street Map (Ordinance No. C34255, 2008); and

WHEREAS, with the 2011 annexation of the West Plains the City acquired arterial streets from Spokane County (Ordinance No. 34749, 2011) and these streets are not shown on the Official Arterial Street Map; and

WHEREAS, the City Council updated the Planned Arterial Network Map in the Comprehensive Plan (Ordinance No. 35509, 2017); and

WHEREAS, there are substantial differences between the Planned Arterial Network Map and the Official Arterial Street Map that should be reconciled; and

WHEREAS, the Street Department would make necessary changes to signing and striping within four months of adoption; and

WHEREAS, following the process outline in the City's regulations, the City's Plan Commission has recommended approval of the amendments to the City's Official Arterial Street Map;

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is adopted these updates to Title 12 of the Spokane Municipal Code to read as follows:

Chapter 12.08 Regulation of Traffic**Section 12.08.040 Official Arterial Street Map**

- A. The arterials within the City of Spokane are hereby designated and classified on the Official Arterial Street Map that is maintained by the city engineer. Changes to the Official Arterial Street Map require city council approval.
- B. This section does not preclude arterial streets from being further designated (~~and classified~~) for (~~traffic engineering and~~) transportation planning purposes in the Comprehensive Plan.

Passed by City Council December 16, 2019

Delivered to Mayor December 20, 2019

ORDINANCE NO. C35864

An ordinance relating to the Pretreatment requirements; amending SMC Section 13.03A.0204 of the Spokane Municipal Code; and setting an effective date.

The City of Spokane does ordain:

Section 1. That SMC Section 13.03A.0204 is amended to read as follows:

13.03A.0204 Local Limits [2.4]

- A. The following limits are established as local limits, expressed as Maximum Allowable Discharge Limits, No (~~user or other person~~) Significant Industrial User may discharge wastewater into the POTW in excess of the following concentrations:
1. Arsenic: (~~0.41~~) 0.12 mg/L.
 2. Benzene: <0.5 mg/L (~~toluene, ethylbenzene, and xylene (BTEX): A sum of these four constituents' analytical results not to exceed 1.4 mg/L~~).
 3. Cadmium: (~~0.41~~) 0.093 mg/L.
 4. Total Chromium: ≤5.0 mg/L.
 5. Copper: (~~4.9~~) 0.74 mg/L.

6. Cyanide: ~~((4.9))~~ 1.01 mg/L.
 7. Fats, oils, and, grease: See SMC 13.03A.0201(B)(19).
 8. Lead: 0.32 mg/L.
 9. Mercury: ~~((0.05))~~ 0.012 mg/L.
 10. Nickel: ~~((3.98))~~ 1.74 mg/L.
 - ~~((11.))~~ Non-polar material (or total petroleum hydrocarbons): Not to exceed 100 mg/L.
 - ~~((12))~~11. Silver: ~~((1.7))~~ 0.46 mg/L.
 - ~~((13))~~12. Zinc: ~~((5.6))~~ 2.59 mg/L.
 - ~~((14))~~13. The pH limit set in SMC 13.03A.0201(B)(2) may also be enforced as a local limit.
 - ~~((15))~~14. Molybdenum: ~~((1.5))~~ 0.66 mg/L.
 - ~~((16))~~15. Selenium: ~~((1.0))~~ 0.40 mg/L.
- B. Users that discharge wastewater into any sewer that conveys wastewater to Spokane County Regional Water Reclamation Facility must comply with the limits set forth in Spokane County Code Chapter 8.03A 0204.
- C. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The superintendent may impose mass limitations in addition to or in place of the concentration-based limitations shown in subsection (A) of this section. Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit applies as the applicable pretreatment standard.
- D. Limits may be established for all users, groups, or specific users. They may be designed to ameliorate temporary or permanent discharge characteristics, or to accommodate any new or special temporary or permanent condition of the POTW, its effluent receiving water, or other environmental problem. The superintendent may set limits as instantaneous maximums or for other durations (e.g., daily maximum or monthly average limits) where deemed proper.
- E. Whenever determined appropriate, the superintendent may develop best management practices (BMPs) for general application, in individual discharge permits or general discharge permits, to implement local limits and the requirements of article II of this chapter and require documentation of compliance. Failure to follow such requirements is a violation of this chapter.

NOTE: Bracketed enumerations reference the numbering in the EPA Region 10 Model

Section 2. Effective Date. This ordinance shall take effect and be in force on _____.

Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019

ORDINANCE NO. C35871

An ordinance amending Ordinance No. C35703, passed by the City Council December 10, 2018, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget Ordinance No. C35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the appropriations of the Transportation Benefit District Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

Section 1. That in the budget of the Transportation Benefit District Fund, and the budget annexed thereto with reference to the Transportation Benefit District Fund, the following changes be made:

FROM:	1990-99999 99999-	Transportation Benefit District (TBD) Undesignated Reserves	\$1,700,000
TO:	1990-49851 42800-54201	TBD-2019 Residential G/O Contractual Services	\$621,512
	1990-49810 42300-54141	TBD –Residential Crack seal IF Other Professional Services	\$650,000
	1990-49850 42800-54141	TBD –Residential Chip seal IF Other Professional Services	\$250,000
	1990-85210 97140-80101	TBD – Admin Operating Transfer to Arterial Streets	\$91,000
	1990-85210 97242-80101	TBD – Admin Operating Transfer to ICM	\$87,488

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from projects coming in over engineer's estimates and budgeting shortfalls, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019

ORDINANCE NO. C35872

An ordinance amending Ordinance No. C35703, passed by the City Council December 10, 2018, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget Ordinance No. C35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the appropriations of the Solid Waste Funds, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

FROM:	4500-99999 99999	Solid Waste Fund Undesignated Reserves	<u>\$500,000</u>
TO:	4500-43313 37173-54117	Solid Waste Fund IF Code Enforcement (solid waste abatement & litter control)	<u>\$250,000</u>
	4500-43313 37173-54117	Solid Waste Fund IF Code Enforcement (illegal encampment cleanups)	<u>\$250,000</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to budget for the increase in Solid Waste complaints and cleanup costs related to illegal encampments, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019

ORDINANCE NO. C35873

An ordinance amending Ordinance No. C35703, passed by the City Council December 10, 2018, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget Ordinance No. C35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the appropriations of the Code Enforcement Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

FROM:	1200-58201	Code Enforcement Fund	
	99999-34919	IF Other General Govt Services	75,000
TO:	1200-58201	Code Enforcement – illegal camping	
	24600-08490	Temp Seasonal	<u>\$41,557</u>
	1200-58201	Code Enforcement – illegal camping	
	24600-52110	Social Security	<u>3,179</u>
	1200-58201	Code Enforcement – illegal camping	
	24600-54201	Contractual Services	<u>\$30,264</u>

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

Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019

ORDINANCE NO. C35874

An ordinance amending Ordinance No. C35703, passed by the City Council December 10, 2018, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget Ordinance No. C35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the appropriations of the Police Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

FROM:	0680-11460	Police Fund – Academy	
	21400-36911	Sale of Recycling Materials	<u>\$14,130</u>
TO:	0680-11460	Police Fund – Academy	
	21400-53206	Ammunition	3,313

0680-11460 21400-53210	Police Fund – Academy Repair & Maintenance Supplies	922
0680-11460 21400-53526	Police Fund – Academy Weapons	9,290
0680-11460 21400-53201	Police Fund – Academy Operating Supplies	605
		<u>\$14,130</u>

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

Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019

ORDINANCE NO. C35875

An ordinance amending Ordinance No. C35703, passed by the City Council December 10, 2018, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget Ordinance No. C35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the appropriations of the General Fund and Intermodal fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

FROM:	0100-99999 99999	General Fund Undesignated Reserves	\$73,000
TO:	0980-89000 97147-80101	TBD-2019 Residential G/O Operating Transfer to Intermodal	\$73,000

Section 2. That in the budget of the Intermodal Fund, and the budget annexed thereto with reference to the Intermodal Fund, the following changes be made:

FROM:	1570-23100 99999-39710	Intermodal From General Fund	\$73,000
	1570-23100 99999-36231	Intermodal Space/Facility Lease	\$77,000
TO:	1570-23100 18200-54802	Intermodal Building Repairs/Maintenance	\$150,000

Section 3. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from increased maintenance and security costs and Intermodal Facility, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019

ORDINANCE NO. C35876

An ordinance amending Ordinance No. C35703, passed by the City Council December 10, 2018, and entitled, “An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage”, and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget Ordinance No. C35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the appropriations of the Property Acquisition Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

Section 1. That in the budget of the Hotel Motel Tax Fund, and the budget annexed thereto with reference to the Hotel Motel Tax Fund, the following changes be made:

TO:	1590-25300 99999-31330	Hotel Motel Tax Hotel Motel Transient Tax	\$400,000
FROM:	1590-25300 57300-55201	Hotel Motel Tax IG Payment from Fed/Sate/Local	<u>\$400,000</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need for intergovernmental payments to the Public Facilities District for payments received from Hotel Motel Tax, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019**

ORDINANCE NO. C35877

An ordinance amending the 2019 budget, enacted as Ordinance No. C35703 (Dec. 10, 2018) and entitled “An ordinance adopting the Annual Budget of the City of Spokane for 2019, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2019, and providing it shall take effect immediately upon passage”; and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2019 budget ordinance No. C35703, as above entitled, and which passed the City Council December 10, 2018, it is necessary to make changes in the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That in the budget of the General Fund, and the budget annexed thereto with reference to the General Fund, the following:

FROM:	0100-99999-99999- 99999	General Fund -- Unappropriated Reserves	<u>\$208,311</u>
TO:	0100-99999-98715- 80101	General Fund – Operating Transfers out to Asset Management Fund – Capital	<u>\$208,311</u>
TO:	5901-48954-99999- 39710	Asset Management Capital – Operating Transfer in from General Fund	<u>\$208,311</u>
FROM:	5901-49854-73200- 542010100- 99999-98715-80101	Asset Management Fund – Capital Contractual Services	<u>\$208,311</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to appropriate additional funds to support

the new Spokane Arts \$375,000 multi-year contract; and, because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council December 16, 2019
Delivered to Mayor December 20, 2019**

Notice for Bids

Paving, Sidewalks, Sewer, etc.

North South Corridor Rowan Force Main & Water Engineering Services File No. 2017141

This project consists of the construction of approximately 1,940 linear feet of 36" steel casing installed by boring and open cut, 2,925 linear feet each, of 8" and 12" ductile iron force main, 3,700 linear feet of 12" water main, 600 linear feet of 15" sanitary sewer main, 375 linear feet of 10" storm sewer, 1700 square yards of 8-inch thick HMA pavement, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. January 27, 2020 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Hand delivered bids shall be delivered to the security desk on the first floor, City Hall, 808 W Spokane Falls Blvd, Spokane WA 99201-3316. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers located on the basement level of City Hall.

Copies of the Contract Documents are available at www.cityofspokaneplans.com. The Planholders list is also available at this website. Additional project information including the Engineer's estimated cost range for the project, bid results (after bid opening), as well as information about other City projects are available by following the appropriate links at the following website: <https://my.spokanecity.org/business/bid-and-design/current-projects/>.

The City of Spokane, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulation, Department of Transportation, subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin, or sex in consideration for an award.

Bids shall be submitted on the forms provided in accordance with the provisions of the Specifications. Irregular bid proposals will be rejected in accordance with the specifications.

Cash, cashier's check, a certified check or surety bond in the sum of five percent (5%) of the Total Project Bid must accompany the copy of the bid filed with the City Clerk. Successful bidder shall execute the Contract within TEN (10) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

The City of Spokane will normally award this Contract or reject bids within FORTY FIVE (45) calendar days after the time set for the bid opening. If the lowest responsible Bidder and the City of Spokane agree, this deadline may be extended. If they cannot agree on an extension by the 45-calendar day deadline, the City of Spokane reserves the right to Award the Contract to the next lowest responsible Bidder or reject all Bids.

In accordance with SMC 7.06.500 and RCW 39.04.350(1), the low bidder shall complete the Supplemental Bidder Responsibility Criteria form located in Appendix C. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

Publish: December 25, 2019, January 1, and 8, 2020

Notice for Bids

Supplies, Equipment, Maintenance, etc.

SEMI & FULLY AUTOMATED SOLID WASTE CARTS Solid Waste Collections Department #ITB 5212-20

INVITATION TO BID NOTICE

Description: The City of Spokane is soliciting electronic bids for an Annual Supply of Semi & Fully Automated Solid Waste Cart to be ordered on an "as needed" basis.

Bid Opening: Sealed electronic bids will be received until **Monday, January 6, 2020 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.

To view this solicitation 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: December 18 & 25, 2019

UTILITY CONCRETE REPAIR SERVICES (Re-Bid) City of Spokane Water & Hydroelectric Department, Wastewater Department and Street Department

PW ITB # 5215-20

INVITATION TO BID NOTICE

Description: The City of Spokane is soliciting electronic bids for Utility Concrete Repair Services.

Bid Opening: Sealed electronic bids will be received until **Monday, January 13, 2020 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.

To view this solicitation 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: December 25, 2019 & January 1, 2020

MISCELLANEOUS WATERWORKS PRODUCTS

Water & Hydroelectric Services

ITB #5216-20

Description: The City of Spokane is seeking electronic bids for Miscellaneous Waterworks Products to be used by the Water & Hydroelectric Services department.

Bid Opening: Sealed electronic bids will be accepted until **Monday, January 13, 2020 at 1:00pm**. Bids will be publicly opened at 1:15pm in the City Council Chambers, Lower Level of City Hall at 808 West Spokane Falls Boulevard, Spokane, Washington 99201. All bid responses must be submitted electronically through the City of Spokane's bidding portal at <https://spokane.procurement.com> before the aforementioned deadline. Hard copy and/or late bids will not be accepted.

To view this solicitation and submit a bid response, you must be a registered supplier on 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's distribution list for changes and/or modifications via Addenda form.

Interested parties are asked to post questions on our bidding portal under the 'Clarifications' tab under the applicable 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 completed and submitted electronically will be tabulated.**

Samantha Johnson
Purchasing Department

Publish: December 25, 2019 & January 1 & 8 2020
