



**REGULAR MEETING NOTICE/AGENDA  
THE CIVIL SERVICE COMMISSION  
9:30 A.M. – FEBRUARY 21, 2023**

NOTICE IS HEREBY GIVEN by the City of Spokane Civil Service Commission, that a regularly scheduled meeting of the Civil Service Commission will be held on February 21, 2023, commencing at 9:30 A.M. in the City Council Chambers – Lower Level of City Hall (808 W. Spokane Falls Blvd., Spokane WA, 99201). The purpose of the meeting is to conduct the monthly commission meeting and to discuss other matters as reflected on the attached agenda.

The meeting will be conducted in-person and open to the public with commission members, staff and presenters attending in-person. All meetings will be streamed live on Channel 5.

Oral public comment will be accepted at the meeting for agenda items to be decided by the Commission, excluding hearing items. Individuals who want to provide oral comment at this time but are unable to physically attend the meeting shall contact the Commission at [civilservice@spokanecity.org](mailto:civilservice@spokanecity.org) to request by 5:00 P.M. the day before the meeting, (Monday, February 20, 2023) so the Commission can make arrangements for you to participate telephonically at the meeting.

DATED THIS 8th day of February 2023.

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6237, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [mpiccolo@spokanecity.org](mailto:mpiccolo@spokanecity.org). Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.



## **AGENDA**

### **REGULAR MEETING OF THE CIVIL SERVICE COMMISSION**

9:30 A.M FEBRUARY 21, 2023

CITY HALL – CITY COUNCIL CHAMBERS

LOWER LEVEL CITY HALL

808 W. SPOKANE FALLS BLVD., SPOKANE, WA 99201

#### **1. CALL TO ORDER/ROLL CALL**

#### **2. APPROVAL OF MINUTES**

- a. January 17, 2023, Minutes  
(Pg. 3)
- b. January 24, 2023, Minutes  
(Pg. 5)

#### **3. CHIEF EXAMINER UPDATE**

#### **4. NEW BUSINESS**

- a. Reclass Request  
(Pg. 6)
- b. Findings of Fact, Conclusions of Law, and Decision in the C. Conrath  
Appeal  
(Pg. 7)

#### **5. OTHER BUSINESS**

#### **6. ADJOURN**

**Note:** The meeting is open to the public, with the possibility of the Commission adjourning into executive session.



**REGULAR MEETING OF THE CIVIL SERVICE COMMISSION  
MINUTES – JANUARY 17, 2023**

**1. CALL TO ORDER/ROLL CALL**

Chair Gilmore called the meeting to order at 9:32 a.m.

All Commissioners were present except Chair Lindsay who had an excused absence.

**2. APPROVAL OF MINUTES**

- a. November 15, 2022, Minutes

Motion: I move to approve the minutes of the previous meeting

Palmerton/Stephens

Motion passed unanimously

**3. CHIEF EXAMINER UPDATE**

Chief Examiner Pearson gave updates on Civil Service news

- a. New Human Resources director hired and confirmed by City Council starting in February 2023
- b. Rule Review starts this week completed five rules, starting sixth rule, hope to have something for Commissioners by late spring
- c. Working on Annual Report for March of 2023
- d. Busy year ahead
- e. Commissioner Gilmore followed up with questions regarding the Laborer I list and hiring
- f. Chief Examiner Pearson responded that we will probably test again this year for Laborer I

**4. NEW BUSINESS**

- a. Resolution 2023-01

Adoption of SPN 342 Resource Conservation Manager and SPN 592 WTE Electrical & Instrumentation Supervisor

Motion: I move to approve them both

Palmerton/Stephens

Motion passed unanimously

- b. Conrath Appeal Hearing

- a. The Commission called recess at 9:38 a.m. and resumed open session at 10:10 a.m.
- b. The commission called recess at 10:14 a.m. and resumed open session at 10:32 a.m.

- i. Mr. Conrath, a Police Corporal for the City of Spokane Police Department, was passed over for the position of Police Sergeant under Civil Service Rule V, Section 4(a).

- II. City's Attorney – Mr. Mike Bolasina

1. Argument
2. Witnesses

- a. Captain Tracie Meidl, City of Spokane Police Department.
- b. Mr. Joe Kuhlman questioned Captain Meidl.
- c. Commissioners Hult, Stephens, and Palmerton followed with questions to Captain Meidl.

- d. Commissioner Gilmore followed with questions for the Commissioners and the attorneys which were answered by Chief Examiner Pearson and Mr. Kuhlman.
- e. Major Eric Olsen, City of Spokane Police Department.
- f. Mr. Joe Kuhlman questioned Major Olsen.
- g. Commissioners Gilmore, Palmerton, and Stephens followed up with questions for Major Olsen.
- h. The Commission called recess at 12:24 p.m. and resumed open session at 12:35 p.m.
- i. Assistant Chief Justin Lundgren, City of Spokane Police Department.
- j. Mr. Kuhlman questioned Assistant Chief Lundgren.
- k. Commissioners Stephens and Palmerton followed up with questions for Assistant Chief Lundgren.
- l. Commissioner Gilmore read the Civil Service Rule V, Section 4(a).
- m. Commissioner Hult was excused for a prior Commitment.

