



Official Gazette

City of Spokane, Washington

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

Volume 110

NOVEMBER 25, 2020

Issue 48



MAYOR AND CITY COUNCIL

MAYOR NADINE WOODWARD

COUNCIL PRESIDENT BREEAN BEGGS

COUNCIL MEMBERS:

KATE BURKE (DISTRICT 1)

MICHAEL CATHCART (DISTRICT 1)

LORI KINNEAR (DISTRICT 2)

CANDACE MUMM (DISTRICT 3)

KAREN STRATTON (DISTRICT 3)

BETSY WILKERSON (DISTRICT 2)

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Minutes

MINUTES OF SPOKANE CITY COUNCIL**Monday, November 16, 2020****BRIEFING SESSION**

The Briefing Session of the Spokane City Council held on the above date was called to order at 3:32 p.m. in the Council Chambers in the Lower Level of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington.

The regularly scheduled Spokane City Council 3:30 p.m. Briefing/Administrative Sessions and the 6:00 p.m. Legislative Session were held virtually and streamed live online and aired on City Cable 5. Pursuant to Governor Jay Inslee's Twelfth Updated Proclamation 20-28.12, dated November 10, 2020, all public meetings subject to the Open Public Meetings Act, Chapter 42.30 RCW, are to be held remotely and the in-person attendance requirement in RCW 42.30.030 has been suspended until at least through December 7, 2020. The public was encouraged to tune in to the meeting live on Channel 5, at <https://my.spokanecity.org/citycable5/live>, or by calling 408-418-9388 and entering an access code when prompted.

Roll Call

On roll call, Council President Beggs and Council Members Burke, Cathcart, Kinnear, Mumm, Stratton, and Wilkerson were present. (Council President Beggs was in attendance virtually in the Council Chambers and Council Members Burke, Cathcart, Kinnear, Mumm, Stratton, and Wilkerson attended the meeting via WebEx.)

City Attorney Mike Ormsby (via WebEx), City Council Policy Advisor Brian McClatchey (via WebEx), and City Clerk Terri Pfister (Chambers) were also virtually present.

Advance Agenda Review

The City Council received an overview from staff on the November 23, 2020, Advance Agenda items.

Final Reading Ordinances C35972 through C35980

Council President Beggs requested a motion to take Final Reading Ordinances C35972 through C35980 and set them as Hearing matters H2.a. through H2.i. The following action was taken:

Motion by Council Member Mumm, seconded by Council Member Cathcart, **to so move** (to take Final Reading Ordinances C35972 through C35980 and set them as Hearing matters H2.a. through H2.i.); **carried unanimously.**

Action to Approve November 23, 2020, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the November 23, 2020, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.B):

Motion by Council Member Mumm, seconded by Council Member Wilkerson, **to approve** the Advance Agenda for Monday, November 23, 2020 (as amended); **carried unanimously.**

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council considered the November 16, 2020, Current Agenda.

CONSENT AGENDA

Upon Unanimous Voice Vote (in the affirmative), the City Council approved Staff Recommendations for the following items:

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through November 6, 2020, total \$6,168,081.41 (Check Nos. 575629-575821; ACH Payment Nos. 83940-84168), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$5,651,882.11. CPR 2020-0002)

City Council Meeting Minutes: November 2, 2020. (CPR 2020-0013)

LEGISLATIVE AGENDA

(Clerical Note: The regularly scheduled 6:00 p.m. Legislative Session was canceled. On November 2, 2020, the City Council took action to condense the regularly scheduled 6:00 p.m. Session with the 3:30 p.m. Session; and, therefore, Board and Commission Appointments and First Reading Ordinances were held during the 3:30 p.m. Administrative Session.)

BOARD AND COMMISSION APPOINTMENTS

Citizens Transportation Advisory Board (CTAB) (CPR 2018-0032) and Office of the Police Ombudsman Commission (CPR 2015-0034)

Upon Unanimous Roll Call Vote (in the affirmative), the City Council approved (and thereby confirmed) the following appointments and reappointment:

- Appointment of Thomas Sanderson as the PCTS representative to the Citizens Transportation Advisory Board (CTAB) for a term ending November 11, 2021. (CPR 2018-0032)
- Reappointment of Tom Morgan as the District 1 representative to the Citizens Transportation Advisory Board (CTAB) for a term of November 14, 2020 to November 11, 2022. (CPR 2018-0032)
- Appointment of Luc Jasmin as the District 1 representative to the Office of the Police Ombudsman Commission for a term ending September 14, 2023.

There was no **City Administration Report**.

There were no **Council Committee Reports**.

Open Forum was not held.

There were no **Special Budget Ordinances**.

There were no **Emergency Ordinances**.

There were no **Resolutions**.

There were no **Final Reading Ordinances**.

FIRST READING ORDINANCES

The following ordinances were read for the First Time, with Further Action Deferred:

ORD C35972

Relating to application file Z19-499COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "General Commercial" for approximately 0.85 acres located at 3001, 3011, and 3027 E Liberty Avenue (parcels 35033.1304, 35033.1305, and 35033.1306) and amending the Zoning Map from "Residential Single Family (RSF)" to "General Commercial (GC-70)". (By a vote of 9 to 0, the Plan Commission recommends approval.) (Council Sponsor: Council Member Mumm)

- ORD C35973** Relating to application file Z19-501COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "General Commercial" for approximately 0.51 acres located at 6204 Nevada Street and 1015 E Decatur Avenue (parcels 36321.0209 and 36321.0210) and amending the Zoning Map from "Residential Single Family (RSF)" to "Community Business (CB-55)". (By a vote of 9 to 0, the Plan Commission recommends denial.) (Council Sponsor: Council Member Mumm)
- ORD C35974** Relating to application file Z19-502COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Office" for approximately 0.61 acres located at 3207 and 3203 E 29th Avenue and 2820 and 2826 S Ray Street (parcels 35273.0219, 35273.0220, 35273.0305, and 35273.0306) and amending the Zoning Map from "Residential Single Family (RSF)" to "Office (O-35)". (By a vote of 9 to 0, the Plan Commission recommends approval of parcels 35273.0305 and 35273.0306 and denial of parcels 35273.0219 and 35273.0220.) (Council Sponsor: Council Member Mumm)
- ORD C35975** Relating to application file Z19-503COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for approximately 10.3 acres located at 3227 E 53rd Avenue and 5106 S Palouse Highway (parcels 34032.9044, 34032.9093, 34032.9094) and amending the Zoning Map from "Residential Single Family (RSF)" to "Residential Multi-Family (RMF)". (By a vote of 8 to 1, the Plan Commission recommends approval.) (Council Sponsor: Council Member Mumm)
- ORD C35976** Relating to application file Z19-504COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for approximately 2.2 acres located at 3004 W 8th Avenue (parcels 25234.0902 and 25234.6501) and amending the Zoning Map from "Residential Single Family (RSF)" to "Residential Multi-Family (RMF)". (By a vote of 9 to 0, the Plan Commission recommends approval.) (Council Sponsor: Council Member Mumm)
- ORD C35977** Relating to application file Z19-505COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for approximately 0.16 acres located at 1117 W 10th Avenue (parcel 35193.1405) and amending the Zoning Map from "Residential Single Family (RSF)" to "Residential Multi-Family (RMF)". (By a vote of 7 to 0 and 1 abstention, the Plan Commission recommends denial.) (Council Sponsor: Council Member Mumm)
- ORD C35978** Relating to proposal file Z20-019COMP amending Comprehensive Plan Map TR-5, Proposed Bike Network Map, in various locations, and amending the text of Appendix D to the Comprehensive Plan to update terminology relating to protected bike lanes and to update map references. (By a vote of 8 to 0, the Plan Commission recommends approval.) (Council Sponsor: Council Member Mumm)
- ORD C35979** Relating to proposal file Z20-042COMP amending Comprehensive Plan Map TR-12, Arterial Network Map, in various locations throughout the city together with corresponding changes to the official Arterial Street Map in SMC 12.08.040. (By a vote of 9 to 0, the Plan Commission recommends approval.) (Council Sponsor: Council Member Mumm)
- ORD C35980** Relating to proposal file Z20-045COMP amending the text of Chapter 4, Transportation, of the Comprehensive Plan to discuss safety needs for at-grade railroad crossings. (By a vote of 9 to 0, the Plan Commission recommends approval.) (Council Sponsor: Council Member Mumm)

There were no **Special Considerations**.

