



Official Gazette

City of Spokane, Washington

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

Volume 113

MARCH 8, 2023

Issue 10



MAYOR AND CITY COUNCIL

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INSIDE THIS ISSUE

MINUTES	202
GENERAL NOTICES	203
ORDINANCES	203
JOB OPPORTUNITIES	223
NOTICES FOR BIDS	225

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Minutes

NOTICE**MEETING MINUTES OF SPOKANE CITY COUNCIL****Monday, February 27, 2023**

The minutes for the Monday, February 27, 2023, Spokane City Council Meeting were not available for publication in this issue of the *Official Gazette*. The minutes will be published in the Wednesday, March 15, 2023, issue of the *Official Gazette*.

MEETING MINUTES**City of Spokane****City Council Study Session****March 2, 2023****Call to Order:** 11:02 a.m.Recording of the meeting may be viewed here at <https://vimeo.com/spokanecitycouncil>.Direct link: <https://vimeo.com/80405941>**Attendance:**

Committee Members Present: Council President Pro Tem Kinnear, Council President Beggs (arrived at 12:05 p.m.), Council Members Stratton, Cathcart, and Bingle.

Committee Members Absent: CMs Wilkerson and Zappone

Agenda Items:1. 2021 SAO Accountability Audit• Presenters:

Alisha Shaw, SAO; Andy Ruud, SAO; Tara Alfano, SAO

• Action taken:

No action taken. Presentation and discussion only.

2. Q4 2022 Economic Report• Presenters:

Dr. Patrick Jones and Dr. Kelley Cullen, Eastern Washington University Institute for Public Policy and Economic Analysis

• Action taken:

No action taken. Presentation and discussion only.

3. Premiera Feasibility Update• Presenters:

Matt Boston, Spokane City Council; Jeff Teal, City of Spokane; Dave Steele, City of Spokane; Michael Sloon, City of Spokane; Howard Delaney, City of Spokane

• Action taken:

No action taken. Presentation and discussion only.

Executive Session:

None

Adjournment:

The meeting adjourned at 12:32 p.m.

General Notices

NOTICE SEIZED AND ABANDONED PERSONAL PROPERTY ONLINE AUCTION MARCH 10, 2023 THROUGH MARCH 15, 2023

This is to provide notification that there will be an online auction of Spokane Police Department and Spokane County Sheriff's Office seized and abandoned personal property. The online auction will be held March 10-15, 2023, and available items will be sold through Reinland Equipment Auction, at the following link: <https://reinlandauctions.net>. To view a complete list of auction items, visit the Spokane Police Department Property Evidence Facility's website at the following link: <https://my.spokanecity.org/police/information/evidence-facility/>.

NOTICE CITY OF SPOKANE PROPOSED FRANCHISE ORDINANCE C36360

Franchise to MCImetro Access Transmission Services LLC, d/b/a Verizon Access Transmission Services which is a Delaware Limited Liability Corporation company based in Basking Ridge New Jersey. MCImetro is also registered as a limited liability company with the Washington State Secretary of State to operate in the State of Washington as a telecommunications company. MCImetro is seeking a franchise agreement to operate telecommunications operations in City's right of way. Franchise term: 10 years with (2) two (5) five year options. For more information contact Dina Dye (972) 457-8337; email: Dina.dye@verizon.com. (Final Reading of Ordinance C36360 is anticipated to be held before Spokane City Council on April 10, 2023.)

NOTICE CITY OF SPOKANE PROPOSED FRANCHISE ORDINANCE C36361

Franchise to Fatbeam LLC which is a Washington State Limited Liability Corporation company and has its home office in Coeur d' Alene, Idaho. Fatbeam is a registered as a limited liability company with the Washington State Secretary of State to operate in in the State of Washington as a telecommunications company. Fatbeam LLC is seeking a franchise agreement to operate telecommunications operations in City's right of way. The franchise agreement is for a ten (10) year term. For more information call: (509) 344-1008; email: regulatory@fatbeam.com. (Final Reading of Ordinance C36361 is anticipated to be held before City Council on April 10, 2023.)

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. C36330

An ordinance establishing a local program for assisting landlords and tenants in Spokane; enacting a new chapter 10.57 to Division II of Title 10; and amending sections 07.08.139, 08.01.160, 08.01.195, 08.01.270 and 08.02.0206 of the Spokane Municipal Code.

WHEREAS, the City of Spokane desires to codify regulations supporting housing security to reduce homelessness and to establish standards and enforcement mechanisms as they relate to rental housing within the municipal boundaries of the City of Spokane; and

WHEREAS, the City of Spokane desires to continue its long-term efforts to maintain healthy, vibrant and diverse neighborhoods within the City of Spokane; and

WHEREAS, the City of Spokane desires to balance the needs of landlords, tenants, and the City of Spokane to ensure a safe, healthy, and thriving rental housing market within the City's municipal boundaries; and

WHEREAS, providing housing for Spokane's residents directly impacts quality of life at the most basic level, and therefore requires regulations to ensure that this commercial venture is equitably undertaken for the mutual benefit of providers and consumers; and

WHEREAS, the City of Spokane desires to support increased housing security for current and future residents within the City of Spokane as a benefit to the overall public welfare of the City; and

WHEREAS, the City of Spokane desires to implement common-sense, baseline standards for the rental of residential real property in Spokane, and to streamline and make more affordable the process of obtaining rental housing by establishing portable background checks, tenant relocation, and landlord mitigation programs; and

WHEREAS, Washington State law and the Spokane Municipal Code ("SMC") already require owners and operators of rental residential properties to secure a business license; and

WHEREAS, the City of Spokane desires to use the general fund revenue generated from general business registrations and unit fees connected to the residential rental business sector to invest in improvements in this sector which is likely to increase overall general fund revenues and support the public welfare of the City; and

WHEREAS, Washington State law and the SMC already authorize the City's Code Enforcement Department to inspect residential properties within the City for compliance with state and municipal safety and habitability standards with the consent of the resident or by court order; and

WHEREAS, the City of Spokane desires to provide additional resources to Code Enforcement for dedicated inspectors and to the Office of Civil Rights, Equity and Inclusion and Department of Community, Housing and Human Services for a dedicated housing navigator to increase inspections, regardless of complaints, to identify and remedy unsafe and uninhabitable residential conditions regardless of a resident's willingness to risk making a formal complaint; and

WHEREAS, establishing a \$15 per residential rental unit registration fee will provide necessary funding for the additional resources necessary to implement various provisions of this ordinance, including the establishment of a public-facing resource website, creation of a housing navigator role and a residential rental unit registry, and employment of additional Code Enforcement staff for increased inspection-related work; and

WHEREAS, landlords may charge tenants the actual cost of the business registration fee.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is enacted a new chapter 10.57 to Division II License Code of Title 10 of the Spokane Municipal Code to read as follows:

Chapter 10.57 Regulation of Residential Rental Housing

SMC 10.57.010 Purpose and Intent

SMC 10.57.020 Business Licensing and Registration

SMC 10.57.030 Residential Rental Housing Navigator

SMC 10.57.040 Inspections

SMC 10.57.050 Appeals

SMC 10.57.060 Consistency with Chapter 59.18 RCW

SMC 10.57.070 Immunity, No Warranty by City of Spokane

SMC 10.57.150 Severability

Section 10.57.010 Purpose and Intent

- A. The purpose of this chapter is to establish regulations supporting housing security to reduce homelessness and to establish standards and enforcement mechanisms as they relate to rental housing within the municipal boundaries of the City of Spokane. It is the intent of the Spokane City Council to continue its long-term commitment to maintain healthy, vibrant and diverse neighborhoods within the City of Spokane. The regulations contained in this chapter balance the needs of all community members to ensure safe, healthy, and thriving rental housing within the City's municipal boundaries. The City recognizes that the renting of residential property is a commercial venture that supplies the basic human need of adequate shelter. Providing housing for Spokane's residents directly impacts quality of life at the most basic level, and therefore requires regulations to ensure that this commercial venture is equitably undertaken to meet the shelter needs of City residents. This chapter attempts to ensure housing security for current and future residents and the owners of rental residential properties within the City of Spokane by providing clear expectations and bridging gaps that current state laws and market conditions have created.

- B. In an effort to carry out that intent, the Spokane City Council has determined that it is necessary to implement baseline standards for the rental of residential real property in Spokane, and to streamline and make more affordable the process of obtaining rental housing by establishing portable background checks, tenant relocation, and landlord mitigation programs.
- C. Washington state law and the Spokane Municipal Code already require owners and operators of rental residential properties to secure a business license and the City of Spokane intends to use the revenues from those license fees that would otherwise accrue to the general fund to support tenants and landlords in specific initiatives that will benefit landlords and tenants and increase the supply of habitable residential rental housing.
- D. Washington Law and the Spokane Municipal Code already authorizes Code Enforcement to inspect residential properties within the City for compliance with state and municipal safety and habitability standards with the consent of the resident or by court order. The City intends to provide additional resources to Code Enforcement for dedicated inspectors to increase inspections regardless of complaints to identify and remedy unsafe and uninhabitable residential conditions regardless of a resident's willingness to risk complaining. The City further intends to provide resources to create a position of rental housing navigator to support landlords and tenants in resolving conflicts between each other and City administration in achieving the goals of this chapter.

