



Official Gazette

City of Spokane, Washington

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

Volume 113

DECEMBER 13, 2023

Issue 50



MAYOR AND CITY COUNCIL

MAYOR NADINE WOODWARD

COUNCIL PRESIDENT BETSY

WILKERSON

COUNCIL MEMBERS:

JONATHAN BINGLE (DISTRICT 1)

MICHAEL CATHCART (DISTRICT 1)

PAUL DILLON (DISTRICT 2)

KAREN STRATTON (DISTRICT 3)

ZACK ZAPPONE (DISTRICT 3)

VACANT (DISTRICT 2)

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Minutes

NOTICE**MEETING MINUTES OF SPOKANE CITY COUNCIL****Monday, December 4, 2023**

The minutes for the Monday, December 4, 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, December 20, 2023, issue of the *Official Gazette*.

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

The minutes for the Monday, November 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, December 20, 2023, issue of the *Official Gazette*.

Republication of November 20, 2023, City Council Minutes

The following minutes were previously published in the December 6, 2023, issue of the *Official Gazette* (Volume 113, Issue 49). The minutes are being republished to correct clerical errors. The previously published version of the minutes reflected City Council Policy Advisor Chris Wright as present at the meeting; however, he was absent. Assistant City Attorney Mike Piccolo attended the meeting in the absence of Mr. Wright.

MINUTES OF SPOKANE CITY COUNCIL**Monday, November 20, 2023****BRIEFING SESSION**

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

Roll Call

On roll call, Council President Kinnear and Council Members Bingle, Cathcart, Oelrich, Stratton (appearing virtually), and Zappone were present. Council Member Wilkerson was absent.

Acting City Administrator Garrett Jones; Giacobbe Byrd, Director-City Council Office; Assistant City Attorney Mike Piccolo (sitting in for City Council Policy Advisor Chris Wright who was absent); and City Clerk Terri Pfister were also present for the meeting.

Current Agenda Review

The City Council reviewed the November 20, 2023, Current Agenda.

Suspension of Council Rules

Motion by Council Member Cathcart, seconded by Council Member Bingle, **to suspend** Council Rules for the purpose of adding an item to the agenda; **carried 6-0**.

Spokane Police Lieutenants and Captains Association Collective Bargaining Agreement for 2023-2026 (OPR 2023-1234) (Council Sponsors: Council President Kinnear and Council Member Cathcart)

Motion by Council Member Cathcart, seconded by Council Member Bingle, **to add** Spokane Police Lieutenants and Captains Association Collective Bargaining Agreement for 2023-2026 to tonight's (November 20) Legislative Agenda; **carried 6-0**.

Special Considerations Items S1 and S2 (Council Sponsors: Council President Kinnear and Council Member Bingle)

Motion by Council Member Bingle, seconded by Council Member Oelrich, **to substitute** the materials that Council Director Giacobbe Byrd circulated earlier – the Public Rule (under Resolution 2023-0097) and the GFCs (appendices under Final Reading Ordinance C36461) with updated revised versions sent out by Giacobbe Byrd; **carried 6-0**.

Advance Agenda Review

The City Council received an overview from staff on the November 27, 2023, Advance Agenda items.

Action to Approve November 27, 2023, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the November 27, 2023, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.B):

Motion by Council Member Cathcart, seconded by Council Member Bingle, **to approve** the November 27, 2023, Advance Agenda; **carried 6-0**.

Council Recess/Executive Session

The City Council recessed at 3:57 p.m. and immediately reconvened into an Executive Session to discuss potential and pending litigation until 4:27 p.m. At 4:27 p.m., the meeting was extended for 5 minutes. At 4:32 p.m., the meeting was extended for 5 minutes. At 4:37 p.m., the meeting was extended for 5 minutes. At 4:42 p.m., the meeting was extended for 5 minutes to 4:47 p.m., at which time the 3:30 p.m. Briefing Session also ended. City Attorney Lynden Smithson and Assistant City Attorney Elizabeth Schoedel were present for the Executive Session. The City Council reconvened at 6:04 p.m. for the Legislative Session.

LEGISLATIVE SESSION

Pledge of Allegiance

The Pledge of Allegiance was led by Council President Kinnear.

Roll Call

On roll call, Council President Kinnear and Council Members Bingle, Cathcart, Oelrich, Stratton (appearing virtually), and Zapone were present. Council Member Wilkerson was absent.

Giacobbe Byrd, Director-City Council Office; Assistant City Attorney Mike Piccolo (sitting in for City Council Policy Advisor Chris Wright who was absent); and City Clerk Terri Pfister were also present for the meeting.

There were no **Council Committee Reports**.

MAYORAL PROCLAMATION

November 25, 2023 *Small Business Saturday*

Council Member Oelrich read the proclamation. Joel Nania, Small Business Administration – Spokane Office, accepted the proclamation and remarked on the event.

The proclamation is attached to these minutes for reference.

There were no **Reports from Neighborhood Councils**.

There were no **Boards and Commissions Appointments**.

There were no **Administrative Reports**.

OPEN FORUM

The following individual(s) spoke during the Open Forum:

- Ivonne Polanski
- Robert Richard
- Bryanna Franzen
- Tim Malick

- Sam Lee
- Scott Ward
- Ron MacInernie
- Tracy Blum
- Gus Dinsmore
- Abe Stanbough
- Corey Childs
- Jasmine Lind
- Sunshine Wigen
- Mackenzie Draper
- Dave Bilsland

CONSENT AGENDA

After public testimony and the opportunity for Council commentary, the following action was taken:

Motion by Council Member Bingle, seconded by Council Member Zappone, the City Council **approved** Staff Recommendations for the following items; **carried 6-0**:

Value Blanket Renewal with Galls, LLC (Spokane) for Police Jumpsuits from October 1, 2023, through September 30, 2024—\$150,000. (OPR 2019-0888 / IRFP 776-19) (Council Sponsor: Council Member Cathcart)

Purchase from LN Curtis and Sons (Kent, WA) of Avon gas masks and related items for all personnel in the Spokane Police Department from the rank of Sergeant and below utilizing NPPgov Cooperative Agreement No. PS20105—\$250,000. (OPR 2023-1209) (Council Sponsors: Council President Kinnear and Council Member Bingle)

Consultant Agreement with Toole Design Group, LLC (Silver Spring, MD) to conduct the Pacific Avenue Greenway study for bikeway route selection and conceptual design from November 15, 2023, through December 31, 2025—\$179,000 (plus tax, if applicable). (OPR 2023-1210 / RFQ 5896-23) (Council Sponsors: Council President Kinnear and Council Member Wilkerson)

Acceptance of BJA Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) as a subaward from the Department of Justice through Spokane County—\$96,850 Revenue. (Relates to Special Budget Ordinance C36462) (OPR 2023-1211) (Council Sponsors: Council President Kinnear and Council Member Stratton)

Acceptance of BJA Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant (JAG)—\$214,815 Revenue, of which \$96,667 will be subawarded to Spokane County. (Relates to Special Budget Ordinance C36463) (OPR 2023-1212) (Council Sponsor: Council President Kinnear)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through November 10, 2023, total \$9,544,979.76 (Check Nos.: 598926-599199; ACH Nos.: 122867-123133), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$9,064,536.84. (CPR 2023-0002)
- b. Payroll claims of previously approved obligations through November 11, 2023: \$9,611,926.47 (Check Nos.: 570744-570869). (CPR 2023-0003)

City Council Meeting Minutes: October 9 (corrected), November 9, and November 14, 2023. (CPR 2023-0013)

Spokane Police Lieutenants and Captains Association Collective Bargaining Agreement for 2023-2026. (OPR 2023-1234) (as added during the 3:30 p.m. Briefing Session) (Council Sponsors: Council President Kinnear and Council Member Cathcart)

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCES

Special Budget Ordinance C36462 (Relates to OPR 2023-1211) (Council Sponsors: Council President Kinnear and Council Member Bingle)

After public testimony and Council commentary, the following action was taken:

Upon 6-0 Roll Call Vote, the City Council **passed Special Budget Ordinance C36462** 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 to the various funds of the City of Spokane government for the fiscal year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Public Safety & Judicial Grants Fund

1) Increase revenue by \$96,850.