### III. Appellant's Attorney – Mr. Joe Kuhlman

1. Argument
2. Witnesses
  - b. Corporal Christopher Conrath, City of Spokane Police Department
  - c. Mr. Bolasina questioned Corporal Conrath.
  - d. Commissioners Palmerton, Gilmore, and Stephens followed up with questions to Corporal Conrath.

### IV. Closing Statements presented by Mr. Bolasina and Mr. Kuhlman

## 2. OTHER BUSINESS

## 3. ADJOURN

Meeting adjourned at 2:00 for a Special Meeting for deliberation at a future date  
Gilmore, I would entertain a motion to adjourn  
Stephens/Palmerton

**Note:** The meeting is open to the public, with the possibility of the Commission adjourning into executive session.



**SPECIAL MEETING OF THE CIVIL SERVICE COMMISSION  
MINUTES – JANUARY 24, 2023**

**1. CALL TO ORDER/ROLL CALL**

Chair Gilmore called the meeting to order at 10:30 a.m.

All Commissioners were present except Chair Lindsey who had an excused absence.

**2. C. CONRATH APPEAL PROCEEDINGS**

- a. The Commission adjourned into Executive Session at 10:31 and resumed open session at 11:30.
- b. The Commission adjourned into Executive Session at 11:31 and resumed open session at 12:30.
- c. The Commission adjourned into Executive Session at 12:30 and resumed open session at 12:39.
- d. I move the Commission to grant the appeal  
Favor: Palmerton/Stephens  
No: Hult/Gilmore  
Motion Split 2 in favor 2 against.
- e. Commissioner Gilmore asked the City Attorney Sam Faggiano to explain how a tie vote works.
- f. Attorney Faggiano stated that without 3 Yes votes, the appeal will be denied, and a written decision will come at the next Commission meeting.

*MOTION:* The Civil Service Commission has determined to deny Officer Conrath's appeal under Civil Service Rule 5, Section 4(a).

**1. ADJOURN**

The Commission adjourned at 12:42  
I will entertain a motion to adjourn  
Gilmore/Hult/ Palmerton

**Note:** The meeting is open to the public, with the possibility of the Commission adjourning into executive session.

## ITEM 4A – RECLASSIFICATION OF KIM ANDERSON

### BACKGROUND

Ms. Kim Anderson, currently a Clerk III at the Police Academy, requested a job survey of her position in October of 2022. After completing a position description questionnaire and submitting it to Civil Service, it was reviewed. It was determined that Ms. Anderson is working at the level of a Clerk IV and should be reclassified to a Clerk IV.

Ms. Anderson previously requested and completed a job survey in 2016 as a Clerk II at the Police Academy. It was previously determined that she was working at the level of a Clerk III and was reclassified to a Clerk III.

Based on Rule III, Section 6(b), “no employee may receive more than one promotion within a department through the reclassification process without approval of the Civil Service Commission.”

Both management and labor are aware and in support of this reclassification.

Commission action is required.



Civil Service Commission



ITEM 4B – FINDINGS, CONCLUSIONS OF LAW AND DECISION OF THE CIVIL SERVICE COMMISSION

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BACKGROUND

The Findings of Fact regarding the Mr. Christopher Conrath appeal decision.

Commission action is required.

1  
2  
3 BEFORE THE CIVIL SERVICE COMMISSION, CITY OF SPOKANE

4 In Re the Matter of:

5 Christopher Conrath,

6 Appellant,

7 v.

8 City of Spokane,

9 Respondent.  
10

FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND  
DECISION OF THE CIVIL SERVICE  
COMMISSION

11 On January 17, 2023, the Civil Service Commission (Commission) for the City  
12 of Spokane conducted the hearing of the appeal of pass over filed by Cpl.

13 Christopher Conrath. The appeal was in regard to the determination of Major Eric

14 Olsen (with concurrence by the Assistant Police Chief) to pass Cpl. Conrath over for  
15 promotion to the position of Police Sergeant twice, on August 22, 2022 and  
16

17 November 4, 2022 respectively, based upon reasonable cause as set forth in Rule V

18 Section 4 (a) of the Civil Service Rules. Cpl. Conrath timely filed his wish to appeal

19 both matters to the Commission pursuant to Rule V Section 4 (c) and the matters

20 were consolidated for hearing. The Commission heard oral argument from the City's

21 legal counsel Michael Bolasina, and from Cpl. Conrath's legal counsel Joe Kuhlman.