Section 10.57.020 Business Licensing and Registration

- A. Pursuant to Chapter 08.01 SMC, owning, renting, or leasing real property located in the City of Spokane constitutes engaging in business in the City and requires an annual business license and registration. Beginning on January 1, 2024, no person shall make available for rent, or rent, lease, or let, to the public any residential housing unit without registering and maintaining registration of the residential rental property at which the unit is located pursuant to subsection (C) of this section.
- B. The annual fee for registering the business activity of renting residential real property shall be the standard annual fee described in SMC 08.02.0206(A) plus an additional \$15 per residential rental unit per year. Landlords offering below market cost rentals to low income tenants may seek a waiver of the \$15 annual fee by registering with the City's affordable rental housing incentive program that will be developed by the Department of Community, Housing and Human Services.
- C. Application for a residential rental registration shall be made to the City through a web portal established by the City of Spokane IT Department. The application shall include the applicable registration fee set forth in SMC 08.02.0206 (A) and paragraph (B) of this section, including late fees if applicable, a declaration of compliance as described in subsection (G) of this section and a complete list of individual residential rental units under the applicant's ownership or control, including the street address of each unit, identification of whether the unit is offered at market rate or below market rate rent, whether the unit is occupied or unoccupied at the time of registration, and such other information as required in order to carry out the intent of this chapter.
- D. A property management company may apply for and secure the required business registration on behalf of a residential rental property owner.
- E. A residential rental registration expires on December 31st of the calendar year following registration or renewal.
- F. The residential rental registration is transferable to any person who has acquired ownership of a registered rental property for the unexpired portion of the one-year term for which it was issued.
- G. As a condition to the issuance and/or renewal of a residential rental registration, an applicant shall provide a valid declaration of compliance addressing each rental unit in the rental property prior to the issuance of a residential rental business registration. A declaration of compliance submitted under this chapter must state that each unit complies with the requirements and standards in RCW 59.18.060.
- H. Property owners or their property managers shall provide each tenant a digital link to the website established pursuant to SMC 10.57.030(B) and if the tenant doesn't have access to the internet advise them to call 311 for more information on tenant rights and responsibilities.

Section 10.57.030 Residential Rental Housing Navigator

- A. The City of Spokane's Department of Community, Housing and Human Services or the Office of Civil Rights, Equity and Inclusion is authorized to publish a request for qualifications ("RFQ") from local entities that have the capability to serve as a housing navigator for landlords and tenants in the community and contract for services; or create a position within the department to accomplish the same function. This work would focus on education about resources for landlords and tenants seeking assistance with questions and complaints about complying with fair housing, habitability and other residential rental requirements.

- B. The City of Spokane's department of Community, Housing and Human Services, in coordination with the City's Office of Civil Rights, Equity and Inclusion, may establish a public-facing website that provides links to access a variety of resources for landlords and tenants, including tenant rights and responsibilities, a change of address form, and a voter registration form. The City will make the website compliant with Resolution 2022-0071, approved by the City Council August 1, 2022, ensuring its accessibility for languages most commonly spoken in Spokane. Request for additional reasonable accommodations to access the public-facing website may be made to the City's department of Community, Housing and Human Services or Office of Civil Rights, Equity and Inclusion.

Section 10.57.040 Inspections

- A. The City of Spokane's Code Enforcement Department may conduct both periodic and cause-based inspections of all residential rental property that is subject to this chapter.
1. Periodic inspections: Subject to the limitations in RCW 59.18.125, the Director of Code Enforcement or designee may periodically select from registered properties containing rental housing units the properties to be inspected by Code Enforcement as long as the tenant of the residence consents or a lawful court-ordered warrant for inspection is secured. The property selection process shall be based on a methodology adopted by the Director that will further the purpose of this chapter. The inspection shall review for compliance with the standards set forth in SMC 17F.070.400 and other applicable state and local statutes.
 2. In addition to periodic inspections, the Code Enforcement department is also authorized to conduct cause-based inspections, including those provided for under RCW 59.18.115.
 3. Code Enforcement will prioritize resources based on the level of safety sensitivity to be addressed by an inspection and available resources.
- B. No fees shall be assessed to landlords or tenants for the initial inspection authorized of this section.
1. If a deficiency is discovered during the initial inspection conducted under paragraph (A)(1) of this section, Code Enforcement may schedule a second inspection to review for remedy of the deficiency and compliance with the standards set forth in SMC 17F.070.400 and other applicable state and local statutes.
 2. Upon second inspection, if the deficiency is not remedied, Code Enforcement may schedule subsequent deficiency inspections and assess fees against the residential rental unit's registrant for the additional safety inspections as established in SMC 08.02.031(S).
 3. Failure to pay assessed fees will bar renewal of a residential rental unit business registration.
 4. At the discretion of the Director, Code Enforcement may issue notices of violation and infraction pursuant to SMC 01.05.040 for residential rental units that do not comply with the standards set forth in SMC 17F.070.400. Additionally, the Director or designee of the Director may issue a complaint to the residential rental unit's registrant pursuant to SMC 17F.070.420 to proceed through a building official hearing pursuant to chapter 17F.070 SMC.
 5. A repeat offender is defined as the owner of residential rental unit(s) who has a confirmed non-compliance history, including any identical or similar violations of SMC 17F.070.400, Existing Building and Conservation Code, at the same site or on a different tax parcel under the same ownership, two times within a 12-month period. If an owner is found to be a repeat offender, they may be subject to a non-compliance fee of \$2,500 per violation that is not resolved by the compliance timeframe listed on the Code Enforcement Notice of Violation.
- C. Code Enforcement may utilize revenues received from business registrations pursuant to SMC 10.57.020, SMC 08.02.0206, and SMC 07.08.139 to:
1. Create at least three additional dedicated inspector positions for residential rental housing;
 2. To develop and maintain the rental registry described in SMC 10.57.020.

Section 10.57.050 Appeals

- A. General. Appeals of registration denials, revocations, or suspensions; other final, written decisions or determinations made by the director under this chapter; and the written findings of an inspection by a city building code enforcement officer relative to the application and interpretation of this code (i.e., decisions) may be appealed to the hearing examiner by filing a notice of appeal in the form specified in subsection (B) of this section at the city of Spokane permit center and paying the applicable appeal fee within 14 days of issuance of the decision.

- B. Form of Notice of Appeal. A person appealing a decision must pay the applicable appeal fee and submit a completed notice of appeal which sets forth:
1. The decision being appealed and the date it was issued;
 2. Facts demonstrating that the person is adversely affected by the decision;
 3. A statement identifying each alleged error in the decision;
 4. The specific relief requested; and
 5. Any other information reasonably necessary to make a decision on the appeal.
- C. No suspension or revocation of a registration issued pursuant to the provision of this chapter shall take effect until 14 days after the mailing of the notice thereof by the department and, if appeal is taken as herein prescribed, the suspension or revocation shall be stayed pending final action by the hearing examiner.
- D. The decision of the hearing examiner shall be final. The owner and/or the department may seek review of the decision by the superior court of Washington in and for Spokane County within 21 days from the date of the decision. If review is sought as herein prescribed, the suspension or revocation shall be stayed pending final action by the superior court.
- E. Upon revocation or suspension of any registration as provided in this chapter, no portion of the registration fee shall be refunded.

Section 10.57.060 Consistency with Chapter 59.18 RCW

The provisions of this chapter shall be interpreted and enforced in a manner that is consistent with the provisions of Chapter 59.18 RCW.

Section 10.57.070 Immunity, No Warranty by City

The purpose of this chapter is to promote the safety and welfare of the general public and not to create or designate any particular class of persons who will or should be specially protected by its terms. Nothing contained in this chapter is intended nor shall be construed to create any liability on the part of the city or its employees for any injury or damage resulting from the failure of an owner, landlord, inspector, or other individual to comply with the provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter on the part of the city or its employees. By enacting and undertaking to enforce this chapter, neither the city, its agents or employees, nor the city council warrant or guarantee the safety, fitness or suitability of any dwelling in the city or any unit inspected under this program. Owners, landlords, and occupants shall take whatever steps they deem appropriate to protect their interest, health, safety and welfare.

Section 10.57.150 Severability

Any portion of this ordinance that is determined by a competent adjudicator to be illegal or pre-empted shall be severed from this law and the balance of the law preserved.

Section 2. That section 07.08.139 of the Spokane Municipal Code is amended to read as follows:

Section 07.08.139 Code Enforcement Fund

- A. There is established a special revenue fund entitled "code enforcement fund" into which shall be paid all revenues derived from code enforcement operations and seventy percent of all business registration fees received by the City that include at least one registration for a residential rental unit, including any annual per residential rental unit fees.
- B. As provided in the annual budget, the code enforcement fund is appropriated to salaries and wages, maintenance and operations, debt service and capital improvements. The city council may also provide for additional revenues to be paid into such fund from time to time from any available funds of the City.
- C. The funds received from landlord registration business registration fees and per residential rental unit fees in Section A shall be used exclusively to fund the rental registry and the expenses related to the investigation, enforcement and housing navigation services related to the state and municipal laws related to the habitability and safety of residential rental units and laws governing the relationships between landlords and tenants for properties located within the City of Spokane.