A) Of the increased revenue, \$96,850 is provided by the Department of Justice, through Spokane County, as part of the JAG22 grant award program.

2) Increase appropriation by \$96,850.

A) Of the increased appropriation, \$96,850 is provided solely for equipment.

(This action arises from the need to accept Edward Byrne Memorial JAG22 grant funding from the Department of Justice.) (Relates to Consent Agenda Item OPR 2023-1211)

Ayes: Bingle, Cathcart, Kinnear, Oelrich, Stratton, and Zappone

Nos: None

Abstain: None

Absent: Wilkerson

Special Budget Ordinance C36463 (Relates to OPR 2023-1212) (Council Sponsors: Council President Kinnear and Council Member Bingle)

After public testimony and an opportunity for Council commentary, the following action was taken:

Upon 6-0 Roll Call Vote, the City Council **passed Special Budget Ordinance C36463** 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 to the various funds of the City of Spokane government for the fiscal year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Public Safety & Judicial Grants Fund

1) Increase revenue by \$214,815.

A) Of the increased revenue, \$214,815 is provided by the Department of Justice as part of the JAG23 grant award program.

2) Increase appropriation by \$214,815.

A) Of the increased appropriation, \$42,678 is provided solely for personal protective equipment.

B) Of the increased appropriation, \$75,470 is provided solely for a vehicle.

C) Of the increased appropriation, \$96,667 is provided solely for contractual services.

(This action arises from the need to accept Edward Byrne Memorial JAG23 grant funding from the Department of Justice.) (Relates to Consent Agenda Item OPR 2023-1212)

Ayes: Bingle, Cathcart, Kinnear, Oelrich, Stratton, and Zappone

Nos: None

Abstain: None

Absent: Wilkerson

Special Budget Ordinance C36464 (Council Sponsors: Council Members Wilkerson and Stratton)

After an opportunity for public testimony, with none provided, and Council commentary, the following action was taken:

Upon 6-0 Roll Call Vote, the City Council **passed Special Budget Ordinance C36464** 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 to the various funds of the City of Spokane government for the fiscal year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Home Entitlement Program Fund

1) Increase revenue by \$4,628,671

A) Of the increased revenue, \$4,628,671 is provided by the U.S. Department of Housing and Urban Development (HUD) as part of the HOME – American Rescue Plan (HOME-ARP) program.

2) Increase appropriation by \$4,628,671

A) Of the increased appropriation, \$4,207,883 is provided solely for contractual services to be provided by the City's sub-recipients to deliver housing and shelter services to the community.

B) Of the increased appropriation, \$260,398 is provided solely for salaries and benefits for the City of Spokane's employees who will be administering the programs.

C) Of the increased appropriation, \$160,390 is provided solely for other supplies, services, and equipment required for the administration of the programs.

(This action arises from the need to provide housing and shelter services to the citizens of Spokane via the HOME-ARP program.)

Ayes: Bingle, Cathcart, Kinnear, Oelrich, Stratton, and Zappone

Nos: None

Abstain: None

Absent: Wilkerson

Special Budget Ordinance C36465 (Council Sponsors: Council President Kinnear and Council Member Wilkerson)

After an overview of Ordinance C36465 by Council President Kinnear and an opportunity for public testimony and Council commentary, with none provided, the following action was taken:

Upon 6-0 Roll Call Vote, the City Council **passed Special Budget Ordinance C36465** 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 to the various funds of the City of Spokane government for the fiscal year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Fire/EMS Fund

1) Increase revenue by \$628,000.

A) Of the increased revenue, \$600,000 is provided solely for wildfire mobilization reimbursement from the Department of Natural Resources and other agencies.

B) Of the increased revenue, \$28,000 is provided solely for insurance recoveries on damaged vehicles and apparatus.

2) Increase appropriation by \$628,000.

A) Of the increased appropriation, \$600,000 is provided solely for overtime and travel of firefighters deployed to wildfire events.

B) Of the increased appropriation, \$28,000 is provided solely for vehicle and apparatus repairs.

(This action arises from the need to realize wildfire mobilization reimbursement and insurance recoveries.)

Ayes: Bingle, Cathcart, Kinnear, Oelrich, Stratton, and Zappone

Nos: None

Abstain: None

Absent: Wilkerson

There were no **Emergency Ordinances**.

RESOLUTIONS

Resolution 2023-0096 (Council Sponsors: Council President Kinnear and Council Member Bingle)

After a brief overview of Resolution 2023-0096 by Council Member Bingle and an opportunity for public testimony and Council commentary, with none provided, the following action was taken:

Upon 6-0 Roll Call Vote, the City Council **adopted Resolution 2023-0096** of the City of Spokane relating to the Water and Sewer Rehabilitation program for on-site septic systems, side sewer, and water service lines.

Ayes: Bingle, Cathcart Kinnear, Oelrich, Stratton, and Zappone

Nos: None

Abstain: None

Absent: Wilkerson

For action on Resolution 2023-0097, see section of minutes under Special Considerations.

Resolution 2023-0098 (Council Sponsors: Council Members Bingle and Wilkerson)

After an opportunity for public testimony and Council commentary, with none provided, the following action was taken:

Upon 6-0 Roll Call Vote, the City Council **adopted Resolution 2023-0098** approving the Spokane Employees' Retirement System (SERS) Board's change in the employee and employer contribution rates in accordance with Spokane Municipal Code 4.14.070.

Ayes: Bingle, Cathcart Kinnear, Oelrich, Stratton, and Zappone
Nos: None
Abstain: None
Absent: Wilkerson

FINAL READING ORDINANCES

For action on Final Reading Ordinances C36458 and C36459, see section of minutes under Hearings.

Final Reading Ordinance C36470 (Council Sponsors: Council Members Wilkerson and Oelrich)

After an opportunity for public testimony and Council commentary, with none provided, the following action was taken:

Upon 6-0 Roll Call Vote, the City Council **passed Final Reading Ordinance C36470** amending Ordinance C32457 that vacated 6th Avenue from approximately 100 feet west of Audubon Street to Audubon Street and located in the Northeast Quarter of Section 23, Township 25 North, Range 42 East, Willamette Meridian. (Clerical Note: This ordinance was incorrectly assigned as ORD C32457 on the City Council's Agenda [both the November 13 (First Reading) and November 20 (Final Reading) Agendas]. As this is an ordinance "amending" Ordinance C32457 (passed by City Council on October 2, 2000), the ordinance should have been assigned a new ordinance number. Following the November 20, 2023, City Council meeting, the City Clerk's Office clerically corrected the assigned number to Ordinance C36470. Ordinance C36470 amends Ordinance C32457.)