There were no **Hearings**.

EXECUTIVE SESSION/ADJOURNMENT

No Executive Session was held. There being no further business to come before the City Council, the Regular Administrative Session of the Spokane City Council adjourned at 4:28 p.m. The regularly scheduled 6:00 p.m. Legislative Session was canceled and was not held.

STANDING COMMITTEE MINUTES
City of Spokane
Public Infrastructure, Environment, and Sustainability
September 28, 2020

Committee members present in person, phone or video

Council President Breean Beggs, Committee Chair
Council Member Michael Cathcart, Vice Committee Chair
Council Member Kate Burke
Council Member Lori Kinnear
Council Member Candace Mumm
Council Member Karen Stratton
Council Member Betsy Wilkerson

The recording of the meeting can be viewed here: <https://vimeo.com/46282135>

Council President Beggs called the meeting to order at 1:15 p.m.

Review and approval of minutes

Council President Beggs asked for a motion to approve the minutes of the August 24, 2020 meeting.

- Action taken
- Council Member Burke moved to approve the minutes of the August 24, 2020 meeting as presented; the motion was seconded by Council Member Cathcart.

Discussion items

A. Council Requests

1. Consent items for discussion
2. Legislative update (if needed)
3. 2021 Budget Council Priorities Discussion

B. Staff Requests

1. Ecology Stormwater Grants Applications – Katherine Miller
Katherine Miller answered questions from the Committee about the financial commitment and the scale of the projects.
2. Rate Setting – Scott Simmons
Marlene Feist discussed the timeline of adoption of the rates. Discussion was had on the rate components and the evaluation. Scott discussed the financial projections with the 2.9% increase in rates for Solid Waste. Discussion was had on the current revenues for solid waste. Scott presented information about the options for addressing higher recycling costs such as every other week collection and surcharge of \$2 per month. The rate ordinances will be submitted for Council agenda briefing on October 26, 2020.
3. Havana Road petition to transfer responsibility – Scott Simmons
Scott Simmons shared a map of the area and discussed the county's petition for the City to take over the right of way responsibility. The area is Havana Street, north of Broadway to Eighth Avenue. The Spokane Valley incorporation was to the back of the sidewalk of Havana. Scott spoke about the connectivity to the County Fairgrounds and the associated costs of maintenance of the street.
4. Open Space Planning - Garrett Jones (10 minutes)
Garrett Jones shared a presentation on the Parks and public open space master planning process. He discussed the timeline and community engagement planning.

Strategic Plan Session

A. Priority Strategy 1. Rapidly accelerating street pavement maintenance projects

- TransMap Pavement Assessment – Clint Harris
Clint Harris discussed the pavement assessment process and the contracted company TransMap. He gave an overview of the data gathering

B. Priority Strategy 2. Repurposing public property to stimulate private investment

- No report for this meeting.

C. Priority Strategy 3. Sustainable City

- No report for this meeting.

Consent items

1. Renewal of Anatek Lab & Edge Lab contracts for bacterial and chemical analysis (Water Dept.)
2. Construction of an Asphalt Approach (Waste to Energy)
3. Purchase of Feedbelt Pulley's and Rollers (Waste to Energy)
4. Contract Renewal for Valve Repairs (Waste to Energy)
5. Contract Renewal for Vacuum Support Services (Waste to Energy)
6. Contract Renewal for Offsite Rebuild of Hydraulic/Pneumatic Cylinders (Waste to Energy)
7. Value Blanket Renewal for Compressor Rentals (Waste to Energy)
8. Contract renewal for specialized testing of wastewater and stormwater, which fulfills the Department of Ecology issued discharge permit requirements (RPWRF)
9. Contract for COVID response software & implementation

Executive session

None.

Adjournment

The meeting adjourned at 3:15 p.m.

Hearing Notices

Notice of Public Hearing and Notice of SEPA Determination City of Spokane

Notice is hereby given that the Spokane City Plan Commission will hold a public hearing on Wednesday, December 9, 2020, beginning at 4:00 PM online via the WebEx Meetings software. This hearing or portions thereof may be continued at the discretion of the Plan Commission. The proposal concerns amendments to the Spokane Municipal Code (SMC): 17F.070.470 – Construction Standards, Existing Building and Conservation Code, Compliance with Order; and, 17F.070.490 – Construction Standards, Existing Building and Conservation Code, Enforcement. Public testimony will be taken at the hearing from interested persons. Any person may submit written comments on the proposed actions or call for additional information:

Code Enforcement
Attn: Jason Ruffing
808 West Spokane Falls Boulevard
Spokane, WA 99201-3329
Phone 509.625.6802
jruffing@spokanecity.org

HOW TO ATTEND THE MEETING: Due to the need for social distancing and because City Hall remains closed to the public, the Hearing will be held online via the WebEx Platform. Attendees may also call in by phone to hear and testify. Interested persons can contact staff at the contact info above to request connection information. Additionally, connection details will be provided online at the following address at least one week in advance:

<https://my.spokanecity.org/bcc/commissions/plan-commission/>

SEPA: The proposed amendments are categorically exempt from SEPA.

Documents relating to this text amendment are available for viewing at:

<https://my.spokanecity.org/projects/alternative-to-substandard-building-demolition/>

Applicant: This is a City-sponsored proposal.

Location: Proposed amendments are applicable within the City of Spokane.

Proposal: The proposed amendments provide an alternative to demolition orders by the Building Official as a part of the substandard building process in the City of Spokane. The intent is to facilitate mitigation of safety hazards and nuisance conditions, aimed at the rehabilitation and re-use of substandard, abandoned, unfit, and/or nuisance properties. The proposed amendments would be implemented as part of the Building Official hearing process – an administrative hearing process for substandard, abandoned, unfit, and nuisance properties. When appropriate, the Building Official

could refer a property to City Legal staff to petition Superior Court to appoint a Receiver as the responsible party for a substandard and unfit property. This alternative could be implemented following exhaustion of all appropriate administrative remedies, including standard code enforcement processes, Building Official administrative hearing(s) and related appeals processes. Once referred, the case would follow Superior Court protocol.

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

Notice of Intent to Adopt Amendments to the Spokane Municipal Code

Notice is hereby given that City of Spokane Planning Services intends to propose amendments to the Spokane Municipal Code (SMC) for recommendation by the Plan Commission and adoption by the City Council as part of its regular periodic maintenance of the SMC. Maintenance projects are conducted periodically; this is the fifth such effort over the past two decades. Phase 1 of the code clean up consists of minor amendments to the code such as corrections to cross references. A summary of the process, proposed changes, and the draft ordinance is available online <https://my.spokanecity.org/projects/2020-2021-unified-development-code-maintenance/>.

A Plan Commission hearing is anticipated December 9, 2020. Any person may submit questions or comments at this time, request to be added to a distribution list for notification and updates and participate when the hearing date and time are confirmed. The project lead contact information is below:

Planning Services Department
Attn: Melissa Wittstruck, Assistant Planner
808 West Spokane Falls Boulevard
Spokane, WA 99201-3333
Phone (509) 625-6087
mwittstruck@spokanecity.org

Documents relating to this proposal are available for viewing online at <https://my.spokanecity.org/projects/2020-2021-unified-development-code-maintenance/>

PROPOSAL: The Proposal is classified as “clean up,” likely taking place in three phases from 2020-2021. Phase I addresses minor changes and is intended to remove references to repealed SMC chapters or sections, redundant phrases, and other minor clean up actions such as typographical errors.

The specific SMC sections are: Chapter 04.13 Administrative Agencies and Procedures, Section 04.13.015 Design Review Board Purpose; Chapter 17C.110 Residential Zones, Section 17C.110.100; Residential Zones Primary Uses; Limited Uses (L) and Conditional Uses (CU); Chapter 17C.124, Section 17C.124.110 Downtown Zones; Limited Use Standards; Industrial Limitation; Chapter 17C.220, Land Use Standards, Section 17C.220.060 Off-site impacts, Noise; Chapter 17E.050 SEPA Article III, Section 17.050.080 Categorical Exemptions-Applicability, Chapter 17F.010, Construction Standards General Provisions, Section 17F.010.050 Notice of Hearing; Chapter 17F.040 Building Code, Section 17F.040.140 Awnings; Chapter 17G.040 Design Review Board Administration and Procedures, Section 17G.040.040 Design Review Criteria; Chapter 17G.060 Administration and Procedures, Section 17G.060.020 Administration; Chapter 17G.070 Planned Unit Developments, Section 17G.070.220 Vesting; Chapter 17G.080 Subdivisions, Section 17G.080.070 Subdivision Design Standards; Chapter 17H.010 Street Development Standards, Section 17H.010.240 Vertical Clearances; Chapter 17H.010 Street Development Standards, Section 17H.010.250 Horizontal Clearances.