Section 3. That section 08.01.160 of the Spokane Municipal Code is amended to read as follows:

Section 08.01.160 Multiple Businesses or Locations

- A. Except as otherwise provided in this paragraph, when a registrant operates two or more businesses in the City, or two or more business locations within the City, whether or not related, a separate City business registration is required for each business or business location. For purposes of this paragraph, a single registrant that is in the business of renting multiple residential real property units in Spokane may register as a single business, but must list all residential units by street address separately as required in SMC 10.57.020(B).
- B. If a single business has at least one permanent location in the City and also conducts business on a temporary or seasonal basis from temporary or mobile locations, such as from portable stands or vehicles, the registrant must obtain a secondary location registration for each such location or stand or vehicle directly from the City as provided in SMC 8.01.070.
1. To the extent such temporary or mobile activities include those activities defined in SMC 10.40.010 (Itinerant Vendor Designation) the requirements of that chapter shall also apply.
 2. The chief of police may temporarily suspend or relocate a secondary location registration allowing business activity on or adjacent to a public street or other public place within the boundaries of a permitted special event under chapter 10.39 SMC when such business activity may conflict with the special event.

Section 4. That section 08.01.195 of the Spokane Municipal Code is amended to read as follows:

Section 08.01.195 Engaging in Business Criteria

- A. This section sets forth examples of activities that constitute engaging in business in the City, and establishes safe harbors for certain of those activities so that a person who meets the criteria may engage in de minimus business activities in the City without having to pay a business license fee. The activities listed in this section are illustrative only and are not intended to narrow the definition of "engaging in business" in SMC 08.01.020. If an activity is not listed, whether it constitutes engaging in business in the City shall be determined by considering all the facts and circumstances and applicable law.
- B. Without being all inclusive, any one of the following activities conducted within the City by a person, or its employee, agent, representative, independent contractor, broker or another acting on its behalf constitutes engaging in business and requires a person to register and obtain a business license.
1. Owning, making available for rent or lease, renting or leasing, maintaining, or having the right to use, or using, tangible personal property, intangible personal property, or real property, including residential rental property, permanently or temporarily located in the City.
 2. Owning, renting, leasing, using, or maintaining, an office, place of business, or other establishment in the City.
 3. Soliciting sales.
 4. Making repairs or providing maintenance or service to real or tangible personal property, including warranty work and property maintenance.
 5. Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf.
 6. Installing, constructing, or supervising installation or construction of, real or tangible personal property.
 7. Soliciting, negotiating, or approving franchise, license, or other similar agreements.
 8. Collecting current or delinquent accounts.
 9. Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials.
 10. Providing disinfecting and pest control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architectural services, security system services, surveying, and real estate services including the listing of homes and managing real property.

11. Rendering professional services such as those provided by accountants, architects, attorneys, auctioneers, consultants, engineers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, consultants, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, veterinarians.
 12. Meeting with customers or potential customers, even when no sales or orders are solicited at the meetings.
 13. Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the City, acting on its behalf, or for customers or potential customers.
 14. Investigating, resolving, or otherwise assisting in resolving customer complaints.
 15. In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale and delivery of the goods took place.
 16. Delivering goods in vehicles owned, rented, leased, used, or maintained by the person or another acting on its behalf.
- C. If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the City but the following, it need not register and obtain a business license.
1. Meeting with suppliers of goods and services as a customer.
 2. Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions.
 3. Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting.
 4. Renting tangible or intangible property as a customer when the property is not used in the City.
 5. Attending, but not participating in a "trade show" or "multiple vendor events". Persons participating at a trade show shall review the City's trade show or multiple vendor event ordinances.
 6. Conducting advertising through the mail.
 7. Soliciting sales by phone from a location outside the City.
- D. A seller located outside the City merely delivering goods into the City by means of common carrier is not required to register and obtain a business license, provided that it engages in no other business activities in the City. Such activities do not include those in SMC 08.01.195 B.
- E. The City expressly intends that engaging in business include any activity sufficient to establish nexus for purposes of applying the license fee under the law and the constitutions of the United States and the State of Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus generating contact or subsequent contacts.

Section 5. That section 08.02.0206 of the Spokane Municipal Code is amended to read as follows:

Section 08.02.0206 Business Registrations

- A. A regular business registration basic fee is one hundred twenty dollars (\$120) per twelve-month period. Beginning on January 1, 2023, the regular business registration basic fee shall be one hundred twenty-seven (\$127) per twelve-month period.
- B. The basic fee for a nonresident business registration is one hundred twenty dollars (\$120) dollars per twelve-month period. Beginning on January 1, 2023, the basic fee for a nonresident business registration shall be one hundred twenty-seven (\$127) per twelve-month period.
- C. In addition to the basic registration fee, each business registrant must pay an additional fee of \$15 per unit per license year subject to the exception in subsection (F) of this section.

- D. In addition to the basic registration fee, each business must pay an additional fee for each personnel, per license year, as follows (all personnel of a business are charged the same amount corresponding to the respective category of the total number of personnel defined below):
1. Businesses with fewer than six personnel in total: Ten dollars per person
 2. Businesses with six to ten personnel in total: Fifteen dollars per person.
 3. Businesses with more than ten personnel in total: Twenty dollars per person.
- E. Whenever there is a change of ownership, the holder of the registration must notify the Washington State business licensing service within thirty days of such event. The new owner must file an application with the Washington State business licensing service to acquire a new registration, as provided in chapter 08.01 SMC.
- F. For businesses qualifying under SMC 08.01.190(A) (low gross income businesses) for a reduced registration fee, the reduced business registration fee is one-half the basic registration fee, but all applicable personnel, inspection, or other applicable fees or charges apply in full.
- G. For businesses qualifying under SMC 08.01.190(B) (nonprofit organizations) for a reduced registration fee, the reduced business registration fee is one-half the basic registration fee. Nonprofit businesses are exempt from personnel and residential rental unit fees.
- H. For businesses qualifying under SMC 08.01.190(C) (social purpose corporations) for a reduced registration fee, the reduced business registration fee is one-half the basic registration fee.
- I. For businesses qualifying under SMC 08.01.190(D) (Certified B Corporations) for a reduced registration fee, the reduced business registration fee is one-half the basic registration fee.
- J. Any Certified B Corporation certified by B Lab is exempt from personnel fees.
- K. Annual Fee Adjustment.

Effective January 1, 2011, and the first of January of each year thereafter, the business registration fees set forth in this section may be adjusted by the Chief Financial Officer by an amount equal to the consumer price index adjustment of the previous July – July U.S. All City Average (CPI-U and CPI-W). The newly determined amount shall be rounded up to the nearest dollar. In addition, the proposed adjusted fees shall be presented to the City Council for approval by ordinance and a copy of the approved fees filed with the Chief Financial Officer before becoming effective. The annual fee adjustment provided for in this section shall not apply to the personnel fee stated in SMC 08.02.0206(C).

- L. For businesses qualifying under SMC 08.01.190 E, there shall be no business registration fee.
- M. For initial business registrations filed from the effective date of this section until December 31, 2022, the business registration fee stated in SMC 08.02.0206(A) and the personnel fee stated in SMC 08.02.0206(c) are each reduced by 50%.

Section 6. That section 08.01.270 of the Spokane Municipal Code is amended to read as follows:

Section 08.01.270 Failure to Make Application

If any registrant fails to file an application and to pay the registration fee, the City of Spokane taxes and licenses division or Code Enforcement department may determine the amount and issue a class I notice of infraction pursuant to chapter 1.05 SMC.

For registrants subject to SMC 10.57.020, failure to comply with the residential rental registry requirement set forth in SMC 10.57.020(E) is a class I civil infraction, for which the City of Spokane taxes and licenses division or Code Enforcement department may issue a notice of infraction pursuant to chapter 1.05 SMC.

**Passed by City Council February 27, 2023
Delivered to Mayor March 3, 2023**

ORDINANCE NO. C36348

An ordinance vacating a portion of 7th Ave east of Government Way and more particularly described below,

WHEREAS, a petition for the vacation of a portion of 7th Ave east of Government Way and more particularly described below, has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

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

The City of Spokane does ordain:

Section 1. That a portion of 7th Ave east of Government Way and more particularly described below, is hereby vacated. Parcel number not assigned.

That portion of 7th Avenue (formerly J Street) in Lewis and Shaw's Terrace Park Addition as filed in Volume A of plats at page 137, lying between Government Way on the West and Hartson Avenue (also known as Government Way) on the East, situate in the Northeast quarter of the Southeast quarter of Section 23, Township 25 North, Range 42 East, Willamette Meridian, Spokane County, Washington and being more particularly described as follows:

BEGINNING at the intersection of the East line of said Southeast quarter and the projected North line of Block 14 in said Lewis and Shaw's Terrace Park Addition; thence North 89E06' 51" West along the said projected North line and the North line of said Block 14, a distance of 182.20 feet to a point lying 22.0 feet Northeasterly of the existing face of curb when measured at right angles; thence, leaving said North line, North 40E19' 13" West, parallel with said existing curb line, a distance of 79.75 feet to a point on the South line of Block 1 in said Lewis and Shaw's Terrace Park Addition; thence South 89E06' 51" East along said South line, a distance of 171.59 feet to a point on the South line of Lot 12 in said Block 1 at the intersection of the Southwest line of Hartson Avenue (Government Way) as conveyed to the City of Spokane by deed recorded under Auditor's File No. 520233; thence, leaving said South line, South 45E34' 32" East, a distance of 87.10 feet to the point of beginning.