Ayes: Bingle, Cathcart Kinnear, Oelrich, Stratton, and Zappone
Nos: None
Abstain: None
Absent: Wilkerson

For action on Final Reading Ordinance C36461, see section of minutes under Special Considerations.

There were no **First Reading Ordinances**.

SPECIAL CONSIDERATIONS

Final Reading Ordinance C36461 and related Resolution 2023-0097 (as substituted during the 3:30 p.m. Briefing Session) (Council Sponsors: Council President Kinnear and Council Member Bingle)

The City Council considered Final Reading Ordinance C36461 relating to General Facilities Charges for public utilities and services and Resolution 2023-0097 regarding adoption of the City of Spokane's Public Rule for Wastewater and Water General Facilities Charges and Incentives. Public testimony was received on the matters, after which the following action was taken:

Motion by Council Member Bingle, seconded by Council Member Oelrich, **to extend** the meeting to 10 p.m.; **carried 6-0**.

Council commentary and discussion ensued. The following actions were taken:

Motion by Council Member Zappone, seconded by Council Member Bingle, **to suspend** Council Rules for the purposes of amending the Public Rule; **carried 6-0**.

Motion by Council Member Zappone, seconded by Council Member Bingle, **to change** a word in section 6.2 of the Public Rule from "may" to "shall" so it reads "...one hundred percent of a project's GFC Charges shall be offset..."; **carried 6-0**.

Upon 6-0 Roll Call Vote, the City Council **passed and adopted** the following Final Reading Ordinance and Resolution, respectively:

ORD C36461 Relating to General Facilities Charges (GFCs) for public utilities and services; amending SMC sections 13.03.0730, 13.03.0732, and 13.03.0734 to chapter 13.03 of the Spokane Municipal Code; and 13.04.2040, 13.04.2042, and 13.04.2044 to chapter 13.04 of the Spokane Municipal Code; and setting an effective date.

RES 2023-0097 Regarding adoption of the City of Spokane's Public Rule for Wastewater and Water General Facilities Charges and Incentives. (As amended) (Council Sponsors: Council President Kinnear and Council Member Bingle)

Ayes: Bingle, Cathcart, Kinnear, Oelrich, Stratton, and Zappone
Nos: None
Abstain: None
Absent: Wilkerson

HEARINGS

Final Reading Ordinances C36458 and C36459 (Council Sponsors: Council Members Wilkerson and Cathcart)
 The Spokane City Council held a hearing on Final Reading Ordinance C36458 relating to housing development regulations and extending an interim zoning ordinance and Final Reading Ordinance C36459 relating to increasing housing options by permitting and encouraging the construction of middle housing in more residential zoning districts. After a presentation by Planning staff, public testimony was received, and Council commentary and discussion ensued. The following action was taken:

Motion by Council Member Zappone, seconded by Council Member Oelrich, **to suspend** Council Rules (to amend Final Reading Ordinance C36459); **rejected**.

After further Council discussion, the following actions were taken:

Motion by Council Member Bingle, seconded by Council Member Oelrich, **to suspend** the Council Rules (to amend Final Reading Ordinance C36459); **carried 5-1**.

Motion by Council Member Bingle, seconded by Council Member Zappone, **to strike** the footnote under 17c.111.205-2 and renumber the remaining footnotes so they are in sequential order (under Ordinance C36459); **carried 5-1**.

Upon 6-0 Roll Call Vote, the City Council **passed** the following Final Reading Ordinances:

- **ORD C36458** relating to housing development regulations and extending an interim zoning ordinance; repealing Sections 17C.400.010, 17C.400.020, and 17C.400.030 of the Spokane Municipal Code; and amending Section 17C.400.040 of the Spokane Municipal Code to extend an additional six months.
- **ORD C36459**, as amended, relating to increasing housing options by permitting and encouraging the construction of middle housing in more residential zoning districts; adopting subdivision processes to encourage homeownership; implementing Section 3 of HB 1110; amending Spokane Municipal Code (SMC) chapters 17A.020.010, 17A.020.020, 17A.020.030, 17A.020.040, 17A.020.060, 17A.020.120, 17A.020.130, 17A.020.180, 17A.020.190, 17A.020.200, 17A.040.020, 17A.040.030, 17A.040.040, 17A.040.050, 17C.120.500, 17C.122.060, 17C.200.020, 17C.200.040, 17C.200.100, 17C.230.110, 17C.230.130, 17C.300.010, 17C.300.100, 17C.300.110, 17C.300.130, 17G.020.060, 17G.025.010, 17G.030.010, 17G.030.030, 17G.030.040, 17G.070.030, 17G.070.135, 17G.080.020, 17G.080.040, 17G.080.050, 17G.080.060, 17G.080.065; repealing SMC chapters 17C.110, 17G.060, and 17G.060T, and SMC sections 17G.080.010, and 17G.080.080; adopting SMC chapters 17C.111 and 17G.061, and SMC sections 17D.060.135, 17G.080.000, and 17G.080.025; and setting an effective date.

Ayes: Bingle, Cathcart, Kinnear, Oelrich, Stratton, and Zappone
Nos: None
Abstain: None
Absent: Wilkerson

Continued Hearing on Proposed 2024 Budget (FIN 2023-0001) (Continued from November 13, 2023, Agenda)
 The City Council continued its hearing on the Proposed 2024 Budget. After public testimony and Council commentary, the following action was taken:

Motion by Council Member Cathcart, seconded by Council Member Bingle, **to close** the Public Hearing on the 2024 Proposed Budget; **carried 6-0**.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 9:44 p.m.

Attachment to minutes is on file for review in the Office of the City Clerk.

MEETING MINUTES
City of Spokane
City Council - Community Assembly Joint Special Meeting
November 30, 2023

Call to Order: 5:31 p.m.

Attendance:

Committee Members Present: Council Members Stratton, Zappone, and Dillon.

Committee Members Absent: Council President Wilkerson, Council Members Cathcart, and Bingle.

Agenda Items:

1. City Council Discussion

- Presenters:
City Council Member Stratton
City Council Member Zappone
City Council Member Zappone
City Council Office Director, Giacobbe Byrd

Council Member Stratton started a discussion about what Council can do to better serve neighborhoods and the Community Assembly (CA). A CA member gave feedback that Council Members can come by neighborhood councils less frequently and quarterly updates may suffice, but building relationships with members of a neighborhood Council is important.

There was strong CA member feedback that it would be useful to bring Town Halls back into the neighborhoods. The Council Director asked if it matters if there's a City Council meeting in that venue? CA members impressed the importance of keeping the Council meeting portion of the Town Halls.

There is still a desire to have Council Members attend Neighborhood Council Meetings. A CA member expressed that Council Members need to give notice when they will attend so that neighborhoods can budget that time. There is interest in having a Council Member full-time attend Community Assembly.