SEPA: The proposed amendments are categorically exempt from SEPA under WAC 197-11-800(19)(a)(b).

Only persons submitting written comments and persons testifying at a hearing are likely to have standing to appeal the ultimate decision of the City Council.

General Notices

SUMMARY OF PROPOSED ORDINANCE NO. C35970

AN ORDINANCE GRANTING A FRANCHISE TO COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC ("COMCAST") TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM IN THE CITY OF SPOKANE, WASHINGTON SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS-OF-WAY; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN.

The Ordinance serves two purposes. First, it grants a non-exclusive cable franchise to Comcast to operate and maintain a cable system within the City. Second, it provides requirements for the provision of cable television services including technical standards, customer service obligations, and related matters.

The Ordinance includes the following key terms: 1) establishes a franchise term of ten (10) years; 2) imposes on Comcast a franchise fee of five percent (5%) of Comcast's annual gross revenues; 3) incorporates the Spokane Municipal Code regarding right-of-way protections and related matters; 4) requires Comcast to dedicate channel capacity for public, education and government ("PEG") programming; 5) establishes a PEG Fee of zero point seven percent (0.7%) of Comcast's annual gross revenues; 6) imposes strong customer service standards regarding Comcast's provision of cable services; and 7) requires a performance bond to enforce Comcast's compliance with the Ordinance.

For more information, contact Terry Davis, Senior Director, External-Government Affairs, Comcast-Washington Region at : Terry_Davis@comcast.com; Cell: (253) 261-1586 or Desk# (253) 288-7496.

Persons interested in reviewing a complete copy of the Ordinance may do so by contacting the City Clerk, City of Spokane, West 808 Spokane Falls Boulevard, 5th Floor, Spokane, WA 99201, telephone number: (509) 625-6354, during the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Executive Orders

CITY OF SPOKANE
EXECUTIVE ORDER

EO 2020-0017
LGL 2020-0008

TITLE: DIRECTIVE OF THE MAYOR REGARDING ADOPTION OF AN
ADMINISTRATIVE POLICY

EFFECTIVE DATE: November 13th, 2020
REVISION DATE IF APPLICABLE:

RECEIVED
NOV 13 2020
CITY CLERK'S OFFICE

Pursuant to the City of Spokane (the "City") Administrative Policy and Procedure Number 0325-18-1, Section 5.2.1, the Mayor hereby issues this Directive:

AUTHORITY:

Section 5.2.1 provides in part as follows:

Copies of proposed policies and procedures shall be provided to all affected departments for review and comment for at least a two week period prior to final adoption, *unless* (emphasis added), directed otherwise by the Mayor or City Administrator.

ACTION:

In this instance the undersigned Mayor of the City directs that the Encampment Removal and Cleanup Policy, attached hereto as Exhibit "A", is to become effective immediately upon signature, for the reasons set forth herein.

- 1) The effective date of the application of this Policy is necessary in order to resolve litigation filed in the United States District Court for the Eastern District of Washington captioned David Ham vs. City of Spokane, case No. 2:19-cv-00236-TOR; and
- 2) The potential enforcement of the City Municipal Code provisions that prohibit camping on public lands may create the need for additional camp site clean ups and this policy and procedure will provide rules and guidelines for certain property found in any encampments

Dated this 13 day of November, 2020.


Mayor Nadine Woodward



Attest:

Approved as to form:


City Clerk


City Attorney

Date of Publication: 11/25/2020

Effective Date: 11/13/2020

CITY OF SPOKANE
ADMINISTRATIVE POLICY AND PROCEDURE

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 1200-20-01 LGL 2020-0022
TITLE: ENCAMPMENT REMOVAL AND CLEANUP POLICY EFFECTIVE DATE: November 13, 2020 REVISION DATE:	

1.0 GENERAL

1.1 PURPOSE AND INTENT

The purpose of this policy is to establish criteria and outline procedures for the removal and cleanup of encampments.

The intent of this policy is to promote the interests of public health and safety while also respecting the rights of unsheltered individuals and connecting them with available shelter services. The public health and safety concerns related to encampments have generated innumerable citizen complaints and have prompted city departments to send crews of personnel to clean up garbage and solid waste. The City's efforts have not only been costly, but have brought to light far more than a problem of mere unwanted litter.

Behaviors associated with encampments have resulted in a variety of problems that include, but are not limited to, uncontained fires, damage to trees and landscaping, contaminated hypodermic needles left out on open lands, biohazards such as exposed human waste, damage to critical infrastructure such as bridges and streets, and significant interference with the intended uses of public facilities. Additionally, there have been threats to the health and safety of the campers themselves and to the community.

The City of Spokane intends to address these issues by establishing this Encampment Removal and Cleanup Policy.

1.2 TABLE OF CONTENTS

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- 5.0 POLICY
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- 7.0 RESPONSIBILITIES
- 8.0 APPENDICES

2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to the Spokane Police Department, Parks and Recreation and Neighborhood and Business Services.

3.0 REFERENCES

Washington State Constitution, Article XI, section 11
Spokane City Charter, Article 1 section 3
Spokane Municipal Code - Article VI. Protection of Public Lands and Properties, sections 12.02.1000 through 12.02.1012
Spokane Municipal Code section 12.02.0208
Spokane Municipal Code section 12.02.0737
Spokane Municipal Code section 10.10.026
Spokane Municipal Code section 12.06A.040.H.1

4.0 DEFINITIONS

4.1 Encampment means a site where one or more individuals or groups of persons temporarily reside outdoors.

5.0 POLICY

5.1 It is the policy of the City of Spokane to remove and clean up encampments on public property while respecting the personal property rights of campers.

6.0 PROCEDURE

6.1 REMOVAL AND CLEANUP CRITERIA

- A. Any encampment on public property may be designated for removal and cleanup consistent with this policy.
- B. The City will prioritize removal if any of the following conditions is observed or reasonably suspected in connection with an encampment:
 - 1. physical threats or violence;
 - 2. criminal activity not inherent in the act of unauthorized camping (e.g., drug use or sales, theft, sex trafficking, malicious mischief);
 - 3. a condition that significantly increases the likelihood of disease or the spread of disease (e.g., rodents, exposed meat, human waste);
 - 4. a condition that presents a significant risk of bodily injury or death (e.g., discarded needles, vehicular traffic, weapons);
 - 5. any other substantial threat to public health or safety;
 - 6. damage (including potential or foreseeable damage) to the natural environment of environmentally critical areas;
 - 7. significant amounts of trash;
 - 8. significant disruption to a primary intended use of public property (e.g., blocking a doorway, on a sports field or court; obstructing a large portion of a sidewalk);
 - 9. occupation of an area in which the public is not allowed to be present during the times camping is occurring.
- C. Any of the factors enumerated in the above section that are observed at an encampment that is the subject of removal should be documented with a specific description, which may include a police report, and available photographic or videographic evidence including footage from body worn cameras.
- D. In addition to documentation with regard to the aforementioned conditions, the police officer or other person responsible for documentation should include a statement whether such conditions place the public at risk and how removal of the encampment is related to preservation of public health or safety.

6.2 REMOVAL AND CLEANUP PROCEDURES

A. Unoccupied Encampments – Written Notice Required Prior to Removal

For unoccupied encampments, written notice of removal will be posted on each tent and/or in any other distinct areas of the encampment. Reasonable efforts should be made to ensure that campers who are known to have difficulties understanding a written notice (whether because they are non-English speakers or impaired in some other way) receive the notice in a manner that is clear.

1. Contents of Notice

The written notice will provide at least the following notifications:

- a. Campers must remove all their belongings from the site within 48 hours.