The hereinabove described portion of 7th Avenue contains 10,614 square feet or 0.244 acres, more or less.

Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of Avista Utilities, Lumen, and Comcast to protect existing and future utilities.

**Passed by City Council February 27, 2023
Delivered to Mayor March 3, 2023**

ORDINANCE NO. C36356

AN ORDINANCE relating to the Water Department and Water Rates, amending SMC Sections 13.04.2002 and 13.04.2012 of chapter 13.034, of the Spokane Municipal Code and setting an effective date.

The City of Spokane does ordain:

Section 1: That SMC section 13.04.2002 entitled "City Residence Rates" is amended as follows:

Section 13.04.2002 City Residence Rates**A. Single-family Residence – Basic Charge.**

1. Within the City limits, the basic monthly service charge for each single-family residence where the water is being used or ~~((reflected as on in the records of the City of Spokane utilities billings office))~~ water is available to the property shall be:

2021	2022	2023
\$17.72	\$18.23	\$18.76

a.

- b. Unless otherwise provided, for two or more single-family residences on one meter, the above service charge shall apply for each residence.

2. For purposes of this chapter, a "single-family residence" or "equivalent residential unit" designation applies to each self-contained, stand-alone living unit with at least one:
 - a. kitchen or cooking area room, which must include a sink;
 - b. bathroom, which must include a toilet, bathtub, and sink or a toilet, shower, and sink.
 - c. a separate entrance that does not require residents to co-mingle.

B. Consumption Charge.

The following consumption charge rate schedule is adopted to encourage water conservation and promote environmental quality. Within the City limits, for each one hundred cubic feet, or major fraction (approximately seven hundred fifty gallons) of water used, there will be the following consumption charges:

Monthly Water Usage (in cubic feet)	Rate Per Hundred Cubic Feet		
	2021	2022	2023
Zero up to 600	\$0.3382	\$0.3481	\$0.3581
Greater than 600 up to 1,200	\$0.7156	\$0.7363	\$0.7577
Greater than 1,200 up to 2,500	\$0.9627	\$0.9906	\$1.0193
Greater than 2,500 up to 4,500	\$1.2361	\$1.2719	\$1.3088
Greater than 4,500	\$1.5435	\$1.5883	\$1.6344

- C. No vacancy allowance will be made on any house in a group served by one meter unless all houses served by one meter are vacant and the water ~~((is shut off at the City valve))~~ service is disconnected at the main by the water and hydroelectric services department upon proper request in writing.
- D. Family daycare homes shall be billed at the single-family rate. For purposes of this provision, "family daycare homes" shall mean a daycare facility:
 1. furnishing care, supervision, and guidance for persons twelve years of age or younger for more than four but less than twenty-four hours in a day;
 2. licensed as such by the state department of social and health services; and;
 3. which regularly provides such care during part of a twenty-four hour day for no more than twelve children in the dwelling of the person(s) in charge.

E. Capital Charge.

In addition to the basic charge and consumption charge, there shall be charged a capital charge for all accounts as established and provided for in SMC 13.035.500.

Section 2: That SMC section 13.04.2012 entitled "City Residence Rates" is amended as follows:

13.04.2012 Outside City Residence Rates

A. Basic Charge: Single-family Residence.

1. Outside the City, for each single-family residence, the monthly service charge where the water is being used or ~~((reflected as on in the records of the City of Spokane utilities billings office))~~ water is available to the property shall be:

2021	2022	2023
\$26.58	\$27.35	\$28.14

2. For two or more single-family residences on one meter the above service charge shall apply for each residence. "Single-family residence" has the meaning in SMC 13.04.2002(A)(2).

B. Consumption.

The following rate schedule is adopted to encourage water conservation and promote environmental quality. Outside the City limits, for each one hundred cubic feet or major fraction (approximately seven hundred fifty gallons) of water used, there will be the following consumption charges:

Monthly Water Usage (in cubic feet)	Rate Per Hundred Cubic Feet		
	2021	2022	2023
Zero up to 600	\$0.5073	\$0.5220	\$0.5371
Greater than 600 up to 1,200	\$1.0735	\$1.1046	\$1.1366
Greater than 1,200 up to 2,500	\$1.4441	\$1.4860	\$1.5291
Greater than 2,500 up to 4,500	\$1.8540	\$1.9077	\$1.9631
Greater than 4,500	\$2.3153	\$2.3824	\$2.4515

- C. No vacancy allowance will be made on any house in a group served by one meter unless all houses served by one meter are vacant and the water is ~~((shut off at the City valve))~~ disconnected at the main by the water and hydroelectric services department upon proper request in writing.
- D. Family daycare homes shall be billed at the single-family rate. For purposes of this provision, "family daycare homes" shall mean a day care facility:
1. furnishing care, supervision, and guidance for persons twelve years of age or younger for more than four but less than twenty-four hours in a day;
 2. licensed as such by the state department of social and health services; and
 3. which regularly provides such care during part of a twenty-four hour day for no more than twelve children in the dwelling of the person(s) in charge.

E. Capital Charge.

In addition to the basic charge and consumption charge, there shall be charged a capital charge for all accounts as established and provided for in SMC 13.035.500.

Section 3: Effective Date. This ordinance shall take effect and be in force on _____, 2023.

Passed by City Council February 27, 2023
Delivered to Mayor March 3, 2023

ORDINANCE NO. C36357

An ordinance relating to the establishment of a sales and use tax deferral program for affordable housing; enacting a new chapter 08.07D to Title 08 of the Spokane Municipal Code.

WHEREAS, Senate Bill 5755 passed the Washington State Legislature and was signed by Governor Jay Inslee on March 30, 2022;

WHEREAS, Senate Bill 5755, now codified as RCW 82.92, gives qualifying cities the legislative authority to enact a sales and use tax deferral program to encourage redevelopment of underdeveloped lands in urban areas; and

WHEREAS, the State of Washington's sales and use tax is 6.5 percent, while the City of Spokane's is an additional 2.5 percent, thus equaling a 9 percent sales and use tax; and

WHEREAS, the deferral amount is the entire 9 percent sales and use tax; and

WHEREAS, according to the 2019 Downtown Parking Study completed by the City of Spokane, 30 percent of the downtown area is parking; and

WHEREAS, even at the busiest time of day (weekdays from 10 a.m. to 12 p.m.) parking occupancy peaks at 56 percent, leaving thousands of parking spaces underutilized; and

WHEREAS, this underutilization of parking spaces and thus the underutilization of surface parking lot land could be redeveloped into affordable housing; and

WHEREAS, to encourage the redevelopment of underdeveloped lands, i.e., surface parking lots in the downtown area, the City of Spokane may create a sales and use tax deferral program to align with Chapter 82.92 RCW and hereby does;

WHEREAS, as required pursuant to RCW 82.92.020, the City Council adopted Resolution 2023-0014, the Resolution of Intent to establish this program, at the February 6, 2023 Legislative Session and notices for the February 27, 2023 hearing were published on February 8 and 15, 2023 in the City of Spokane Official Gazette.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is enacted a new chapter 08.07D to Title 08 of the Spokane Municipal Code to read as follows:

Chapter 08.07D Sales and Use Tax Deferral Program for Affordable Housing

SMC 08.07D.010	Purpose and Intent
SMC 08.07D.020	Definitions
SMC 08.07D.030	Application Process
SMC 08.07D.040	Approval Process
SMC 08.07D.050	Appeals Process
SMC 08.07D.060	Application Fee
SMC 08.07D.070	Additional Requirements, Conditions, and Obligations
SMC 08.07D.080	Annual Report
SMC 08.07D.090	Application to the Department
SMC 08.07D.100	Voluntary Discontinuance
SMC 08.07D.110	Transfer of Ownership
SMC 08.07D.120	Sunset

Section 08.07D.010 Purpose and Intent

The purpose of this chapter is to authorize a sales and use tax deferral program within the City of Spokane in accordance with Chapter 82.92 RCW, enacted into law as 2022 Wash. Sess. Law, Chapter 241, §§1-14.

This sales and use tax deferral program aims to assist the City of Spokane and increase more affordable housing units in targeted urban areas by incentivizing the redevelopment of underutilized lands located in the urban core.