Council Member Stratton transitioned the conversation to identifying CA priorities for 2024. CA members have interest and appreciation in forward-thinking goals. CA members mentioned that they have a strategic plan that can dovetail with priorities. Multiple CA members mentioned that traffic calming and public safety issues might be high priorities for next year. It was mentioned that the Chair of the public safety committee could partner with the CA for public safety communication and outreach. A CA member mentioned that there was interest in their committees being more effective. CA members want to see partnership in working toward legislation. It was offered that Council can utilize the administrative committee of the CA for direct and more timely feedback. CA members would like to see the relationship with Council be less reactionary. It was mentioned that it might be beneficial to funnel public engagement through neighborhood councils and the CA. The earlier the engagement the better and the smoother it will potentially go.

Council Member Stratton asked if it would be beneficial to keep a standing item on Council agendas for a CA update. There was some interest expressed in this idea, whether it's on a legislative session, briefing session, or committee.

CM Zappone asked for more clarity around Town Halls and the goals of them. A CA member said that it's an opportunity for Council Members to get immersed into neighborhoods and hear the state of the neighborhoods. CA members expressed that it's an opportunity for collaboration. The Town Halls are partially meant to show how the money the City invests in neighborhood councils is being put to work. A CA member mentioned that the presentations at the Town Halls are important for leadership development.

- Action taken:
No action taken. Presentation and discussion only.

2. Community Assembly Discussion

- Presenters:
Randy McGlenn
City Council Member Stratton
City Council Policy Advisor, Chris Wright

Neighborhood Council Ordinance – CA Members and Council Members discussed the latest version of the ordinance relating to neighborhood councils. The conversation focused around process and frustration with lack of Community Assembly involvement with the legislative process of the ordinance. There was also interest expressed for a fresh start with the ordinance in partnership together.

CA Resolution – the CA passed a recent resolution regarding traffic calming funds. Council Members were asked to respond to the CA resolution. Council Members Stratton and Zappone spoke about the difficult nature of the decision. CM Zappone also said he is looking into potential future opportunities to re-allocate other funds back to traffic calming. A CA member asked for more frequent information on the status of traffic calming projects and the traffic calming fund. A CA representative talked about how traffic calming gets neighbors to attend the neighborhood council meetings.

Neighborhood Safety Committee – this CA Committee was just reactivated. The chair of the committee gave a brief overview of the goals of the group.

- Action taken:
No action taken. Presentation and discussion only.

Executive Session:

None

Adjournment:

The meeting adjourned at 7:01 p.m.

**MEETING MINUTES
City of Spokane
City Council Study Session
November 30, 2023**

Call to Order: 11:03 a.m.

Recording of the meeting may be viewed here at: <https://vimeo.com/89005702>

Attendance:

Committee Members Present: Council President Wilkerson, Council Members Cathcart, Wilkerson, Stratton, Zappone, and Dillon.

Committee Members Absent: Council Member Bingle

Agenda Items:

1. Integrus Fire Station Study Update

- Presenter:
Chief Brian Schaeffer, City of Spokane
Integrus Consulting, TCA, and Dark Horse Emergency
- Action taken:
No action taken. Presentation and discussion only.

2. Regional Homeless Authority Discussion

- Presenter:
Nicolette Ocheltree, City of Spokane
- Action taken:
No action taken. Presentation and discussion only.

Executive Session:

None

Adjournment:

The meeting adjourned at 12:28 p.m.

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*.

Note: The following Ordinance was passed by voters during the November 7, 2023, General Election and is therefore being published in this copy, Volume 113, Issue 50, of the Official Gazette.

ORDINANCE NO. C36408

AN ORDINANCE TO PROHIBIT ENCAMPMENTS WITHIN ONE THOUSAND (1000) FEET OF A PUBLIC OR PRIVATE SCHOOL, PUBLIC PARK, PLAYGROUND OR LICENSED CHILD CARE FACILITY

WHEREAS, the citizens of the City of Spokane recognize the need to protect schools, parks, playgrounds and child care facilities and have previously enacted laws to create protective areas around areas where children gather; and

WHEREAS, minor children are particularly vulnerable when they walk to and from schools, parks and playgrounds and deserve a safe environment when doing so; and

WHEREAS, Spokane has experienced criminal and traumatic acts in the presence and plain view of children near existing encampments; and

WHEREAS, the citizens of Spokane desire to act to keep the children of their City safe and provide law enforcement and the prosecutor lawful ordinances to enforce to keep schools, parks, playgrounds, and child care facilities safe.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF SPOKANE HEREBY ORDAIN:

Section 1. That Section 12.02.1010 of Title 12 of the Spokane Municipal Code is amended to read as follows:

12.02.1010 Unauthorized Camping on Public Property – Violation

A. Prohibition

1. No person may camp in or upon any public property including, but not limited to, on conservation lands and natural areas abutting the Spokane River, Latah Creek and their tributaries, unless specifically authorized by declaration of the Mayor in emergency circumstances.
2. At all times, regardless of the availability of shelter, it is unlawful to camp where such activity poses:
 - a. a substantial danger to any person,
 - b. an immediate threat and/or an unreasonable risk of harm to public health or safety, or
 - c. a disruption to vital government services.

In such circumstances, the encampment shall be subject to expedited removal pursuant to SMC 12.02.1011.

3. At all times, regardless of the availability of shelter space or beds, it is unlawful to camp or store personal property, including camp facilities and camp paraphernalia, or to have unauthorized encampments, at any time in the following locations:
 - a. Underneath or within 50 feet of any railroad viaduct located within the Spokane Police Department's Downtown Precinct boundary as shown out in Exhibit A; and
 - b. Within three blocks of any congregate shelter provided that signs are posted prohibiting camping that are clearly visible to pedestrians.
 - c. In public within one thousand (1,000) feet of the perimeter of the grounds of a park (SMC Section 12.06A.030(B&D)), a day care center or child care facility (RCW 35.63.170(3-4)), or a public or private school (RCW 28A.150.010 and RCW 28A.195.010).

B. Penalty

A violation of this section is a misdemeanor. Unless otherwise subject to custodial arrest on a warrant or probable cause for another crime, individuals subject to enforcement under this section shall be cited and released rather than being booked into jail. With the exception of those who do not meet the criteria for acceptance into community court, individuals subject to enforcement under this chapter shall be referred to community court by officer citation.

C. Enforcement

1. Law enforcement officers shall not issue a criminal citation to enforce unauthorized camping in violation of section 12.02.1010 (A)(1) when an individual is on public property at a time when there is no available overnight shelter. Nothing in this section shall be construed to prevent the enforcement of section 12.02.1003 at all times, regardless of the availability of shelter, when a person is causing harm to the Spokane River or Latah Creek or to the banks and natural areas that buffer these waterways; nor shall this section be construed to prevent the expedited removal of an encampment on any public property pursuant to section 12.02.1012 (C).
 - a. Prior to issuing a citation to a homeless person who is sleeping, lying, sitting, or camping outdoors, the police officer must first confirm that a 24/7 low-barrier shelter had available space during the previous twenty-four hours that could have been utilized by that individual.
 - b. Confirmation of overnight shelter availability may come from data provided through a City-approved data system or through direct contact with regional low-barrier shelters, and shall consist of the following:
 - i. whether a shelter has available space for sleeping,
 - ii. the number of available spaces, and
 - iii. the guests each shelter will accept (i.e. men, women, families with children, etc.).
2. Sections 12.02.1010 (A)(2) and (A)(3) are enforceable at all times regardless of shelter availability.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 3. Submission to the Voters. This City ordinance shall be submitted to the voters of the City of Spokane for their approval or rejection at the next applicable election under Section 82 of the Spokane City Charter.