- b. Campers should not leave behind any items they want to keep.
 - c. Campers unable to remove their belongings in time due to disability or an equivalent hindrance may call 311 or visit MySpokane at Spokane City Hall (808 W. Spokane Falls Blvd), to make a request for special assistance. The request will be evaluated for reasonableness, and if reasonable, accommodated to the extent practicable. Campers should not assume that a request for assistance will be approved or that the City will be able to accommodate the request.
 - d. Campers may call 311 or visit MySpokane at Spokane City Hall (808 W. Spokane Falls Blvd) to inquire about whether items that were left at an encampment have been stored. Campers may retrieve their belongings without fear of arrest solely on the basis that they are retrieving their belongings.
 - e. Campers wishing to minimize the risk of losing valued possessions in removals should always keep such items, to the extent possible, in visible, sanitary, and safely accessible bags or bins.
 - f. If the City does not clean up the site within a reasonable period of time, not to exceed five business days from expiration of the 48-hour period, the notice will be disregarded, and a new notice may then be posted.
 - g. Basic contact information for campers seeking shelters or social services.
2. Cleanup - After 48 hours, the City will clean up the site within a reasonable period of time.
- a. Any campers who are present at that time will be directed to remove their belongings from the site.
 - i. Items that a camper leaves behind will be deemed abandoned.
 - ii. Requests for additional time or assistance to remove items will be evaluated for reasonableness, and if reasonable, accommodated to the extent practicable.
 - b. City staff, as designated by the Director of Code Enforcement, will conduct an inspection for any remaining, unclaimed items, to the extent this can be done safely. An inspection may be narrowed or terminated for one or more of the following reasons that render further inspection unsafe:
 - i. presence of one or more hypodermic needles (especially if uncapped);
 - ii. strong odor or visual indication of unsanitary condition (e.g., biological waste) permeating a tent or space;
 - iii. a tent or space that is soaked in liquid or mud;
 - iv. any other similar indication that further inspection or manipulation would be unsafe.
 - c. Unclaimed items found in an inspection will be initially eligible for storage if and only if:
 - i. circumstances indicate that the item belongs to a person;
 - ii. the item has apparent utility in its current condition and circumstances; and
 - iii. the item can be safely retrieved from the site.

Examples of potentially storable items include: identification, medication stored in medication bottles with identifying information, art, art supplies, musical instruments, and items that reasonably appear to have sentimental value in their current condition. An item need not be in new or perfect condition to have apparent utility.
 - d. An eligible item found in an inspection will be put into storage, unless it is determined to meet one of the following disqualifying conditions:
 - i. hazardous (e.g., items contaminated with human waste, explosives, moldy items);
 - ii. likely to become hazardous in storage (e.g., perishables, wet materials that might become moldy, items covered in mud);

- iii. practically un-storable, due to large size, weight, or other similar characteristic;
 - iv. contraband or stolen;
 - v. is on the City's current list (as published on the City's website) of common types of items that, in the experience of City staff, campers regularly abandon during encampment removals, and there is no contrary indication as to the specific item.
- e. Any items taken into storage will be kept in storage for up to 60 days. In addition to information already available on the notice, information about how stored items can be retrieved shall be available on the City of Spokane's website.
3. If the City does not clean up the site within a reasonable period of time, not to exceed five business days from expiration of the 48-hour period, the notice will be disregarded, and a new notice may then be posted.
4. Stored items may be retrieved from storage based on a description with sufficient specificity to demonstrate ownership.

B. Occupied Encampments

For occupied encampments, when shelter is available in the City, the City will provide campers with shelter and service information while expediting cleanup and removal of the site.

1. Campers will be directed to remove their belongings from the site.
 - a. Items that a camper leaves behind will be deemed abandoned.
 - b. Requests for additional time or assistance to remove items will be evaluated for reasonableness and, if reasonable, accommodated to the extent practicable.
2. A separate and unclaimed portion of an otherwise occupied encampment will be treated as an unoccupied encampment per Section A above.

C. Other Expedited Removals

1. The following types of encampments are subject to expedited removal even if the encampment is unoccupied:
 - a. An encampment in an area the public is not allowed to access at the time of removal, with clear signage to that effect.
 - b. An encampment in an area that has been clearly signed as specially off-limits to camping and subject to expedited removal.
 - c. An encampment that significantly disrupts a primary intended use of public property (e.g., blocking a doorway, on a sports field or court, or obstructing a large portion of a sidewalk).
 - d. An encampment that poses a significant risk of bodily injury (e.g., directly adjacent to vehicular traffic, requires walking across highway traffic to access).
 - e. An encampment that appears to have been entirely abandoned (e.g., no persons present and no indication anyone is likely to return for remaining items).
2. In an expedited removal, the notice specified in Section (A)(1) is not required. The City will otherwise follow the same clean-up procedures specified in this policy.

6.3 No part of this Encampment Removal and Cleanup Policy is intended to create any private or other cause of action.

7.0 RESPONSIBILITIES

7.1 Departments are required to coordinate efforts to comply with this policy.

8.0 APPENDICES

Not applicable.

CITY OF SPOKANE EXECUTIVE ORDER	EO 2020-00 <u>18</u> LGL 2020-00 <u>28</u>
TITLE: EXECUTIVE ORDER FOR WRITTEN FINDING OF EMERGENCY TO AWARD NECESSARY CONTRACT FOR TEMPORARY STAFFING IN THE REGIONAL EMERGENCY HOMELESS HOUSING SHELTER	
EFFECTIVE DATE: November <u>13th</u> , 2020 REVISION DATE IF APPLICABLE:	

**Factual Background Information to Finding of Emergency to Support Execution of
Regional Homeless Shelter Agreement with Guardian's Foundation:**

WHEREAS, Washington Governor Jay Inslee issued a proclamation declaring a State of Emergency ("Proclamation") for the entire State of Washington ("State") on February 29, 2020. Spokane Mayor Nadine Woodward issued an Executive Declaration of Civil Emergency or Disaster ("Declaration") in the City of Spokane ("City") on March 16, 2020, which Declaration was ratified and amended by the Spokane City Council ("Council") by Resolution No. 2020-20 on March 16, 2020;

WHEREAS, an important focus of the actions taken by State and City authorities was to emphasize the public safety and health requirements of the response to the COVID-19 crisis. A very important part of this response has been both the separation and social distancing of individuals. In order to provide for the appropriate distancing in Homeless Shelters operated by the City in this region, additional shelter space had to be identified and put into operation;

WHEREAS, the City, Spokane County ("County") and other agencies, most notably the Spokane Regional Health District ("SRHD"), have set up an Emergency Operations Center ("EOC") to coordinate the regional approach to the COVID crisis. It was recognized by the EOC that the emergency contract capabilities needed for this project and other efforts directed at serving the homeless population in a safe environment that complies with public health standards were best provided by the City. (Exhibit "A"). The duties and responsibilities of the EOC as they relate to the population that is homeless has been transitioned to the Regional Shelter Group;

WHEREAS, in order to satisfy the social distancing requirements in place to protect against the transfer of the COVID virus, it was necessary for the City to acquire additional facilities for its contractors and service providers to safely serve individuals experiencing homelessness;

WHEREAS, the City previously acquired the Cannon Facility (the "Facility") to provide homeless shelter for the region and there is a need to provide staff at the Facility;

WHEREAS, the need for seasonal shelter space as winter and inclement weather approaches has increased and the Facility is nearly complete and will provide spaces for up to 80 individuals;

WHEREAS, there is a need for staffing in the Facility so the City, through a subcommittee of the Continuum of Care Board conducted a process to review responses to Requests for Proposal to provide this service;

WHEREAS, review of these proposals identified the following about the two providers who responded:

- a) They were scored as relatively equal on the review sheets of the subcommittee members;
- b) One provider's cost to provide services was \$450,000 less than the other provider;
- c) This same provider was able to mobilize and fully staff the Facility within seventy-two hours of receiving the approval to proceed and the other provider would take weeks longer; and
- d) This same provider was also able to offer 24/7 staff coverage immediately upon opening and the other provider was not;

All of which led the subcommittee to recommend that the Guardian's Foundation be selected to provide services at the Facility;

WHEREAS, this recommendation was discussed with the Regional Shelter Leadership Group, where a majority of those present agreed the award to the Guardian's Foundation was the preferred action to take;

WHEREAS, it is important to have the Facility open and available to provide for those who need services as quickly as possible;

WHEREAS, a number of emergency declarations have been made in the last eight months given the COVID Pandemic and the need to provide healthy sheltering;

WHEREAS, the Governor's Proclamation grants entities like the City the authority under RCW 38.52.070 to execute contracts without the time consuming procedures and formalities prescribed by law; and

WHEREAS, Section 7.06.180 of the Spokane Municipal Code provides that if an emergency requires procurement prior to City Council Action, the Mayor may declare an emergency and award necessary contracts or agreements to address the emergency situation.