Section 08.07D.020 Definitions

As used in this chapter:

- A. "Affordable homeownership housing" means housing intended for owner occupancy to lower or moderate-income households whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income.
- B. "Affordable rental housing" means housing for very low or low-income households whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income.
- C. "Applicant" means an owner of underdeveloped property.
- D. "Application Fee" shall be the fee adopted by the Spokane City Council for applications under this Chapter pursuant to SMC 08.07D.070.
- E. "City" means the City of Spokane, acting through the Director of Economic and Community Development and/or the City Council, as provided in this Chapter.
- F. "Conditional recipient" means an owner of underdeveloped land granted a conditional certificate of program approval under this chapter, which includes any successor owner of the property.

- G. "County median price" means the most recently published quarterly data of median home prices by the Washington center for real estate research. F. "Department" means the administrative division of a government.
- H. "Department" means the Washington State Department of Revenue.
- I. "Director" means the director of Spokane Department of Community and Economic Development or the Director's designee.
- G. "Eligible investment project" means an investment project that is located in the City of Spokane and receiving a conditional certificate of program approval.
- H. "Fair market rent" means the estimates of 40th percentile gross rents for standard quality units within counties as published by the federal department of housing and urban development.
- I. "Household" means a single person, family, or unrelated persons living together.
- J. "Initiation of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for construction of the qualified building, if the underlying ownership of the building vests exclusively with the person receiving the economic benefit of the deferral.
1. "Initiation of construction" does not include soil testing, site clearing and grading, site preparation, or any other related activities that are initiated before the issuance of a building permit for the construction of the foundation of the building.
 2. If the investment project is a phased project, "initiation of construction applies separately to each phase.
- K. "Investment project" means an investment in multifamily housing, including labor, services, and materials incorporated in the planning, installation, and construction of the project. "Investment project" includes investment in related facilities such as playgrounds and sidewalks as well as facilities used for business use for mixed-use development.
- L. "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is more than 50 percent but is at or below 80 percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.
- M. "Moderate-income household" means a single person, family, or unrelated person living together whose adjusted income is more than 80 percent but is at or below 115 percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.
- N. "Multifamily housing" means a building or a group of buildings having two or more dwelling units not designed or used as transient accommodations and not including hotels and motels. Multifamily units may result from new construction or rehabilitation or conversion of vacant, underutilized, or substandard buildings to multifamily housing.
- O. "Owner" means the property owner of record.
- P. "Underdeveloped property" means land used as a surface parking lot for parking of motor vehicles off the street or highway, that is open to public use with or without charge, as of the effective date of this section.
- Q. "Very low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below 50 percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.

Section 08.07D.030 Application Process

An owner of underdeveloped property seeking a sales and use tax deferral under this chapter on an investment project must complete the following procedures:

- A. The owner must apply to the City in writing, on forms adopted by the Spokane Department of Community and Economic Development. The application must contain the following:
1. Information setting forth the grounds supporting the requested deferral including information indicated on the application form or in the guidelines;

2. A description of the investment project and site plan, and other information request;
 3. A statement of the expected number of affordable housing units to be created;
 4. A statement that the applicant is aware of the potential tax liability involved if the investment project ceases to be used for eligible uses under this chapter;
 5. A statement that the applicant is aware that the investment project must be completed within three years from the date of approval of the application;
 6. A statement that the applicant is aware that the Department of Community and Economic Development, with the consent of the Spokane City Council, may extend the deadline for completion of construction or rehabilitation for a period not to exceed 24 consecutive months; and
 7. A statement that the applicant would not have built in this location but for the availability of the tax deferral under this chapter;
- B. The applicant must verify the application by oath or affirmation;
- C. The application must be accompanied by the application fee, if any, required under this chapter; and.
- D. The Director, with the approval of the Spokane City Council, may permit the applicant to revise an applicant before final action by the City on the application.

Section 08.07D.040 Approval Process

The Director may approve the application and grant a conditional certificate of program approval if it finds that:

- A. The investment project is set aside primarily for multifamily housing units and the applicant commits to renting or selling at least 50 percent of the units as affordable rental housing or affordable homeownership housing to very low, low, and moderate-income households. In a mixed use project, only the ground floor of a building may be used for commercial purposes with the remainder dedicated to multifamily housing units;
- B. At least 50 percent of the investment project set aside for multifamily housing units will be rented at a price at or below fair market rent for Spokane county or sold at a price at or below Spokane county median price;
- C. The applicant commits to any additional affordability and income eligibility conditions adopted by the City under this chapter not otherwise inconsistent with this chapter;
- D. The investment project is, or will be, at the time of completion, in conformance with all local plans and regulations that apply at the time application is approved;
- E. The investment project will occur on land that constitutes underdeveloped property;
- F. The area where the investment project will occur is located within an area zoned for residential or mixed uses;
- G. The terms and conditions of the implementation of the development meets the requirements of this chapter and any requirements of the City that are not otherwise inconsistent with this chapter;
- H. The land where the investment project will occur was not acquired through a condemnation proceeding under Title 8 RCW; and
- I. All other requirements of this chapter have been satisfied as well as any other requirements of the City that are not otherwise inconsistent with this chapter.

Section 08.07D.050 Appeals Process

- A. The City must approve or deny an application filed under this chapter within 90 days after receipt of the application.
- B. If the application is approved, the City must issue the applicant a conditional certificate of program approval. The certificate must contain a statement by the Director of Community and Economic Development that the investment project as described in the application will comply with the required criteria of this chapter.
- C. If the application is denied by the City, the City must state in writing the reasons for denial and send the notice to the applicant at the applicant's last known address within 10 days of the denial.

- D. Upon denial of an application by the City, an applicant may appeal the denial to the City's Hearing Examiner within 30 days after receipt of the denial. The appeal before the Hearing Examiner must be based upon the record made before the City with the burden of proof on the applicant to show that there was no substantial evidence to support the City's decision.
- E. The decision of the City on appeal is final.

Section 08.07D.060 Application Fee

The City may establish an application fee. This fee shall not exceed an amount determined to be required to cover the cost to be incurred by the City in administering the program under this chapter, and shall be reviewed and approved by the City Council on an annual basis. The application fee must be paid at the time the application for program approval is filed.

Section 08.07D.070 Additional Requirements, Conditions, and Obligations

- A. Within 30 days of the issuance of a certificate of occupancy by the City for an eligible investment project, the conditional recipient must file with the city the following:
 - 1. A description of the work that has been completed and a statement that the eligible investment project qualifies the property for a sales and use tax deferral under this chapter;
 - 2. A statement of the new affordable housing to be offered as a result of the new construction; and
 - 3. A statement that the work has been completed within three years of the issuance of the conditional certificate of program approval.
- B. Within 30 days after receipt of the statements required under subsection (A) of this section, the City must determine and notify the conditional recipient as to whether the work completed and the affordable housing to be offered are consistent with the application and the contract approved by the City, and the investment project continues to qualify for a tax deferral under this chapter. The conditional recipient must notify the Department within 30 days from receiving the City's determination as provided by RCW 82.92.070.
- C. The City must notify the conditional recipient within 30 days that a tax deferral under this chapter is denied if the City determines that:
 - 1. The work was not completed within three years of the application date;
 - 2. The work was not constructed consistent with the application or other applicable requirements;
 - 3. The affordable housing units to be offered are not consistent with the application and criteria of this chapter; or
 - 4. The owner's property is otherwise not qualified for a sales and use tax deferral under this chapter.
- D. If the City finds that the work was not completed within the required time period due to circumstances beyond the control of the conditional recipient and that the conditional recipient has been acting and could reasonably be expected to act in good faith and with due diligence, the Director, with the approval of the City Council, may extend the deadline for completion of the work for a period not to exceed 24 consecutive months.
- F. In the event the City determines the conditional recipient is not entitled to a sales and use tax deferral under this Section 08.07D.080, the conditional recipient may appeal a decision by the City to the City's Hearing Examiner within 30 days after receipt of the denial. The appeal before the Hearing Examiner must be based upon the record made before the City with the burden of proof on the applicant to show that there was no substantial evidence to support the City's decision. The conditional recipient may appeal a decision by the City's Hearing Examiner to deny a deferral of sales and use taxes in superior court under RCW 34.05.510 through 34.05.598, if the appeal is filed within 30 days of notification by the City to the conditional recipient.
- G. Upon denial of the sales and use tax deferral by the City under this Section 08.07D.070, the City shall notify the Department of Revenue, upon which taxes deferred under this chapter are immediately due and payable, subject to any appeal by the conditional recipient.

Section 08.07D.080 Annual Report

- A. Thirty days after the anniversary of the date of issuance of the certificate of occupancy and each year thereafter for ten years, the conditional recipient must file with the Director an annual report indicating the following:

1. A statement of the affordable housing units constructed in the property as of the anniversary date;
 2. A certification by the conditional recipient that the property has not changed use;
 3. A description of changes or improvements constructed after issuance of the certificate of occupancy; and
 4. Any additional information requested by the City.
- B. The conditional recipient of a deferral of taxes under this chapter must file a complete annual tax performance report with the Department pursuant to RCW 82.32.534 beginning the year the certificate of occupancy is issued and each year thereafter for 10 years.
- C. In the event the City issues a certificate of program approval under this chapter, it shall report annually by December 31st of each year, beginning in 2023, to the Washington Department of Commerce the following information:
1. The number of program approval certificates granted;
 2. The total number and type of new buildings constructed;
 3. The number of affordable housing units resulting from the new construction; and
 4. The estimated value of the sales and use tax deferral for each investment project receiving a program approval and the total estimated value of sales and use tax deferrals granted.