22 The Commission heard the testimony from the City's witnesses: Assistant Police

23 Chief Justin Lundgren, Major Eric Olsen, and Captain Tracie Meidl. Cpl. Conrath

24 testified on his own behalf. The Commission also considered the pre-appeal  
25  
26

27 Findings of Fact, Conclusions of Law and  
28 Decision of the Civil Service Commission

CIVIL SERVICE COMMISSION  
Fourth Floor Municipal Building  
Spokane, WA 99201-3315  
(509) 625-6160  
FAX (509) 625-6077



1 documentation filed by the City, which consisted of the City’s prehearing brief,  
2 including its Exhibits 1-23. The Appellant did not present a prehearing brief or any  
3 exhibits. Having heard and considered the above-cited argument, testimony and pre-  
4 appeal statements and documentation, the Commission makes the following Findings  
5 of Fact, Conclusion of Law, and Decision.  
6

7 FINDINGS OF FACT

8 Cpl. Conrath had previously taken the sergeant promotional examination  
9 administered by the Civil Service Commission, which placed him on the list of officers  
10 eligible for promotion to the position of sergeant. Over the period the sergeant  
11 promotional list was active, Cpl. Conrath’s name moved to the first position on the list  
12 due to other officers on the list being promoted to sergeant or otherwise removed  
13 from the list of eligibles. A sergeant’s position became open on or about August 22,  
14 2022, as well as on or about November 4, 2022, which made Cpl. Conrath the first  
15 eligible on the segreant promotional list to be considered for the promotion.  
16

17 On August 22, 2022, and November 4, 2022, Major Eric Olsen twice informed  
18 the Civil Service Chief Examiner that he was passing Cpl. Conrath over for cause for  
19 the sergeant promotion. Cpl. Conrath timely filed his appeal of both pass overs for  
20 cause and the matters were consolidated for review before this Commission.  
21

22 Cpl. Conrath was subject to a prior internal affairs investigation in September  
23 2021 resulting in a determination that he had violated the Police Department’s Policy  
24 340.3(D) regarding disobedience or insubordination and Police Department’s Policy  
25

1 212.3 regarding prohibited email use which resulted in discipline in the form of a letter  
2 of reprimand. This finding was made March 24, 2022.

3 CONCLUSIONS OF LAW  
4

5 The Civil Service Commission is to certify a list of employees eligible for  
6 promotion based upon the promotional examination. Upon receipt of the certification,  
7 the appointing officer may pass over the eligible and shall notify the Chief Examiner  
8 of the pass over. Rule V Section 4 of the Civil Service Rules provides that no  
9 promotional eligible shall be passed over except for reasonable cause. Reasonable  
10 cause for passing over a promotional eligible may include the following:

- 11 1) An eligible's documented substandard work performance, or
- 12 2) An eligible's documented prior disciplinary problems, or
- 13 3) Documented errors in an eligible's judgment, or
- 14 4) Any other documented performance-related reasons, or
- 15 5) Mutual Passover.

16 A promotional eligible shall be notified of the pass over and may petition the  
17 Civil Service Commission regarding the pass over.  
18

19 DECISION  
20

21 Based upon the submitted record, witness testimony, oral argument presented  
22 by the parties, the Civil Service Rules governing promotion and the above Findings of  
23 Facts and Conclusions of Law, a motion was made and seconded by the Civil  
24 Service Commission to GRANT the appeal of Cpl. Conrath. Pursuant to Civil Service  
25 Rule XI, Section 8 (a) a quorum of no less than four members of the Commission is  
26 required to conduct a hearing and render a decision, providing that the decision

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27 Findings of Fact, Conclusions of Law and  
28 Decision of the Civil Service Commission

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1 receive at least three affirmative votes. The Commission voted two to two on the  
2 motion to GRANT the appeal; two votes in favor of the motion to grant Cpl. Conrath's  
3 appeal and two votes against the motion to grant Cpl. Conrath's appeal. Because the  
4 Commission was unable to conclude by a three-vote majority to grant the appeal of  
5 Christopher Conrath, the status quo remains in place which effectively denies the  
6 appeal of Christopher Conrath and affirms that the decision of Major Olsen to pass  
7 Mr. Conrath over for promotion to the Police Sergeant position was based on  
8 reasonable cause as set forth in Rule V Section 4 of the Civil Service Rules.

9  
10 DATED this \_\_\_\_ day of February, 2023.

11  
12 By: \_\_\_\_\_

13 Judith Gilmore – Vice Chairperson  
14 Civil Service Commission

CERTIFICATE OF SERVICE

The undersigned, under penalty of perjury, certifies that on the \_\_\_\_\_ day of February, 2023, I caused a true and correct copy of this document to be forwarded, with all required charges prepaid, by the methods indicated below, to the following person(s):

Michael C. Bolasina

- VIA E – MAIL
- VIA FACSIMILE
- VIA U.S. MAIL
- VIA OVERNIGHT SERVICE
- VIA HAND DELIVERY

Joe Kuhlman

- VIA E - MAIL
- VIA FACSIMILE
- VIA U.S. MAIL
- VIA OVERNIGHT SERVICE
- VIA HAND DELIVERY

\_\_\_\_\_  
 Secretary to the  
 Civil Service Commission  
 Fourth Floor Municipal Bldg.  
 808 W. Spokane Falls Blvd.  
 Spokane, WA 99201

Findings of Fact, Conclusions of Law and Decision of the Civil Service Commission

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