NOW, THEREFORE, Nadine Woodward, Mayor, do hereby order and direct:

- 1) An emergency situation exists and that the public safety and health of the community necessitates the execution of a contract with the Guardian's Foundation for temporary staffing for the Regional Emergency Homeless Housing in the Facility.
- 2) The finding of this emergency situation and the necessity for the execution of these agreements is based upon the facts and circumstances set forth herein and the records and files of the City.

Dated this 13 day of November, 2020.


Mayor Nadine Woodward

Attest:


City Clerk

Approved as to form:


City Attorney

Date of Publication: 11/25/2020

Effective Date: 11/13/2020



RECEIVED	
NOV 18 2020	EO 2020-0019 LGL 2020-0008
CITY OF SPOKANE EXECUTIVE ORDER	CITY CLERK'S OFFICE
<p>TITLE: EXECUTIVE ORDER FOR WRITTEN FINDING OF EMERGENCY JUSTIFYING THE EXECUTION OF AN ADDITIONAL AMENDMENT TO A PUBLIC WORKS CONTRACT FOR IMPROVEMENTS TO A FACILITY TO PROVIDE ADEQUATE SPACE FOR THE REGIONAL EMERGENCY RESPONSE TO THE NEED FOR HEALTHY SHELTERING</p> <p>EFFECTIVE DATE: November 13th, 2020</p> <p>REVISION DATE IF APPLICABLE:</p>	

Factual Background Information to Finding of Emergency to Support Execution of an amendment to a public works contract for the construction of improvements to a facility to provide adequate space for the Regional Emergency Response to the need for Healthy Sheltering:

WHEREAS, Washington Governor Jay Inslee issued a proclamation declaring a State of Emergency ("Proclamation") for the entire State of Washington ("State") on February 29, 2020. Spokane Mayor Nadine Woodward issued an Executive Declaration of Civil Emergency or Disaster ("Declaration") in the City of Spokane ("City") on March 16, 2020, which Declaration was ratified and amended by the Spokane City Council ("Council") by Resolution No. 2020-20 on March 16, 2020.

WHEREAS, an important focus of the actions taken by State and City Authorities was to emphasize the public safety and health requirements of the response to the COVID-19 crisis. A very important part of this response has been both the separation and social distancing of individuals. In order to provide for the appropriate distancing in Homeless Shelters funded by the City in this region, additional shelter space had to be identified and put into operation.

WHEREAS, the City, Spokane County ("County") and other agencies, most notably the Spokane Regional Health District ("SRHD") have set up an Emergency Operations Center ("EOC") to coordinate the regional approach to the COVID Crisis. It was recognized by the EOC that the emergency contract capabilities needed for this project and other efforts directed at serving the homeless population in a safe environment that complies with public health standards were best administered by the City. (Exhibit "A"). The duties and responsibilities of the EOC as they relate to the population that are homeless has been transitioned to Regional Shelter Group.

WHEREAS, during this process it was identified that given the volume of people accessing one facility for healthy sheltering was so large and social distancing measures were difficult to support, two separate locations were the best solution.

WHEREAS, after an extensive search, there was the identification of a facility located at 55 West Mission Avenue (the "New Facility") that will help provide housing for individuals currently residing in the PFD Facilities.

WHEREAS, there were a number of improvements identified that were identified as necessary to accommodate new residents;

WHEREAS, given the short time that exists before all guests leave the PFD Facilities, time is of the essence in making necessary changes and renovations to the New Facility.

WHEREAS, the City has identified a contractor who can perform the necessary work and a contract was prepared with this contractor and has been executed by the Mayor to allow improvements to be completed prior to occupancy of the New Facility.

WHEREAS, the contractor and City discovered as work was being performed that additional work involving finish construction and installation of doors and locks related to the completion of the New Facility was necessary and will require an additional amendment to the original contract in order to complete this work which is necessary in order to provide safe and healthy shelter housing.

WHEREAS, the Governor's Proclamation grants entities like the City the authority under RCW 38.52.070 to execute contracts without the time consuming procedures and formalities prescribed by law.


WHEREAS, Section 7.06.180 of the Spokane Municipal Code provides that if an emergency requires procurement prior to City Council Action, the Mayor may declare an emergency and award necessary contracts and other agreements to address the emergency situation:

NOW, THEREFORE, Nadine Woodward, Mayor, do hereby order and direct:

- 1) An emergency situation exists and that the public safety and health of the community necessitates the execution of an additional amendment to a public works contract with Rockin' DW Construction for demolition and construction work on a facility at 55 West Mission in Spokane, Washington to provide for the Regional response to healthy sheltering in response to the COVID-19 pandemic.

2) The finding of this emergency situation and the necessity for the execution of these agreements is based upon the facts set forth herein and the records and files of the City.

Dated this 13 day of November 2020.


Mayor Nadine Woodward

Attest:


City Clerk

Approved as to form:


City Attorney

Date of Publication: 11/25/2020

Effective Date: 11/13/2020



RECEIVED	
NOV 18 2020	
CITY OF SPOKANE EXECUTIVE ORDER	CITY CLERK'S OFFICE
	EO 2020-00 <u>20</u> LGL 2020-00 <u>08</u>
<p>TITLE: EXECUTIVE ORDER FOR WRITTEN FINDING OF EMERGENCY JUSTIFYING THE EXECUTION OF AN AMENDMENT TO A PUBLIC WORKS CONTRACT AND A PUBLIC WORKS CONTRACT FOR IMPROVEMENTS TO A FACILITY TO PROVIDE ADEQUATE SPACE FOR THE REGIONAL EMERGENCY RESPONSE TO THE NEED FOR HEALTHY SHELTERING</p> <p>EFFECTIVE DATE: November <u>13th</u>, 2020</p> <p>REVISION DATE IF APPLICABLE:</p>	

Factual Background Information to Finding of Emergency to Support Execution of a public works contract for the construction of improvements to a facility to provide adequate space for the Regional Emergency Response to the need for Healthy Sheltering:

WHEREAS, Washington Governor Jay Inslee issued a proclamation declaring a State of Emergency ("Proclamation") for the entire State of Washington ("State") on February 29, 2020. Spokane Mayor Nadine Woodward issued an Executive Declaration of Civil Emergency or Disaster ("Declaration") in the City of Spokane ("City") on March 16, 2020, which Declaration was ratified and amended by the Spokane City Council ("Council") by Resolution No. 2020-20 on March 16, 2020.

WHEREAS, an important focus of the actions taken by State and City Authorities was to emphasize the public safety and health requirements of the response to the COVID-19 crisis. A very important part of this response has been both the separation and social distancing of individuals. In order to provide for the appropriate distancing in Homeless Shelters funded by the City in this region, additional shelter space had to be identified and put into operation.

WHEREAS, the City, Spokane County ("County") and other agencies, most notably the Spokane Regional Health District ("SRHD") did establish an Emergency Operations Center ("EOC") to coordinate the regional approach to the COVID Crisis. It was recognized by the EOC that the emergency contract capabilities needed for this project and other efforts directed at serving the homeless population in a safe environment that complies with public health standards were best administered by the City. (Exhibit "A"). Subsequently the responsibilities of the EOC were transitioned to the Regional COVID Recovery Group.

WHEREAS, during this process it was identified that given the volume of people accessing one facility for healthy sheltering was so large and social distancing measures were difficult to support, at least two separate locations for housing individuals was the best solution.