Section 08.07D.090 Application to the Department

- A. A conditional recipient must submit an application to the Department for a sales and use tax deferral before initiation of the construction of the investment project. In the case of an investment project involving multiple qualified buildings, applications must be made for, and before the initiation of construction of, each qualified building. The application must be made to the Department of Revenue in the form and manner prescribed by the Department. The application must include a copy of the conditional certificate of program approval issued by the City, estimated construction costs, time schedules for completion and operation, and any other information required by the Department.

Section 08.07D.100 Voluntary Discontinuance

- A. If a conditional recipient voluntarily opts to discontinue compliance with the requirements of this chapter, the recipient must notify the City and Department within 60 days of the change in use or intended discontinuance.
- B. If, after the Department has issued a sales and use tax deferral certificate and the conditional recipient has received a certificate of occupancy, the City finds that a portion of an investment project is changed or will be changed to disqualify the recipient for sales and use tax deferral eligibility under this chapter, the City must notify the Department and all deferred sales and use taxes are immediately due and payable as provided in RCW 82.92.110.
- C. This section does not apply after ten years from the date of the certificate of occupancy.

Section 08.07D.110 Transfer of Ownership

- A. Transfer of investment project ownership does not terminate the deferral. The deferral is transferred subject to the successor meeting the eligibility requirements of this Section 08.07D and Chapter 82.92 RCW.
- B. The transferor of an eligible project must notify the City and the Department of such transfer, in writing and whereupon the City will certify to the Department whether the successor meets the requirements of the deferral. The transferor must provide the information necessary for the Department to transfer the deferral. If the transferor fails to notify the City and the Department, all deferred sales and use taxes are immediately due and payable as provided in Chapter 82.92 RCW.

Section 08.07D.120 Sunset

This sales and use tax deferral program shall expire five (5) years from the effective date of this ordinance.

Passed by City Council February 27, 2023
Delivered to Mayor March 3, 2023

ORDINANCE NO. C36358

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the Public Safety & Judicial Grants 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 Public Safety & Judicial Grants Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$268,240.
 - A) Of the increased revenue, \$268,240 is provided by the Dept. of Justice Office of Violence Against Women grant program FY22 ICJR DV, Dating Violence, Sexual Assault, and Stalking program.
- 2) Increase appropriation by \$268,240.
 - B) Of the increased appropriation, \$268,240 is to be used to fund 0.48 FTE of an assigned SPD officer for grant related work.

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 accept the Dept. of Justice OVW grant award, 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 February 27, 2023
Delivered to Mayor March 3, 2023**

ORDINANCE NO. C36359

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the Public Safety & Judicial Grants 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 Public Safety & Judicial Grants Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$114,754.
 - A) Of the increased revenue, \$114,754 is provided by the Washington State Legislature solely for one-time training costs incurred as required under enacted legislation.
- 2) Increase appropriation by \$114,754.
 - B) Of the increased appropriation, \$114,754 is provided solely for one-time training costs.

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 accept distribution of state funds for recent legislation regarding police training, 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 February 27, 2023
Delivered to Mayor March 3, 2023

ORDINANCE NO. C36366

An ordinance relating to landlord tenant regulations; adopting new sections 10.57.080, 10.57.090, 10.57.100, 10.57.110, 10.57.120, 10.57.130, and 10.57.140 to chapter 10.57; and enacting new sections 07.08.157 and 07.08.158 of the Spokane Municipal Code.

WHEREAS, the City of Spokane desires to reduce the costs of background checks to tenants by supplying portable background checks at no cost to the landlord; and

WHEREAS, the City of Spokane desires to utilize funds authorized under SMC Section 08.07C to fund the housing related services of tenant relocation and legal services for qualified tenants; and

WHEREAS, current Washington law does not provide a civil remedy to violations of residential rental unit regulations in municipal court other than for issues of habitability and therefore the only reasonable legal remedy for many provisions in the Spokane Municipal Code is a private right of action, a private right of action is created for specified violations of the residential rental code; and

WHEREAS, the City of Spokane desires to utilize funds under SMC Section 08.07C to fund the housing related services of rental property damage mitigation for those landlords that work with programs that provide housing support to low income individuals.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there are adopted new sections to chapter 10.57 of the Spokane Municipal Code to read as follows:

SMC 10.57.080 Portable Background and Credit Checks
SMC 10.57.090 Residential Rental Property Mitigation Program
SMC 10.57.100 Legal Services and Relocation Program
SMC 10.57.110 Landlord Walkthroughs and Inspections
SMC 10.57.120 Disclosures
SMC 10.57.130 Anti-Retaliation Protections
SMC 10.57.140 Private Right of Action

Section 10.57.080 Portable Background and Credit Checks

A. Purpose and Intent.

1. The screening of a prospective tenant's rental history, financial history, and criminal background is a common aspect of renting residential real property and provides an important benefit to both landlords and tenants.
2. While tenants usually pay a fee associated with this screening each time they apply for a unit, state law requires that fees collected can only cover the actual cost of screenings performed. Multiple applications for rental housing currently require prospective tenants to pay multiple fees which can be burdensome to prospective tenants, especially in a tight rental market.
3. The intent of this section is consistent with RCW 59.18.257 to support landlords getting the data they need to make an informed decision about a prospective tenant at no cost to the landlord and in compliance with state law, while ensuring that prospective tenants are not unduly burdened by the need to pay multiple background and credit check fees.

B. Portable background and credit checks program.

1. The City of Spokane's department of Code Enforcement is authorized to publish a request for qualifications ("RFQ") from consumer reporting agencies that have the capability to provide certified portable background and credit checks.
2. The content of the background and credit report must comply with state and federal laws and housing requirements, including guidance from the federal government on criminal background checks, and would be

decided by the Spokane City Council upon the recommendation of an advisory group that must include representatives from landlord, tenant and social services housing organizations.

3. All portable background and credit checks conducted under this section shall be valid for at least ninety (90) days from the date of issuance.
4. The City of Spokane and its agents shall have no right to access the information included in a portable background check unless provided to them by the prospective tenant subject of the report.
5. Prospective tenants are responsible for paying the fee for the creation of the portable background and credit check and landlords cannot be charged for it. Landlords cannot charge tenants an additional fee for accessing the check.
6. Landlords that accept a portable background check pursuant to RCW 59.18.257(1)(iv) may not charge a tenant for a second background and credit screening service.
7. Nothing in this section restricts a landlord from asking a prospective tenant about their criminal, credit or rental history, or making a decision on whether or not to rent to an individual based on that history.

Section 10.57.090 Residential Rental Property Mitigation Program.

- A. The department of Community, Housing and Human Services is authorized to operate a rental property mitigation program, which is intended to assist in the repair of residential rental properties that are damaged during a tenancy and where damage occurs through no fault of the landlord.
- B. The City's fund will be supplemental to any similar state or federal program, and will only be used after the applicant has completed a timely and complete application for those funds, exhausted the tenant's damage deposit, and still has not been fully compensated for the damage.
- C. The department of Community, Housing and Human Services is authorized to establish public rules for the operation of the rental property mitigation fund, and shall publish and accept public comment on such rules for sixty (60) days prior to the effective date of the rules for the program.
- D. Landlords applying for funding from the rental property mitigation fund must meet the criteria established by the Community, Housing and Human Services department pursuant to subsection (C) of this section. Within a calendar year, disbursement of such funds shall prioritize assistance to landlords where a government, nonprofit operated program, or privately operated program under government contract that provides housing support to low income individuals referred the tenant to the landlord or provided a portion of their rent or damage deposit, with remaining funding disbursed to all other qualifying applicants thereafter.
- E. The City may contract with another entity to administer its Residential Rental Property Mitigation Program.

Section 10.57.100 Legal Services and Relocation Program

- A. City of Spokane is authorized to use monies from the Legal Services and Relocation Fund to contract with another entity to provide attorney services for landlord and tenant legal services and mediation costs, with a focus on habitability and violations of the Chapter 59.18 RCW - Residential Landlord Tenant Act ("RLTA"). The city investment would provide seed money for first year of salary and benefits for an attorney and reasonable litigation costs, including mediation fees. Legal fees from successful representation would be used to sustain the attorney(s) and associated costs for the long term.
- B. The City is further authorized to disburse monies from the Legal Services and Relocation Fund to provide immediate relocation funds to tenants living in rental units that are below the standards of habitability and likely to be able to recover relocation funds from their landlord, which will reimburse the fund. The City is also authorized to disburse monies from the Legal Services and Relocation Fund to landlords to assist with tenant removal or relocation. The attorney described in Section A shall establish an application, review, and appeals process for the relocation fund program.
- C. Minimum program requirements:
 1. A program that focuses on pursuing legal remedies for rental housing units that clearly fall below standard of habitability defined in the Spokane Municipal Code and/or violate the RLTA in consultation with Code Enforcement.