Section 4. Effective Date. If approved by the electors, this city ordinance amendment shall take effect and be in full force upon issuance of the certificate of election by the Spokane County Auditor's Office.

Effective date is the date of certification of the General Election – November 28, 2023.

ORDINANCE NO. C36456

An ordinance relating to budget planning and budget presentations, and amending Section 07.14.030 of the Spokane Municipal Code.

WHEREAS, pursuant to RCW 35.33.075, the City of Spokane must adopt a balanced budget each year, wherein expenditures do not exceed anticipated revenues and available funds carried forward from the prior year; and

WHEREAS, pursuant to RCW 35.33.135 and SMC 07.14.010, the mayor is to provide the city council with current information on estimates of revenues from all sources as adopted in the budget for the current year, together with any preliminary budget prepared by the Director of Finance, Treasury and Administration; and

WHEREAS, SMC 7.14.030 requires the Finance, Treasury and Administration Division to provide to the City Council "regular, monthly, financial reports including budget-to-actual data for the General Fund and any other key fund(s)"; and

WHEREAS, development and adoption of a balanced annual city budget is a complex process that depends on regular reports as required by SMC 7.14.030 and further depends on regular and year-long communication between the administration and the city council, as well as separate projections that reflect both administrative and council views regarding both expenditures and revenues; and

WHEREAS, the city council regularly holds study sessions each Thursday for briefings on topics and issues relating to city matters.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That Section 07.14.030 of the Spokane Municipal Code is amended to read as follows:

Section 07.14.030 Budget Monitoring and Review

- A. The Finance, Treasury and Administration Division shall provide regular, monthly, financial reports including budget-to-actual data for the General Fund and any other key fund(s), as necessary. The reports will be provided to the City Council as soon as reasonably available upon the closing of the period.
1. As part of the regular monthly reports, a summary of the General Fund budgeted revenue and expenditures shall be provided with estimates of beginning and ending fund balance and reserves with presumptions and trends, and, when available, council budget staff outlooks defined in the estimates.
 2. In the month following the end of a quarter's Finance and Administration Committee Meeting, the Management and Budget Department will provide a summary of potential financial or operational issues that may impact the City's overall financial position, either positively or negatively, based on analysis of actuals relative to the approved budget.
 3. In the month following the end of the quarter, the Management and Budget Department will provide proposed budget amendments as deemed appropriate based on operational activities, grant or contract awards, financial projections, or other relative information. City Council will determine which proposed budget amendments will proceed for the approval process via a special budget ordinance. The special budget ordinance will be scheduled for approval accordingly.
- B. The Finance, Treasury and Administration Division shall provide a pre-audit year- end financial report for the General Fund, and any other key fund deemed appropriate. The report will include relative fund/reserve balances for the General Fund. The report will be provided to the City Council as soon as reasonable and reliable financial information is available following the close of the fiscal year, but no later than the end of May.
- C. Based on analysis of financial activity from the previous fiscal year, as reported in the pre-audit year-end financial report, the Finance, Treasury and Administration Division shall provide:
1. An update to the General Fund Five-Year Forecast based on all known or expected revenues and expenditures. The General Fund Five-Year Forecast will include the current year's budget, current year projections, and updated projections including projections for the subsequent four years and, when available, council budget staff projections for the same periods. The report will be provided to the City Council by the May Finance and Administration Committee meeting.
 2. Focused discussion on current year General Fund "summary type code" accounts (both within the General Fund and supported by the General Fund) that have a materiality level of a budgeted 5% of overall expenditures and/ or is projected to be +/- of \$250,000 of its annual budget allocation.
 3. By the May Finance and Administration Committee meeting, the Administration will provide a recommendation to the City Council which, via Special Budget Ordinance, rectifies the material budget inaccuracies identified within 07.14.030 (C)(2) to fall below thresholds identified.
- D. The Finance, Treasury and Administration Division, and other senior administration personnel and cabinet members, shall, upon concurrence of the mayor, make themselves available for budget deliberations with the City Council on a monthly basis, or more frequently as mutually agreed with the mayor. The city council shall set aside its regular study sessions on the second Thursday of each month, if coinciding with a holiday, the third Thursday shall be set aside for budget presentations and discussions with program managers, cabinet-level department heads, and senior level administrators. The Administration should make other staff members available as necessary or beneficial to the content of the planned discussion.

**Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023**

ORDINANCE NO. C36468

AN ORDINANCE relating to the City of Spokane's Utility Tax; amending the Spokane Municipal Code (SMC) section 08.10.030(A)(3), (4) and (7) and setting an effective date.

WHEREAS, the City of Spokane Utility Tax rate for Water, Wastewater and Solid Waste services shall be temporarily increased in the amount of One (1%) percent for a total utility tax rate of twenty-one (21%) percent, beginning January 1, 2024, through December 31, 2024; and

WHEREAS, effective January 1, 2025, the temporary increase of One (1%) shall terminate without further action by the City Council; and

WHEREAS, effective January 1, 2025, the City's Utility Tax for Water, Sewer and Solid Waste services shall revert to a total utility tax rate of twenty (20%) percent;

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1: That SMC section 08.10.030 is amended to read as follows:

08.10.030 Business Activities Subject to Tax – Amounts – Effective 1/1/2024 to 12/31/24

- A. There is levied upon and shall be collected from all persons engaging in the following utility business activities a utility gross receipts tax or license fee measured by multiplying the rate specified times the gross income as follows:
1. Selling, wheeling, or furnishing electric light or power: Six percent of gross income.
 2. Selling, brokering, or furnishing natural or manufactured gas for hire: Six percent of gross income.
 3. Providing solid waste collection service: (~~Twenty~~) Twenty-One percent of gross income.
 4. Operating a public wastewater collection and treatment system: (~~Twenty~~) Twenty-One percent of gross income.
 5. Providing telegraph service: Three and one-half percent of gross income.
 6. Engaging in the telephone business: Six percent.
 - a. This percentage is taken of gross revenues derived from engaging in the telephone business in the City of Spokane, including one hundred percent of the total gross revenues derived from intrastate toll telephone services so long as the tax is not imposed on that portion of network telephone service, as defined in RCW 82.04.065, which represents charges to another telecommunications company, as defined in RCW 80.04.010, for connecting fees, switching charges or carrier access charges relating to intrastate toll telephone service, or for access to, or charges for interstate services, or charges for network telephone service that is purchased for the purpose of resale.
 - b. With respect to any rate affecting cellular taxation, subject also to RCW 35.21.870, no change in the tax rate affects business activities occurring before the effective date of the change, and no change will take effect sooner than sixty days following enactment of any amendatory ordinance.
 - c. In the case of cellular telephone service, when the service is provided to a customer roaming outside his normal use cellular network area, gross income for taxation purposes is determined consistent with the taxpayer's accounting system to the location of the originating cell site of the call, or to the location of the main cellular switching office that switched the call.
 - d. In the case of cellular telephone service, payments by a customer for the telephone service for telephones without a fixed location shall be allocated among taxing jurisdictions to the location of the customer's principal service address for the period during which the tax applies. There is a presumption that the service address a customer supplies to the taxpayer is accurate and current, unless the taxpayer has knowledge or reason to know the contrary.
 - e. If there is a dispute between the City of Spokane and another Washington city imposing a municipal telephone utility tax on cellular service of the same nature as imposed by this chapter, which dispute is limited only to the question of the correct allocation of municipal telephone taxes as between the City of Spokane and some other Washington city, the taxpayer may obtain exoneration from further tax liability, interest, and penalties due and owing to the City of Spokane with respect to the transactions under dispute by tendering the total amount of tax claimed due by the City of Spokane into an escrow account with the City treasurer or as established hereafter by appropriate interlocal agreements under the administrative sponsorship of the Association of Washington Cities. Under these arrangements, the taxpayer remains responsible to adjust its billing records promptly upon notification under procedures sanctioned through the Association of Washington Cities of the resolution of any dispute encompassed within the terms of this paragraph.
 7. Selling or furnishing water for hire: (~~Twenty~~) Twenty-One percent of gross income.

8. Providing cable, telecommunications, or similar type service to the public, which involves the use of the right-of-way for the installation of wires, cables, fixtures, or other equipment, where not otherwise addressed in this section or prohibited by law: Six percent of gross income.
- B. Subsections (A)(3), (A)(4), and (A)(7) of this section include, so far as permitted by law, the City of Spokane, and the fee or tax imposed applies to the specified business of the entire City service area, except that subsection (A)(3) of this section does not apply to operations or functions undertaken by the City occurring outside the City of Spokane and undertaken by the City as manager of a joint project pursuant to interlocal cooperation agreement.
- C. The taxes imposed in subsections A (1), (2), (3), (5), (6), and (8) do not apply to amounts derived from utility business activities otherwise taxable arising from providing service to customers at locations operated or managed by an airport board pursuant to interlocal agreement arising under the authority of chapter 14.08 RCW, where such locations have been annexed to the City, said annexation taking effect on or after January 1, 2012; provided further, this exclusion does not apply to revenues derived from customers operating municipal solid waste disposal facilities or revenues otherwise taxable from municipal solid waste disposal facility operations.
- D. The increased taxes imposed in sections (A)(3), (A)(4), and (A)(7) of this section are temporary increases from January 1, 2024 through December 31, 2024, after which said increases in sections (A)(3), (A)(4), and (A)(7) of this section shall revert to a total tax of twenty (20%) percent, effective January 1, 2025.

Section 2: That effective January 1, 2025, SMC section 08.10.030 is amended to read as follows:

08.10.030 Business Activities Subject to Tax – Amounts – Effective 1/1/2025

- A. There is levied upon and shall be collected from all persons engaging in the following utility business activities a utility gross receipts tax or license fee measured by multiplying the rate specified times the gross income as follows:
 1. Selling, wheeling, or furnishing electric light or power: Six percent of gross income.
 2. Selling, brokering, or furnishing natural or manufactured gas for hire: Six percent of gross income.
 3. Providing solid waste collection service: (~~Twenty One~~) Twenty percent of gross income.
 4. Operating a public wastewater collection and treatment system: (~~Twenty One~~) Twenty percent of gross income.
 5. Providing telegraph service: Three and one-half percent of gross income.
 6. Engaging in the telephone business: Six percent.
 - a. This percentage is taken of gross revenues derived from engaging in the telephone business in the City of Spokane, including one hundred percent of the total gross revenues derived from intrastate toll telephone services so long as the tax is not imposed on that portion of network telephone service, as defined in RCW 82.04.065, which represents charges to another telecommunications company, as defined in RCW 80.04.010, for connecting fees, switching charges or carrier access charges relating to intrastate toll telephone service, or for access to, or charges for interstate services, or charges for network telephone service that is purchased for the purpose of resale.
 - b. With respect to any rate affecting cellular taxation, subject also to RCW 35.21.870, no change in the tax rate affects business activities occurring before the effective date of the change, and no change will take effect sooner than sixty days following enactment of any amendatory ordinance.
 - c. In the case of cellular telephone service, when the service is provided to a customer roaming outside his normal use cellular network area, gross income for taxation purposes is determined consistent with the taxpayer's accounting system to the location of the originating cell site of the call, or to the location of the main cellular switching office that switched the call.
 - d. In the case of cellular telephone service, payments by a customer for the telephone service for telephones without a fixed location shall be allocated among taxing jurisdictions to the location of the customer's principal service address for the period during which the tax applies. There is a presumption that the service address a customer supplies to the taxpayer is accurate and current, unless the taxpayer has knowledge or reason to know the contrary.
 - e. If there is a dispute between the City of Spokane and another Washington city imposing a municipal telephone utility tax on cellular service of the same nature as imposed by this chapter, which dispute is

limited only to the question of the correct allocation of municipal telephone taxes as between the City of Spokane and some other Washington city, the taxpayer may obtain exoneration from further tax liability, interest, and penalties due and owing to the City of Spokane with respect to the transactions under dispute by tendering the total amount of tax claimed due by the City of Spokane into an escrow account with the City treasurer or as established hereafter by appropriate interlocal agreements under the administrative sponsorship of the Association of Washington Cities. Under these arrangements, the taxpayer remains responsible to adjust its billing records promptly upon notification under procedures sanctioned through the Association of Washington Cities of the resolution of any dispute encompassed within the terms of this paragraph.

7. Selling or furnishing water for hire: (~~Twenty One~~) Twenty percent of gross income.

8. Providing cable, telecommunications, or similar type service to the public, which involves the use of the right-of-way for the installation of wires, cables, fixtures, or other equipment, where not otherwise addressed in this section or prohibited by law: Six percent of gross income.

- B. Subsections (A)(3), (A)(4), and (A)(7) of this section include, so far as permitted by law, the City of Spokane, and the fee or tax imposed applies to the specified business of the entire City service area, except that subsection (A)(3) of this section does not apply to operations or functions undertaken by the City occurring outside the City of Spokane and undertaken by the City as manager of a joint project pursuant to interlocal cooperation agreement.
- C. The taxes imposed in subsections A (1), (2), (3), (5), (6), and (8) do not apply to amounts derived from utility business activities otherwise taxable arising from providing service to customers at locations operated or managed by an airport board pursuant to interlocal agreement arising under the authority of chapter 14.08 RCW, where such locations have been annexed to the City, said annexation taking effect on or after January 1, 2012; provided further, this exclusion does not apply to revenues derived from customers operating municipal solid waste disposal facilities or revenues otherwise taxable from municipal solid waste disposal facility operations.

Section 3: Effective Date.

This Ordinance shall take effect and be in force on January 1, 2024.

Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023

ORDINANCE NO. C36469

An Ordinance changing the zone from Context Area 4 (CA4) to High Density Residential 55 (RHD-55) for property located at 802 E Sharp Ave. in the City and County of Spokane, State of Washington, by amending the Official Zoning Map.

WHEREAS, the Hearing Examiner held a public hearing on this matter on May 31, 2023 on the request of the owner of certain property zoned Context Area 4 (CA4), and generally located at the southeast corner of E. Sharp Ave and N. Cincinnati St. in the City and County of Spokane, State of Washington, and on July 7, 2023, recommended approval of said zone change for said property subject to conditions; and

WHEREAS, this designation is not a major action significantly affecting the quality of the environment; and

WHEREAS, the City Council, upon public hearing, adopts the Findings, Conclusions, and Decision of the Hearing Examiner, dated July 7, 2023, and further determines that this rezone furthers the accomplishment of the Land Use Element of the Comprehensive Plan, encourages orderly development of a type and at a time that enhances the neighborhood, and does not produce adverse effects on the local environment; NOW, THEREFORE - - -

The City of Spokane does ordain that the Director of Planning Services be directed to change the Official Zoning Map adopted by Spokane Municipal Code Section 17A.040.020, so as to designate the property described as:

SINTO 3RD ADD SUBDIVISION OF BLOCKS F TO J: LOTS 4, 5, & 6 BLK J

in the County of Spokane, State of Washington, with a Residential High Density 55 (RHD-55) Zone.

Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023

ORDINANCE NO. C36471

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 General Fund, the Public Safety Personnel and Crime Reduction Fund, and the Fire/EMS Fund which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

- 1) Decrease revenue by \$1,400,000.
 - A) Of the decreased revenue, \$1,400,000 is removed from an operating transfer-in from the Public Safety Personnel and Crime Reduction Fund to the Police department.
- 2) Decrease appropriation by \$1,460,000.
 - A) Of the decreased appropriation, \$60,000 is removed from base wages in the Human Resources department.
 - B) Of the decreased appropriation, \$1,000,000 is removed from social security in the Police department.
 - C) Of the decreased appropriation, \$400,000 is removed from education pay in the Police department.
- 3) Increase appropriation by \$460,000.
 - A) Of the increased appropriation, \$60,000 is provided solely for contractual services in the Human Resources department.
 - B) Of the increased appropriation, \$400,000 is provided solely for contractual services in the CED Division department for PDA tax payments.

Section 2. That in the budget of the Public Safety Personnel and Crime Reduction Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Decrease appropriation by \$1,400,000.
 - A) Of the decreased appropriation, \$1,400,000 is removed from an operating transfer-out to the General Fund Police department.
- 2) Increase appropriation by \$1,400,000.
 - A) Of the increased appropriation, \$1,400,000 is provided solely as an operating transfer-out to the Fire/EMS Fund.

Section 3. That in the budget of the Fire/EMS Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$1,400,000.
 - A) Of the increased revenue, \$1,400,000 is provided solely for an operating transfer-in from the Public Safety Personnel and Crime Reduction Fund.
- 2) Increase appropriation by \$1,400,000.
 - A) Of the increased appropriation, \$1,400,000 is provided solely for uniform overtime.

Section 4. 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 adjust the General Fund budget for year -end, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023**

ORDINANCE NO. C36472

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 Hotel/Motel Lodging Tax Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

- 1) Increase appropriation by \$1,000,000.
- A) Of the increased appropriation \$1,000,000 is provided solely for payments to the Spokane Public Facilities District.

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 greater-than-expected Hotel/Motel Lodging Tax revenue which necessitates increased appropriation for payments to the Spokane Public Facilities District, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023

ORDINANCE NO. C36473

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 Workers' Compensation 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 Workers' Compensation Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase appropriation by \$600,000.
- A) Of the increased appropriation, \$600,000 is provided solely for insurance claim payments.

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 greater-than-expected Worker's Compensation insurance claims, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023

ORDINANCE NO. C36474

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 Office of Performance Management 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 Office of Performance Management Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Decrease appropriation by \$220,000.
 - A) Of the decreased appropriation, \$220,000 is removed from bases wages.
- 2) Increase appropriation by \$220,000.
 - A) Of the increased appropriation, \$220,000 is provided solely for contractual services.

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 contract with a vendor to review the Spokane Municipal Code for consistency and to address conflicting Chapters and/or Sections, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023**

ORDINANCE NO. C36475

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 Solid Waste 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 Solid Waste Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase appropriation by \$1,275,000
 - A) Of the increased appropriation, \$1,000,000 is provided solely for Fleet Services for Solid Waste Collections operations and recycling.
 - B) Of the increased appropriation, \$275,000 is provided solely for Insurance Premiums for Solid Waste Disposal.

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 greater-than-expected billings from other Departments in the Solid Waste Fund and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023**

ORDINANCE NO. C36476

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 Facilities Management-Capital 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 Facilities Management-Capital Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase appropriation by \$1,200,000.
- A) Of the increased appropriation, \$1,200,000 is provided solely for machinery/equipment in the Solid Waste department.

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 purchase equipment for operations at the Waste to Energy Plant, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023**

ORDINANCE NO. C36478

AN ORDINANCE APPROVING AND CONFIRMING THE 2024 ASSESSMENTS AND ASSESSMENT ROLL FOR THE DOWNTOWN SPOKANE PARKING AND BUSINESS IMPROVEMENT AREA, PREPARED UNDER ORDINANCE C32923 AS CODIFIED AND AMENDED IN CHAPTER 04.31 SMC.

WHEREAS, on October 9, 2023, the Spokane City Council passed Resolution 2023-0086 which provided notice and set a date for hearing on the assessments to be levied under the above identified ordinance; and

WHEREAS, pursuant to Resolution 2023-0086, a public hearing was held on December 4, 2023 to take public testimony regarding the assessments and assessment roll for the Downtown Spokane Parking and Business Improvement Area; and

WHEREAS, the assessment roles have been on file in the Office of the City Clerk for public review and inspection; and

WHEREAS, the City Council, through this ordinance, intends to levy assessments in the Downtown Spokane Business Improvement District to provide programs and services, which will specifically benefit the businesses and properties in the District; and

THE CITY OF SPOKANE DOES ORDAIN:

Section 1. The 2024 assessments and the assessment roll of the Downtown Spokane Parking and Business Improvement Area, established under Ordinance C-32923, as codified and amended in Chapter 04.31 SMC, are hereby approved and confirmed. The assessments and assessment roll are attached hereto, available in the Office of the City Clerk and City Treasurer.

Section 2. Each of the businesses, as described in RCW 35.87A.020, lots, tracts, and parcels of land and other property, including improvements thereon, multi-family residential, mixed-use projects as described in RCW 35.87A.020 (4), hotels, motels, government, and others, shown upon said rolls are hereby declared to be specially benefited by the programs authorized in Ordinance C-32923, as amended, in at least the amount levied against the same. The method of assessment is based upon the Special Assessment Formula in Appendix A.

Section 3. Pursuant to SMC 04.31.100, the projects, programs, activities and budget for the 2024 Downtown Parking and Business Improvement Area as presented to the City Council are hereby approved and may be revised by the City Council pursuant to a subsequent motion.