Whereas the Board of County Commissioners of Spokane County have authorized the expenditure of up to \$2,000,000 to acquire a facility at W. 55 Mission Avenue, construct and install improvements in that facility and to construct and install certain improvements in the Cannon Street Facility previously acquired by the City of Spokane (Cannon Facility);

Whereas the improvements to the Cannon Facility need to be completed and the building ready for occupancy by November 1, 2020 in order to continue to provide safe housing options during the COVID related crisis;

WHEREAS, the City has identified a contractor who can perform the necessary work and a contract was prepared with this contractor and has been executed by the Mayor to allow improvements to be completed by the necessary date;

WHEREAS, an initial contract with Rockin' DW Construction was executed by the Mayor for the City on or about August 27, 2020. As that contract has proceeded, additional work that is required to be done to provide safe and healthy shelter has been identified. This additional work required the execution of a contract for construction, which was executed on or about September 24, 2020. Additional work to expand the Cannon Facility to provide space for 80 additional individuals for safe and healthy sheltering requires the execution of an amendment to the construction contract.

WHEREAS, it is in the best interests of this population that this required work be performed before November 20, 2020 as that is when the weather becomes very unpredictable which creates further unsafe conditions for those without housing;

WHEREAS, the Governor's Proclamation grants entities like the City the authority under RCW 38.52.070 to execute contracts without the time consuming procedures and formalities prescribed by law.


WHEREAS, Section 7.06.180 of the Spokane Municipal Code provides that if an emergency requires procurement prior to City Council Action, the Mayor may declare an emergency and award necessary contracts and other agreements to address the emergency situation.

NOW, THEREFORE, Nadine Woodward, Mayor, do hereby order and direct:

1) An emergency situation exists and that the public safety and health of the community necessitates the execution of an amendment to the public works contract with Rockin' DW Construction executed on or about September 24, 2020 for additional construction work in order to provide for the Regional response to healthy sheltering in response to the COVID-19 pandemic.

2) The finding of this emergency situation and the necessity for the execution of these agreements is based upon the facts set forth herein and the records and files of the City.

Dated this 13 day of November, 2020.



Mayor Nadine Woodward

Attest:



City Clerk

Approved as to form:



City Attorney

Date of Publication: 11/25/2020

Effective Date: 11/13/2020



Policies and Procedures

RESOLUTION 2020-0084

A resolution regarding the Public Rule for the City of Spokane Riverside Park Water Reclamation Facility & Industrial Pretreatment Program & Lab Analysis Fees.

WHEREAS, the City of Spokane Wastewater Management Department maintains an Industrial Pretreatment Program in accordance with Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 – 33 USC Section 1251 et seq. and in compliance with NPDES Permit Number WA-002447-3; and

WHEREAS, the City of Spokane Pretreatment rules and regulations are contained in Chapter 13.03A of the Spokane Municipal Code (SMC); and

WHEREAS, the Industrial Pretreatment Program charges fees and costs for various services related to the regulation of wastewater from Industrial Users of the City of Spokane Publicly Owned Treatment Works; and

WHEREAS, these fees are intended to help cover the costs of administration of the Industrial Pretreatment Program, including but not limited to, costs associated with permit issuance, monitoring, inspection, sampling, analysis, publication, processing, and violation remediation; and

WHEREAS, the City is desirous of having all the fees and costs located in one document available to staff and the public, to be reviewed and updated annually; and

WHEREAS, the Riverside Park Water Reclamation Facility & Industrial Pretreatment Program & Lab Analysis Fees Public Rule is attached and available to members of the public and attached hereto as Attachment "A".

– NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPOKANE, that the City Council hereby approves and supports the RPWRF & INDUSTRIAL PRETREATMENT PROGRAM & LAB ANALYSIS FEES as contained in Attachment "A".

ADOPTED by City Council this 9th day of November 2020.


City Clerk

Approved as to form:


Assistant City Attorney



CITY OF SPOKANE DEPARTMENT WASTEWATER PUBLIC RULE AND PROCEDURE	RULE 4310-20-01 LGL 2020-0023
TITLE: RPWRF & INDUSTRIAL PRETREATMENT PROGRAM & LAB ANALYSIS FEES.	
EFFECTIVE DATE: December 17, 2020 REVISION EFFECTIVE DATE: N/A	

the Industrial Pretreatment Program establish the following public rule, policy, procedures and protocol regarding the Industrial Pretreatment Program and Lab Analysis.

RPWRF and the Industrial Pretreatment Program charge customers fees for various services related to the regulation of wastewater from Industrial Users of the City of Spokane Publicly Owned Treatment Works.

The fees schedule can be found onsite at RPWRF located at 4401 North Aubrey L. White Parkway, Spokane, Washington 99205.

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- 7.0 RESPONSIBILITIES
- 8.0 APPENDICES

2.0 DEPARTMENTS/DIVISIONS AFFECTED

This public rule and policy shall apply to the City of Spokane Wastewater Management Department Riverside Park Water Reclamation Facility, the City of Spokane Utilities Billing Department, and the City of Spokane Accounting Department.

3.0 REFERENCES

Spokane Municipal Code (SMC) Chapter 13.03A
 Spokane Municipal Code (SMC) Chapter 13.03
 Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 – 33 USC section 1251 et seq.
 General Pretreatment Regulations – 40 CFR Chapter I, Sub Ch. N part 403
 Chapter 90.48 RCW
 Chapter 173-216 WAC
 EPA Region 10 Model Ordinance for Pretreatment Programs
 Enforcement Response Plan located at RPWRF
 Industrial Pretreatment Program Policy and Procedure (DEPT 4320-16-01)

4.0 DEFINITIONS

See SMC 13.03A.
 See SMC 13.03.

5.0 POLICY

It is the policy of the City of Spokane to adopt fees for reimbursement of costs incurred by the City for the administration of the City's Industrial Pretreatment Program & other operations of RPWRF in compliance with NPDES Permit Number WA-002447-3.

6.0 PROCEDURES – RPWRF - Industrial Pretreatment Program

6.1 The Industrial Pretreatment Program charges standard fees for Pretreatment services.

6.2 These fees are intended to help cover the costs of administration of the Industrial Pretreatment Program, including but not limited to, costs associated with permit issuance, monitoring, inspection, sampling, analysis, publication, processing, and violation remediation

6.3 Fees and Charges:

- 6.3.1. Pretreatment Fees and Laboratory Analysis Fees are charged as stated in Appendix A and B respectively, attached.
- 6.3.2 Administrative appeal: Two hundred fifty dollars (\$250).
- 6.3.3 Publication of significant non-compliance notice: Costs as billed
- 6.3.4 Monitoring, inspection, surveillance, sampling fees: Costs as determined and billed by the Plant Manager.
- 6.3.5 Processing fee for NSF checks: As set by City Treasurer.
- 6.3.6 Administrative penalty: Five hundred dollars (\$500).
- 6.3.7 Any other review or approval by the Plant Manager not otherwise specified above: Hourly basis based on staff time and materials.

7.0 RESPONSIBILITIES

The Wastewater Management Department through its Industrial Pretreatment Program, Utilities Billing Department, and Accounting Department shall administer this Public Rule and Policy. Significant Industrial Users will be invoiced on their monthly utility bill. For Minor Industrial Users, the Industrial Pretreatment Program will provide the calculated dollar amount from the fee schedule to the Accounting Department. The Accounting Department will then invoice the Industrial User the total calculated amount. Unpaid charges, fines, and penalties shall, after thirty calendar days, be assessed an additional penalty of one percent (1%) of the unpaid balance per month.