2. A program that provides prompt relocation funds from City directly to the tenant once it appears to the attorney described in Section A that a landlord is more likely than not to be held liable under state law and then collects from the landlord and any settlement funds as first priority a reimbursement to the relocation funds advanced and any attorney fees that could be used to fund the attorney positions in the future.
3. A program that builds increased capacity for these services, including education and outreach.
4. Services provided under this section may only be provided to individuals from households with incomes less than 400% of the federal poverty level.

Section 10.57.110 Landlord Walkthroughs and Inspections

- A. Prior to any rental occupancy, the landlord or owner or manager of residential rental real property shall self-inspect the unit ensuring it meets the requirements of applicable building and housing codes impacting health, safety, and livability.
- B. The owner of residential rental real property shall make all necessary repairs to keep the premises in habitable condition as defined by the Spokane Municipal Code before a tenant may occupy the unit.
- C. Any entity or individual operating rental housing shall maintain all move-in and move-out inspection records for at least three years.
- D. Execution of any rental agreement shall act as certification by the landlord or owner or manager of residential rental real property that all relevant state and municipal building and housing codes impacting health, safety, and habitability are met.

Section 10.57.120 Disclosures

- A. Prior to entering into a lease or rental agreement, the landlord, owner or manager of residential rental real property must disclose to prospective tenants whether the unit has had a history of mold, any remediation, and whether the landlord has been informed by past tenants of any health concerns related to mold.
- B. The landlord or owner or manager of residential rental real property must disclose to tenants within ten (10) days when a unit they are renting is part of a building or parcel that has been listed for sale. In the event that the property is sold, the landlord or owner or manager of residential rental real property must provide all known contact information for the new owner(s) to the tenants.
- C. The landlord or owner or manager of residential rental real property must disclose any known history of methamphetamine manufacturing on the premises.

Section 10.57.130 Anti-Retaliation Protections

- A. Purpose and Intent.

Due to fears of retaliation, tenants may fear speaking up about housing habitability issues or organizing as tenants. State law provides protection against retaliation, and the City of Spokane intends for its code to provide additional protections.

- B. Prohibition on retaliation.

1. No landlord or owner or manager of residential rental real property in Spokane may intimidate any person because that person is engaging in activities designed to make other persons aware of, or encouraging such other persons to exercise rights granted or protected by the fair housing laws, or engaging in political speech or political organizing.
2. No person may threaten any employee or agent with dismissal or an adverse employment action, or take such adverse employment action, for any effort to assist any person in the exercise of their fair housing rights.
3. For purposes of this section, "fair housing laws" and "fair housing rights" include the federal Fair Housing Act, the Washington Law Against Discrimination, and Title 18 of the Spokane Municipal Code.

Section 10.57.140 Private Right of Action

- A. Any person or class of persons who claim to have been injured by a violation of sections 10.57.020(H), 10.57.110, 10.57.120, or 10.57.130 may commence a civil action in Superior Court, not later than three (3) years after the

occurrence of the alleged violation to obtain relief with respect to such violation. Upon prevailing, such aggrieved person may be awarded reasonable attorneys' fees and costs, and such other legal and equitable relief as appropriate to remedy the violation including, without limitation, the payment of compensatory damages, a penalty of up to \$500, and injunctive relief.

- B. If a landlord fails to comply with the requirements of sections 10.57.020(H), 10.57.110, 10.57.120, or 10.57.130 and such failure was not caused by the tenant, the tenant may terminate the rental agreement by written notice pursuant to law.

Section 2. That there is enacted a new section 07.08.157 of the Spokane Municipal Code to read as follows:

Section 07.08.157 Residential Rental Property Mitigation Fund

- A. There is established a special revenue fund entitled the "residential rental property mitigation fund" into which shall be paid 10% of fees from business registration that have at least one listed residential rental property.
- B. As provided in the annual budget, the "residential rental property mitigation fund" is appropriated to provide for payment of repairs of residential rental properties that are damaged during a tenancy where a government or nonprofit operated program, that provides housing support to low income individuals, referred the tenant to the landlord or provided a portion of their rent or damage deposit, and where damage occurs through no fault of the landlord, as established by SMC 10.57.080. The city council may also provide for additional revenues to be paid into such fund from time to time from any available funds of the City, including an initial investment of startup money.

Section 3. That there is enacted a new section 07.08.158 of the Spokane Municipal Code to read as follows:

Section 07.08.158 Legal Services and Relocation Fund

- A. There is established a special revenue fund entitled the "legal services and relocation fund" into which shall be paid two percent of all revenue collected pursuant to SMC 8.07C each year for five calendar years (2023-2027) to seed the fund and then it shall thereafter be maintained with 100% proceeds from substandard housing enforcement actions by the Legal Services and Relocation Program.
- B. As provided in the annual budget, the "legal services and relocation fund" is appropriated to provide for legal services and relocation funds arising out of rental units that fall below standards of habitability, as established by SMC 10.57.070. The city council may also provide for additional revenues to be paid into such fund from time to time from any available funds of the City.

Passed by City Council February 27, 2023

Delivered to Mayor March 3, 2023

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.

CHEMIST SPN 655 PROMOTIONAL

DATE OPEN: Monday, March 6, 2023

DATE CLOSED: Monday, March 20, 2023 at 4:00 p.m.

SALARY: \$61,303.68 annual salary, payable bi-weekly, to a maximum of \$86,714.64

DESCRIPTION:

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

DUTIES:

- Performs a variety of water and waste water, sewage, biosolids and soil tests in the control of pollution.
- Conducts standardized chemical and bacteriological tests of influent, process and effluent waste water, sludge, and soils.

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

MINIMUM QUALIFICATIONS:**Promotional Requirements:**

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

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

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

Open Entry Requirements:

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

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

EXAMINATION DETAILS:

Candidates must meet the minimum qualifications and pass the examination for this position to be eligible for promotion. Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

Upon request, at time of application, City of Spokane 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.

The examination will consist of a multiple-choice test and a performance evaluation (PAR), with weights assigned as follows:

- Multiple-Choice Examination 80%
- Performance Evaluation 20%.

EXAMINATION DETAILS:

The multiple-choice examination will be conducted online via FastTest.

- Location: City Hall, Civil Service - 4th Floor Test Room, 808 W. Spokane Falls Blvd.
- Date: Tuesday, March 28, 2023
- Time: 1:00 p.m.

The approximate duration of the test is 2 hours. The written test may include such subjects as:

- Biosolids
- Chemistry
- Dangerous Waste
- Employee Relations and Supervision
- Lab Quality Control
- Microsoft Excel
- Pretreatment

PROMOTIONAL EVALUATION DETAILS:

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

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

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

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 1st day of March 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

Notice for Bids

Paving, Sidewalks, Sewer, etc.

**Marshall Road Transmission Main Phase 1
Engineering Services File No. 2018106**

This project consists of the construction of approximately 4,650 linear feet of 30-inch diameter water transmission main, 1,000 linear feet of 12-inch diameter water distribution main, 425 cubic yards of rock excavation, 3,000 square yards of 3-inch thick HMA pavement, 1110 square yards of 5-inch thick HMA pavement, 7,600 square yards of gravel road replacement and widening, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. March 13, 2023, for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Bids shall be delivered by hand, mail or courier service to City Hall, 808 W. Spokane Falls Blvd. Spokane, WA 99201. Hand delivered bids shall be delivered to the first floor of City Hall between noon and 1:00 p.m. on bid opening day to the purchasing agent present. All bid packages shall be in sealed envelopes marked with the following text: "Attn: Purchasing - Bid Documents Enclosed, YYY Project", where YYY is the project name.

The bids will be publicly opened and read at 1:15 p.m. online using Microsoft Teams. If you would like to view the bid opening, please utilize one of the following options: to watch, go to our website: <https://my.spokanecity.org/business/bid-and-design/current-projects/> click on the link to the Microsoft Teams meeting on the right-hand side of the page.

Alternatively, it may be simpler to listen by phone, which can be done as follows: call (323) 618-1887, then enter the access code 533 854 149 followed by #.

The City of Spokane, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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.

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 FIVE (5) 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 2022 Standard Specifications.

Note regarding new apprentice program requirements: Section 1-07.9(3) herein has been substantially revised including a new bid item and larger penalties for non-compliance.

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 B. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

******Time is of the essence due to the length of the construction window and/or the time of year in which the project is being constructed. Please note that various award phase steps have shorter than normal time frames as detailed in section 1-03.3, 1-08.4, and 1-08.5.**

Publish: February 22, March 1, & 8, 2023

RE-BID

Cochran Basin Stormwater Control Vault Engineering Services File No. 2019148

Re-bid Note: Because a required bid form was not included in the bid package, this project is being re-bid on a shortened 2 week time frame – note the bid due date below. A new spec/drawing package will not be issued. The prior addenda are still applicable. The missing "Certification of Compliance with Wage Payment Statutes" form will be an award phase requirement which will be detailed in a forthcoming addendum.