Section 4. The City Clerk is hereby directed to certify and transmit the assessment roll to the City Treasurer for collection, pursuant to City Ordinance and state law.

Section 5. That the assessments shown in the roll on file in the Office of the City Clerk are due on January 31, 2024. The ratepayer may elect to make payments in two installments with the first half of the assessment due and payable on the 31st day of January, 2024, and the second half of the assessment due and payable on the 31st day of July, 2024. Prior to the due date, ratepayers shall be sent a bill stating the amount of the assessment due and payable. If the assessment is not paid within thirty (30) days after its due date, a delinquency charge shall be added in the amount of ten percent (10%) of the assessment, not to exceed one hundred dollars (\$100) in addition to the processing fee. All assessments, or part thereof, shall also bear interest at the rate of twelve percent (12%) per annum, or part thereof, of delinquency. Within thirty (30) days of the due date(s), the City Treasurer or his/her designee shall send a late notice of the unpaid assessment including the assessment of appropriate interest, penalty and fees. Interest, penalties and other fees will be collected on any unpaid balance or portions thereof from the date the account became due.

Any ratepayer, aggrieved by the amount of an assessment or delinquency charge, shall request, within sixty (60) days of the assessment or charge, a meeting and/or hearing before the Ratepayer Board, and, if not satisfied with the decision of the Ratepayer Board, appeal within ten (10) days from the date of the decision, the matter de novo, to the City's Hearing Examiner, in the manner provided for in the City's Municipal Code. Failure to request a hearing shall result in a waiver of the right to challenge the assessment.

Section 6. This ordinance shall take effect and be in full force from and after the date of its passage.

**Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023**

ORDINANCE NO. C36479

AN ORDINANCE APPROVING AND CONFIRMING THE 2024 ASSESSMENTS AND ASSESSMENT ROLL FOR THE EAST SPRAGUE PARKING AND BUSINESS IMPROVEMENT AREA, PREPARED UNDER ORDINANCE C35377 AS CODIFIED AND AMENDED IN CHAPTER 04.31C SMC.

WHEREAS, on October 9, 2023, the Spokane City Council passed Resolution 2023–0087, which provided notice and set a date for hearing on the assessments to be levied under the above identified ordinance; and

WHEREAS, pursuant to Resolution 2023–0087, a public hearing was held on December 4, 2023 to take public testimony regarding the assessments and assessment roll for the East Sprague Parking and Business Improvement Area; and

WHEREAS, the assessment roles have been on file in the Office of the City Clerk for public review and inspection; and

WHEREAS, the City Council, through this ordinance, intends to levy assessments in the East Sprague Business Improvement District to provide programs and services, which will specifically benefit the businesses and properties in the District; and

THE CITY OF SPOKANE DOES ORDAIN:

Section 1. The 2024 assessments and the assessment roll of the East Sprague Parking and Business Improvement Area, established under Ordinance C35377, as codified and amended in Chapter 04.31C SMC, are hereby approved and confirmed. The assessments and assessment roll are attached hereto, available in the Office of the City Clerk and City Treasurer.

Section 2. Each of the businesses, as described in RCW 35.87A.020, lots, tracts, and parcels of land and other property, including improvements thereon, multi-family residential, mixed-use projects as described in RCW 35.87A.020 (4), hotels, motels, government, and others, shown upon said rolls are hereby declared to be specially benefited by the programs authorized in Ordinance C35377, as amended, in at least the amount levied against the same. The method of assessment is based upon the Special Assessment Formula in Appendix A.

Section 3. Pursuant to SMC 04.31C.100, the projects, programs, activities and budget for the 2024 East Sprague Parking and Business Improvement Area as presented to the City Council are hereby approved and may be revised by the City Council pursuant to a subsequent motion.

Section 4. The City Clerk is hereby directed to certify and transmit the assessment roll to the City Treasurer for collection, pursuant to City Ordinance and state law.

Section 5. That the assessments shown in the roll on file in the Office of the City Clerk are due on January 31, 2024. The ratepayer may elect to make payments in two installments with the first half of the assessment due and payable on the 31st day of January, 2024, and the second half of the assessment due and payable on the 31st day of July, 2024. Prior to the due date, ratepayers shall be sent a bill stating the amount of the assessment due and payable. If the assessment is not paid within thirty (30) days after its due date, a delinquency charge shall be added in the amount of ten percent (10%) of the assessment, not to exceed one hundred dollars (\$100) in addition to the processing fee. All assessments, or part thereof, shall also bear interest at the rate of twelve percent (12%) per annum, or part thereof, of delinquency. Within thirty (30) days of the due date(s), the City Treasurer or his/her designee shall send a late notice of the unpaid assessment including the assessment of appropriate interest, penalty and fees. Interest, penalties and other fees will be collected on any unpaid balance or portions thereof from the date the account became due.

Any ratepayer, aggrieved by the amount of an assessment or delinquency charge, shall request, within sixty (60) days of the assessment or charge, a meeting and/or hearing before the Ratepayer Board, and, if not satisfied with the decision of the Ratepayer Board, appeal within ten (10) days from the date of the decision, the matter de novo, to the City's Hearing Examiner, in the manner provided for in the City's Municipal Code. Failure to request a hearing shall result in a waiver of the right to challenge the assessment.

Section 6. This ordinance shall take effect and be in full force from and after the date of its passage.

Passed by City Council December 4, 2023
Delivered to Mayor December 7, 2023

Notice for Bids

Supplies, Equipment, Maintenance, etc.

REQUEST FOR PROPOSALS Scalehouse Management System RFP #6030-23

The City of Spokane is soliciting electronic Proposals for the above titled Request for Proposals.

Proposal Submittal: Proposals must be submitted electronically through the City of Spokane's online procurement system portal until **1:00 p.m. on January 15th, 2024**. Hard copies, emails, and 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.

To view this solicitation and submit a Proposal, the Proposer must be a registered supplier on the City's online procurement system at <https://spokane.procureware.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, Proposers will also be added to the solicitation's notification list for changes and/or modifications via email.

Questions will be accepted through the procurement system in the "Clarifications" tab of the applicable solicitation number.

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

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

Public Bid Opening: Sealed Proposals will be acknowledged and unsealed at the City virtual public bid opening meeting via **Microsoft Teams** at 1:15 p.m. on **MONDAY January 15th, 2024**. For the link to attend virtually and the number to attend by telephone, visit the City's Purchasing website at:

<https://my.spokanecity.org/administrative/purchasing/>.

Carlos Plascencia
Procurement Specialist, City of Spokane Purchasing

Publish: December 6, 2023 & December 13, 2023

Miscellaneous Waterworks Products – Ray Street Water Main
Water & Hydroelectric Services Department

ITB #6031-23

Description: The City of Spokane Water & Hydro Electric Services Department is seeking electronic bids for Miscellaneous Waterworks Products for the Ray Street Water Main Project.

Bid Opening: Sealed electronic bids will be accepted until **Monday, December 18, 2023, at 1:00 pm**. 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.

To view this solicitation and submit a bid response, you must be a registered supplier on the City's bidding portal at <https://spokane.procurement.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, you will also be added to the solicitation's distribution list for changes and/or modifications via email notification.

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: December 6 & 13, 2023