8.0 APPENDICES

8.1 Appendix A – RPWRF Pretreatment Fees

8.2 Appendix B – RPWRF Lab Analysis Fees

APPENDIX A

RPWRF - PRETREATMENT FEES

Pretreatment Fee	Dollar Amount
SIU Permit Issuance	8007 / 5 years
SIU Permit Renewal	5365 / 5 years
SIU Permit Modification	Chemist time + publication
SIU Inspection	3,876
Other Inspection	Chemist - time basis
SIU Sampling	815
Other Sampling	Lab Tech - time basis
IDA Issuance	484
IDA Renewal	264
IDA Inspection	264
NSCIU Inspection	264
Violation Publication Fee	256
Other Violation Fees	Based on Fine Structure in the Pre-treatment Enforcement Response Plan
Other Damage or Interference	Time and materials basis

APPENDIX B

RPWRF - LAB ANALYSIS FEES

Laboratory Analysis Fee	Dollar Amount
EPA Method 420.4 - Phenol	as charged by analyzing laboratory
EPA Method 245.1 - Mercury	as charged by analyzing laboratory
EPA Method 300.0 - Chloride	as charged by analyzing laboratory
EPA Method 335.4 - Cyanide	as charged by analyzing laboratory
EPA Method 608 Priority Pollutant Pesticides/PCBs	as charged by analyzing laboratory
EPA Method 624 - Regulated Priority Pollutant List + Unregulated (A/A/2CEVE)	as charged by analyzing laboratory
EPA Method 624 - BTEX	as charged by analyzing laboratory
EPA Method 625 - Regulated Priority Pollutant Semi Volatiles	as charged by analyzing laboratory
EPA Method 200.7 - Local Limit Metals (10 metals, without Hg)	as charged by analyzing laboratory
EPA Method 1666 - Volatile Organics	as charged by analyzing laboratory
EPA Method 524 - Volatile Organics	as charged by analyzing laboratory
EPA Method 1688 TKN	as charged by analyzing laboratory
EPA Method 1668 C - PCBs	as charged by analyzing laboratory
EPA Method 200.8 - Low Level Metals (Digestion)	as charged by analyzing laboratory
EPA Method 200.8 - Low Level Metals (Per metal)	as charged by analyzing laboratory
EPA Method 1631E - Low Level Mercury	as charged by analyzing laboratory
Hardness	as charged by analyzing laboratory
EPA Method 1632 Pentavalent Arsenic	as charged by analyzing laboratory
EPA Method 218.6 Hexavalent Chromium	as charged by analyzing laboratory
EPA Method 1664B Oil & Grease (HEM & SGT-HEM)	57
Standard Methods 4500 P Phosphorus, Total	12
Standard Methods 2540D - Total Suspended Solids (TSS)	20
Standard Methods 4500 - pH	34
Standard Methods 5210 - Biochemical Oxygen Demand (BOD5)	49
EPA Method 200.7 - Metals, Total (by ICP) - sample prep	18
EPA Method 200.7 - Metals, Total (by ICP) - per metal	12

CITY OF SPOKANE DEPARTMENT WATER AND HYDROELECTRIC PUBLIC RULE AND PROCEDURE	RULE 4100-20-02 LGL 2020-0024
TITLE: WATER & HYDROELECTRIC DEPARTMENT – FEE SCHEDULE	
EFFECTIVE DATE: December 17, 2020 REVISION EFFECTIVE DATE: N/A	

1.0 GENERAL

The City of Spokane Water and Hydroelectric Department established the following public rule, policy, procedures and fee schedule.

This Public Rule relates to the charges of fees and costs for various services related to the Water and Hydroelectric Department from the City of Spokane.

The administrative fees and costs schedule can be found onsite at Water and Hydroelectric Department located at 914 East North Foothills Drive, Spokane, Washington 99207.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This public rule and policy shall apply to the City of Spokane Water and Hydroelectric Department, the City of Spokane Utilities Billing Department, and the City of Spokane Accounting Department.

3.0 REFERENCES

Spokane Municipal Code (SMC) Chapter 13.04
Chapter 246-290 WAC - Group A Public Water Systems
Chapter 246-293 WAC – Water System Coordination Act
Chapter 70A.120 RCW – Public Water Supply System
City of Spokane Public Rule 4100-20-01, Water Hydrant Usage Policy and Fees dated June 25, 2020

4.0 DEFINITIONS

See SMC 13.04.0816 & Chapter 13.04 SMC

5.0 POLICY

It is the policy of the City of Spokane to adopt fees for reimbursement of costs for administering the City's Water and Hydroelectric Department programs in compliance with Department of Health regulations.

6.0 PROCEDURES

6.1 The Water & Hydroelectric Department fees and costs for various services related to the Water and Hydroelectric programs and services of the City of Spokane.

6.2 These fees and costs are intended to cover the costs of administration of the Water & Hydroelectric Department, including but not limited to, costs associated with permits, tap and meter connections, monitoring, inspections, sampling, analysis, publication, processing, and violation remediation.

6.3 Fees and Charges:

- 6.3.1 Meter Fees and Tap Fees are charged as stated in Appendix A, attached.
- 6.3.2 Return inspection fees and Reschedule fees are charged as stated in Appendix B & C.
- 6.3.3. Administrative appeal: Two hundred fifty dollars (\$250).
- 6.3.4. Publication of significant non-compliance notice: Costs as billed, payable in advance.
- 6.3.5 Monitoring, inspection, surveillance, sampling fees: Costs as determined and billed by the Director.
- 6.3.6 Processing fee for NSF checks: As set by City Treasurer.
- 6.3.7 Administrative penalty: Five hundred dollars (\$500).
- 6.3.8 Any other review or approval by the Director not otherwise specified above: Hourly basis based on staff time.

7.0 RESPONSIBILITIES

The Water and Hydroelectric Department through the City's Utilities Billing Department, and Accounting Department shall administer this Public Rule and Policy. Unpaid charges, fines, and penalties shall, after thirty calendar days, be assessed an additional penalty of one percent (1%) of the unpaid balance per month.

8.0 APPENDICES

- 8.1 Appendix A – Meter Fees & Tap Fees
- 8.2 Appendix B – Return Inspection Fee
- 8.3 Appendix C – Reschedule Fee

APPENDIX A

METER FEES & TAP FEES

Meter Fees	Fee Dollar Amount
Type: Hydrant Flow Test	1,077.03
Type: After Hours Fee	1,728.12
Type: Meter Test Fee	302.28
2" Fire Meter W/ DCDVA	5,494.31
Type: 2" Fire Meter W/O DCDVA	1,017.30
Type: Utility Offset (based on 8")	2,360.05
Type: 3" Meter - Domestic W / DCVA	7,654.48
Type: 3" Meter - Domestic W/O DCVA	6,857.01
Type: 4" Meter - Domestic W/ DCVA	8,850.99
Type: 4" Meter - Domestic W/O DCVA	7,607.09
Type: 6" Meter - Domestic W/ DCVA	12,302.79
Type: 6" Meter - Domestic W/O DCVA	10,547.99
Type: 3" Meter – Irrigation W/ DCVA	6,185.83
Type: 3" Meter – Irrigation W/O DCVA	4,976.66
Type: 4" Meter - Irrigation W/ DCVA	7,098.40
Type: 4" Meter – Irrigation W/O DCVA	5,854.50
Type: 6" Meter – Irrigation W/ DCVA	10,816.20
Type: 6" Meter - Irrigation W/O DCVA	9,061.40
Type: 4" Meter - Domestic/Fire W/ DCVA	11,479.36
Type: 4" Meter - Domestic/Fire W/O DCVA	9,742.68
Type: 6" Meter - Domestic/Fire W/ DCVA	15,661.50
Type: 6" Meter - Domestic/Fire W/O DCVA	13,222.48
Type: 8" Meter - Domestic/Fire W/ DCVA	20,231.90
Type: 8" Meter - Domestic/Fire W/O DCVA	16,705.69
Type: 10" Meter - Domestic/Fire W/ DCVA	27,505.50
Type: 10" Meter - Domestic/Fire W/O DCVA	22,837.73
Type: 4" Meter – Fire W/ DCVA	4,571.48
Type: 6" Meter – Fire W/ DCVA	5,167.20
Type: 8" Meter – Fire W/ DCVA	6,450.73
Type: 10" Meter – Fire W/ DCVA	7,306.03
Type: 4" Meter – Fire W/O DCVA	1,707.05
Type: 6" Meter – Fire W/O DCVA	1,733.58

Type: 8" Meter – Fire W/O DCVA	1,776.21
Type: 10" Meter – Fire W/O DCVA	1,843.76
Type: 3/4" Meter – Domestic or Irrigation In PVC Box	2023.49
Type: 3/4" Meter – Domestic or Irrigation In Concrete Box	2503.06
Type: 3/4" Meter – Domestic or Irrigation In Building	939.50
Type: 1" Meter – Domestic or Irrigation In PVC Box	2074.99
Type: 1" Meter – Domestic or Irrigation In Concrete Box	2,548.30
Type: 1" Meter – Domestic or Irrigation In Building	1,009.74
Type: 1" Meter – Domestic or Irrigation In Vault	1,394.49
Type: 2" Meter – Irrigation	2,403.74
Type: 2" Meter – Domestic	2,381.75
Type: 1 1/2" Meter - Irrigation	2,316.24
Type: 1 1/2" Meter - Domestic	2,242.80
Type: Upsize to 3/4" Meter In existing Box	402.30
Type: Upsize to 3/4" Meter In Basement	402.30
Type: Upsize to 1" Meter In Existing Box	623.35
Type: Upsize to 1" Meter In Basement	623.35
Type: Valve Replacement	305.71
Type: Frozen 5/8" Meter	376.16
Type: Frozen 3/4" Meter	332.21
Type: Frozen 1" Meter	493.40
Type: Frozen 1 1/2" Meter	945.53
Type: Frozen 2" Meter	945.53