This project consists of the construction of a below grade concrete cast in place flow control structure, modifications to add flow controls to an existing underground concrete structure (Cochran Pit), a below grade cast in place 40 cfs capacity stormwater pump station, with electrical facilities, including four submersible stormwater pumps, motor controls, and force main piping, approximately 5,900 cubic yards of excavation and embankment, shoring, 695 linear feet of storm sewer and force main, drainage structures, curb, gutter, sidewalk, 2,575 square yards of HMA pavement, concrete panel removal and repair, communication and electrical conduit installation, electrical and controls installations within the existing I03 electrical room and at Downriver Golf Course stormwater treatment Pond F, landscaping and irrigation work, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. March 20, 2023, for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Bids shall be delivered by hand, mail or courier service to City Hall, 808 W. Spokane Falls Blvd. Spokane, WA 99201. Hand delivered bids shall be delivered to the first floor of City Hall between noon and 1:00 p.m. on bid opening day to the purchasing agent present. All bid packages shall be in sealed envelopes marked with the following text: "Attn: Purchasing - Bid Documents Enclosed, YYY Project", where YYY is the project name.

The bids will be publicly opened and read at 1:15 p.m. online using Microsoft Teams. If you would like to view the bid opening, please utilize one of the following options: to watch, go to our website: <https://my.spokanecity.org/business/bid-and-design/current-projects/> click on the link to the Microsoft Teams meeting on the right-hand side of the page. Alternatively, it may be simpler to listen by phone, which can be done as follows: call (323) 618-1887, then enter the access code 533 854 149 followed by #.

The City of Spokane, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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.

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 2022 Standard Specifications.

Note regarding new apprentice program requirements: Section 1-07.9(3) herein has been substantially revised including a new bid item and larger penalties for non-compliance.

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 B. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

*****"It is anticipated that this project will be funded in part by the Washington State Department of Ecology. Neither the State of Washington nor any of its departments or employees are, or shall be, a party to any contract or any subcontract resulting from this solicitation for bids."*****

Publish: March 8 & 15, 2023

**Holland Avenue Sewer – Normandie Lane to Colton Street
Engineering Services File No. 2021082**

This project consists of the construction of approximately, 2560 linear feet of 18" sanitary sewer, 12 sanitary manholes structures, 510 linear feet of 30" directional bore casing, 15 storm drainage structures, 350 square yards of sidewalk, 2,200 square yards of 3-inch thick HMA pavement, 2,000 square yards of 4-inch thick HMA, 6,800 square yards of 5-inch thick HMA pavement, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. March 20, 2023, for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Bids shall be delivered by hand, mail or courier service to City Hall, 808 W. Spokane Falls Blvd. Spokane, WA 99201. Hand delivered bids shall be delivered to the first floor of City Hall between noon and 1:00 p.m. on bid opening day to the purchasing agent present. All bid packages shall be in sealed envelopes marked with the following text: "Attn: Purchasing - Bid Documents Enclosed, YYY Project", where YYY is the project name.

The bids will be publicly opened and read at 1:15 p.m. online using Microsoft Teams. If you would like to view the bid opening, please utilize one of the following options: to watch, go to our website: <https://my.spokanecity.org/business/bid-and-design/current-projects/> click on the link to the Microsoft Teams meeting on the right-hand side of the page. Alternatively, it may be simpler to listen by phone, which can be done as follows: call (323) 618-1887, then enter the access code 533 854 149 followed by #.

The City of Spokane, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to

submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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.

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 FIVE (5) 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 2023 Standard Specifications.

Note regarding new apprentice program requirements: Section 1-07.9(3) herein has been substantially revised including a new bid item and larger penalties for non-compliance.

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 B. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

******Time is of the essence due to the length of the construction window and/or the time of year in which the project is being constructed. Please note that various award phase steps have shorter than normal time frames as detailed in section 1-03.3, 1-08.4, and 1-08.5.**

Publish: March 1, 8 & March 15, 2023

Notice for Bids

Supplies, Equipment, Maintenance, etc.

Asset Management Strategy and Program Development for Water and Wastewater Departments

City of Spokane Integrated Capital Management department

RFQu #5822-23

Description: The City of Spokane is soliciting electronic Qualification Proposals for Asset Management Strategy and Program Development for Water and Wastewater Departments.

All Proposal documents shall be submitted electronically through the City of Spokane's online procurement system **no later than 1:00 p.m. on MONDAY, MARCH 27, 2023**. Hard copy and/or late submittals will not be accepted. The City of Spokane is not responsible for Proposals submitted late.

Sealed Proposals will be unsealed and acknowledged at the 1:15 p.m. public bid opening meeting via **Microsoft Teams** on **MONDAY, MARCH 27, 2023**. To watch the City of Spokane Bid Opening Meeting, go to our City Purchasing Department website: <https://my.spokanecity.org/administrative/purchasing/> and then click on the "join meeting" link on the right-hand side of the page. Alternatively, it may be simpler to listen by phone which can be done as follows: call (323) 618-1887 then enter the access code 533 854 149 followed by #.

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

It is the responsibility of Proposers to check the City of Spokane's online procurement system identified above for

Addenda or other additional information that may be posted regarding this Request for Qualifications.

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

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

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

Publish: March 1, 8 & 15, 2023

COMPRESSED NATURAL GAS
Fleet Services

ITB #5848-23

Description: The City of Spokane is seeking electronic bids for Compressed Natural Gas.

Bid Opening: Sealed electronic bids will be accepted until **Monday, March 27, 2023, at 1:00pm**. Bids will be publicly opened at 1:15pm. To participate in bid opening, please visit the City's website at <https://my.spokanecity.org/administrative/purchasing/> for the link to attend virtually and the number to attend by telephone. All bid responses must be submitted electronically through the City of Spokane's bidding portal at <https://spokane.procureware.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.procureware.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.

Please submit any questions on our bidding portal to the 'Clarifications' tab under the applicable project number.

The City reserves the right 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.**

Thea Prince, Sr. Procurement Specialist
Purchasing Department

Publish: March 1 & 8, 2023

Renewal Natural Gas and Clean Fuel Standard Implementation
Fleet Services Department
#RFP 5849-23

REQUEST FOR PROPOSALS

Description: The City of Spokane is soliciting electronic proposals for the RENEWABLE NATURAL GAS & CLEAN FUEL STANDARD IMPLEMENTATION

Pre-Submittal Meeting: There is an optional Pre-submittal meeting via Teams on **Thursday, March 16, 2023 at 1:00 pm**. The link is in the RFP.

Bid Opening: Sealed electronic bids will be accepted until **Monday, March 27, 2023 at 1:00pm**. Bids will be publicly opened at 1:15pm. To participate in bid opening, please visit the City's website at <https://my.spokanecity.org/administrative/purchasing/> for the link to attend virtually and the number to attend by telephone. All bid responses must be submitted electronically through the City of Spokane's bidding portal at <https://spokane.procureware.com> before the aforementioned deadline. Hard copy and/or late bids will not be accepted.

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

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

The right is reserved to reject any and all proposals and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the proposer when considering this contract. **Only firm proposals with signatures will be tabulated.**

Thea Prince
Purchasing Department

Publish: March 1, 8 & 15, 2023

RIVERFRONT PARK SOUTH SUSPENSION BRIDGE RENOVATION PROJECT
City of Spokane

PW ITB #5850-23

Description: The City of Spokane Parks Department is soliciting electronic bids for the Riverfront Park South Suspension Bridge Renovation Project

Pre-Bid Conference: Tuesday, March 21, 2023 at 1:30 pm – Location will be identified in PW ITB when released.

Bid Opening: Sealed electronic bids will be accepted until **Monday, April 3, 2023 at 1:00pm**. Bids will be publicly opened at 1:15pm. To participate in bid opening, please visit the City's website at <https://my.spokanecity.org/administrative/purchasing/> for the link to attend virtually and the number to attend by telephone. 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.

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

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

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

All Proposal documents shall be submitted electronically through the City of Spokane's online procurement system **no later than 1:00 p.m. on Monday, April 3, 2023**. Hard copy and/or late submittals will not be accepted. Proposals must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Proposals submitted late.

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

Thea Prince
City of Spokane Purchasing

Publish: March 8 & 15, 2023

NELSON FACILITY CNG FUEL SYSTEM EXPANSION PROJECT
City of Spokane

PW ITB #5851-23

Description: The City of Spokane is soliciting electronic bids for the Nelson Facility CNG Fuel System Expansion Project

Pre-Bid Conference: Thursday, March 9 at 9:00 am in the Lobby at the Nelson Facility, 915 N Nelson Street, Spokane WA 99202

Bid Opening: Sealed electronic bids will be accepted until **Monday, March 27, 2023 at 1:00pm**. Bids will be publicly opened at 1:15pm. To participate in bid opening, please visit the City's website at <https://my.spokanecity.org/administrative/purchasing/> for the link to attend virtually and the number to attend by telephone. All bid responses must

be submitted electronically through the City of Spokane's bidding portal at <https://spokane.procureware.com> before the aforementioned deadline. Hard copy and/or late bids will not be accepted.

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

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

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

All Proposal documents shall be submitted electronically through the City of Spokane's online procurement system **no later than 1:00 p.m. on Monday, March 27, 2023**. Hard copy and/or late submittals will not be accepted. Proposals must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Proposals submitted late.

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

Thea Prince
City of Spokane Purchasing

Publish: March 1 & 8, 2023