Tap Fees	Fee Dollar Amount
Type: 1" Tap	1,219.21
Type: 2" Tap	1,414.14
Type: 4" Tap	4,183.43
Type: 6" Tap	4,062.13
Type: 8" Tap	5,164.19
Type: 10" Tap	6,721.65
Type: 12" Tap	6,791.04

RETURN INSPECTION FEE - ATTACHED

[illegible]

APPENDIX C

RESCHEDULE FEE – ATTACHED

Date Updated : 08/13/2020				Estimate Only	
Install Reschedule Fee-(24 hour cancelation of appointments)					
Estimated Hours : 2					
MATERIALS					
Description	Qty		Unit Price	Total	This is to pay for the loading and unloading of parts for the job and travel time to an from the job site
Sub Total:				\$	-
LABOR					
Description	Qty		Unit	Total	
					Pay Rate
					Benefits
					Overhead
					Total
					Labor Overhead:
					Labor Benefit:

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.

PUBLIC DEFENDER I SPN 095 OPEN ENTRY

DATE OPEN: Monday, November 23, 2020 **DATE CLOSED:** Tuesday, December 8, 2020 at 4:00 p.m.
SALARY: \$58,691.59 annual salary, payable bi-weekly, to a maximum of \$70,332.19

DESCRIPTION:

The City of Spokane Public Defender's Office seeks creative, client-focused advocates to join our diverse team of public defense attorneys. If you have a passion for public defense and a commitment to representing indigent persons, you have found your team!

Successful candidates are dedicated advocates, think critically and creatively in a fast-paced environment and are open to accepting feedback and opportunities to grow.

- You use independent judgment, to determine the proper course of action within the limits of law.
- You have the ability to maintain extensive outside contacts, to obtain or supply factual information.
- You must be able to prepare legal briefs, develops strategy, arguments and testimony.
- You have strong negotiation skills and bring those to court, in defense of your clients.
- You care about your community and the citizens that you serve.

Our Public Defenders have professional development opportunities, annual pay step increases, a flexible schedule and great employee benefits, including a pension plan!

As another benefit, a Public Defender I will automatically promote to a Public Defender II after one year, accompanied by a starting salary of \$67,006.01. The pay range for Public Defender II goes up to a yearly salary of \$98,248.75.

Please visit the City of Spokane Career Center at governmentjobs.com/careers/spokanecity, for the full job specification and compensation details.

DUTIES:

- Prepares and conducts legal defense before the Court including representation at first appearance and arraignment.
- Gathers evidence and conducts legal research to formulate defense against charges.
- Interviews clients and witnesses and may work with an investigator to ascertain case facts, and handles other details in preparation for trial or case resolution.
- Prepares legal briefs, develops strategy, arguments and testimony in preparation for presentation of the case.
- Negotiates resolution with prosecutors on non-trial cases.
- Represents client in court, examining and cross-examining witnesses. Summarizes case to jury.
- Provides advice by phone to DUI arrestees who have asked for such advice of counsel during business and non-business hours.
- Confers with colleagues with specialty in area of law to establish and verify basis for legal proceedings, such as therapeutic courts.
- Performs related work as required.

MINIMUM QUALIFICATIONS:

Combinations of education and experience that are equivalent to the following minimum qualifications are acceptable.

Open Entry Requirements:

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

- **Membership:** Membership in good standing with the Washington State Bar Association, whether by exam, diploma privilege by graduation from an accredited law school, or APR 6.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for promotion. The examination will consist of a training and experience evaluation (T&E) with scoring weight assigned as follows:

- T&E: 100%

T&E EVALUATION DETAILS

The T&E examination consists of a Supplemental Questionnaire. The questions may be viewed online under the tab marked "**QUESTIONS**" on the job announcement page. The T&E must be submitted online at the time of application. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the closing date.

- Responses to your T&E questions should be consistent with the information given in your application details, and are subject to verification.
- Failure to complete all of the questions or incomplete responses will result in a lower score; therefore, it is advantageous for you to provide a full and complete response to each supplemental question.
- Resumes or questionnaires uploaded as attachments to the application will not be accepted in lieu of completing each question online.
- "See Resume" or "See above", etc. 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.
- **TIP:** It may be more efficient to develop your responses in a word processing document and then paste them into the online questionnaire to be submitted.

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

Qualified applicants are encouraged to apply immediately.

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 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
- Mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 20th day of November 2020.

MARK LINDSEY
Chair

KELSEY PEARSON
Interim Chief Examiner

Notice for Bids

Paving, Sidewalks, Sewer, etc.

Sprague Avenue Rebuild 2B
Engineering Services File No.2019113

This project consists of the construction of approximately 3500 cubic yards of excavation and embankment, 1312 linear feet of 24" ductile iron water main, 1302 linear feet of 24" Stormwater pipe, 530 linear feet of 21" sanitary sewer main, 200 linear feet of 24" sanitary sewer main, 11 drainage structures, 3000 square yards of sidewalk, 7050 square yards of 7-inch thick HMA pavement, illumination system, landscaping and sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. December 14, 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 between noon and 1:00 p.m. to 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. on the first floor of City Hall. In order to comply with "Stay Home, Stay Safe" order as much as possible, please utilize one of the following options to participate in the bid opening. To watch, log in to <https://spokanecity.webex.com/join>. Alternatively, it may be simpler to listen by phone which can be done as follows: call (408) 418-9388 then enter the access code 965 272 875 followed by #. When prompted for an attendee ID number, enter #.

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.

Note regarding new specifications: The City of Spokane is using WSDOT's 2020 Standard Specifications. Bidders should allow sufficient time to familiarize themselves with the WSDOT 2020 Standard Specifications prior to bidding the project.

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 Gazette - November 25, December 2, December 9, 2020}

{Publish Spokesman – November 25, 2020}

2021 Street Maintenance ADA Ramps Engineering Services File No. 2020042

This project consists of the construction of approximately **80** ADA accessible wheelchair ramps, including **2,700** linear feet curb removal and replacement, **1,600** square yards of sidewalk, pavement repair, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. December 7, 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 between noon and 1:00 p.m. to 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. on the first floor of City Hall. In order to comply with "Stay Home, Stay Safe" order as much as possible, please utilize one of the following options to participate in the bid opening. To watch, log in to <https://spokanecity.webex.com/join>. Alternatively, it may be simpler to listen by phone which can be done as follows: call (408) 418-9388 then enter the access code 965 272 875 followed by #. When prompted for an attendee ID number, enter #.

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.

Note regarding new specifications: The City of Spokane is using WSDOT's 2020 Standard Specifications. Bidders should allow sufficient time to familiarize themselves with the WSDOT 2020 Standard Specifications prior to bidding the project.

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

Publish November 18, 25 and December 2, 2020

Notice for Bids

Supplies, Equipment, Maintenance, etc.

**UTILITY CONCRETE REPAIR SERVICES –
ON-CALL PUBLIC WORKS MAINTENANCE**
Street, Water, & Wastewater Maintenance Departments

PW ITB #5359-20

Description: The City of Spokane is seeking electronic bids for on-call repair of concrete curbs, sidewalks, driveways, and ADA curb ramps damaged by utility work. Work must be completed in accordance with the bid provisions and City Standard Specifications. This work will be awarded for an initial three (3) year term beginning in 2021.

Bid Opening: Sealed electronic bids will be accepted until **Monday, December 7, 2020 at 1:00pm**. Bids will be publicly opened at 1:15pm via WebEx meeting (meeting link: <https://spokanecity.webex.com/spokanecity/j.php?MTID=m058d8967449e56d8908731b4900246d3>. Access code: 965 272 875 Password: 7j8sPf7Mwbf). Please note City Hall is currently closed due to the covid-19 outbreak. 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 email notification.

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 submissions 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 submissions completed and submitted electronically will be tabulated.**

Samantha Johnson
Purchasing Department

Publish: November 25 & December 2, 2020
