

**Finance and Administration Committee**  
**Agenda for 1:15 p.m. March 21, 2022**

The Spokane City Council's Finance and Administration Committee meeting will be held at **1:15 p.m. March 21, 2022**, in Council Chambers, located on the lower level of City hall at 808 W. Spokane Falls Blvd. The meeting can also be accessed live at <https://my.spokanecity.org/citycable5/live/> and <https://www.facebook.com/spokanecitycouncil> or by calling 1-408-418-9388 and entering the accesscode #2491 952 4023; meeting password 0320.

The meeting will be conducted in a standing committee format. Because a quorum of the City Council may be present, the standing committee meeting will be conducted as a committee of the whole council. The Finance & Administration Committee meeting is regularly held every 3<sup>rd</sup> Monday of each month at 1:15 p.m. unless otherwise posted.

The meeting will be open to the public both virtually and in person, with the possibility of moving or reconvening into executive session only with members of the City Council and appropriate staff. No legislative action will be taken. No public testimony will be taken, and discussion will be limited to appropriate officials any staff.

**AGENDA**

**I. Call To Order**

**II. Approval of Minutes**

1. **February 28, 2022 Meeting Minutes - (minutes)**

**III. Discussion Items**

1. **SBO relating to Mayor's Office and Council Office Staffing - CP Beggs (10 minutes)**
2. **True Value Investment Advisory Services Agreement - Tonya Wallace (10 minutes)**
3. **Investment Allocation - Tonya Wallace (10 minutes)**
4. **Position Revision: Supervisory Probation Officer to Director of CJS - Howard Delaney (10 minutes)**
5. **River and Aquifer Interactions and Drought Impacts - Kara Odegard & Jerry White (15 minutes)**
6. **SBO for Clean Fuel Infrastructure Reserve Budget - Rick Giddings (10 minutes)**
7. **2022 State Legislative Agenda Outcomes - Erik Poulsen (10 minutes)**

**IV. Consent Items**

1. **Spokane County Detention Services Work Crew Services Agreement (Purchasing)**

2. **Resolution adopting the 2022 City Council Rules (City Council)**
3. **On-Call Off-Street Parking Lot Repair & Maintenance (Facilities)**
4. **UBit Truck Rebuild (Fleet)**
5. **AIR BRAKE PARTS RENEWAL (Fleet)**

**V. Executive Session**

**VI. Adjournment**

**Next Finance & Administration Committee meeting**

The next meeting will be held at the regular date and time of 1:15 p.m. **April 18, 2022.**

**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 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [msteinolfson@spokanecity.org](mailto:msteinolfson@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.

**STANDING COMMITTEE MINUTES**  
**City of Spokane**  
**Finance & Administration Committee**  
28 February, 2022

---

**Called to Order:** 10:02 AM PST

Recording of the meeting may be viewed here: <https://vimeo.com/682987942>

**Attendance**

**Committee Members Present:**

CM Wilkerson (Chair), CM Cathcart (Vice Chair), Council President Beggs, CM Kinnear, CM Stratton, CM Bingle, CM Zappone (joined at 10:07)

**Staff/Others Present:**

Hannahlee Allers, Matt Boston, Mark Carlos (scribe), Justin Lundgren, JacquiMacConnell, Garrett Jones, Rick Giddings, Paul Ingiosi, Micaela Martinez, Tonya Wallace, Michelle Murray, Brian McClatchey

**Approval of Minutes:** 10:02 AM PST

CM Bingle moved to approve, CM Stratton seconded. Agenda and minutes were approved unanimously.

**Agenda Items**

**Discussion Requests**

1. Mayoral Appointee – Director of Customer Experience – Meghan Steinolfson

➤ Action Taken

CM Wilkerson and CM Bingle agreed to sponsor this item to move forward for formal Council consideration.

2. SBO – Spokane Police Department Hire-Ahead FTEs – Jacqui MacConnell

➤ Action taken

CP Beggs, CM Cathcart and CM Kinnear agreed to sponsor this item to move forward for formal Council consideration. It was recommended that this topic will be further discussed at Public Safety & Community Health Committee.

3. SBO – Positions from CD/HS Operations to Grants Management – Tonya Wallace

➤ Action taken

CM Wilkerson and CM Bingle agreed to sponsor this item to move forward for formal Council consideration.

4. SBO – Salary Savings to Contractual Services - Paul Ingiosi

➤ Action taken

CM Wilkerson and CM Cathcart agreed to sponsor this item to move forward for formal Council consideration.

5. Robert Half Contract Amendment - Michelle Murray
  - No action taken  
CM Wilkerson and CM Cathcart agreed to sponsor this item to move forward for formal Council consideration.
6. SBO - Personal Protection Equipment ARPA - Jake Miller (taken at 2:47-2:35)
  - Action taken  
CM Wilkerson and CM Cathcart agreed to sponsor this item to move forward for formal Council consideration.
7. Monthly Transfer Report
  - No Action taken  
Presentation only, CM Wilkerson is sponsoring
8. Division organization amendment – Tonya Wallace
  - Action taken  
CP Beggs will sponsor this item to move forward for formal Council consideration.
9. New Dog Park Planning and Development – Garrett Jones
  - Action taken  
CM Kinnear and CM Stratton will sponsor this item to move forward for formal Council consideration.
10. Investment Allocation Methodology
  - Action taken  
CM Wilkerson will sponsor this item to move forward for formal Council consideration.

**Consent Items** (no discussion was requested or had)

1. SBO – JAG21 Grant Award (Police)
2. CME Cable Channel Agreement with KSPS
3. Purchase of a Tractor (Fleet)
4. Special Counsel Contract Amendment (Legal)
5. Treasury Emergency Rental Assistance 1.0 Reallocation Subgrant Recommendation (CHHS)
6. Cityworks by Azteca Systems, LLC Annual Software Maintenance and Support (ITSD)
7. Continuation for Salesforce License Ongoing annual maintenance and support of the City's CRM system. (ITSD)
8. Customer Relationship Management System (CRM) Annual Software Maintenance and Support (ITSD)
9. Oracle's PeopleSoft and Database Annual Software Maintenance and Support (ITSD)
10. Armored Car Service Contract Renewal (Finance)

**Executive session** None.

**Adjournment** The meeting adjourned at 11:06 a.m PST, next meeting will

**Prepared by:** Mark Carlos, Assistant to CM Betsy Wilkerson (Committee Chair)

**Approved by:**

---

CM Betsy Wilkerson, District 2, Position 2  
Finance & Administration Committee Chair

Draft

## Committee Agenda Sheet

### [Finance & Administration]

<b>Submitting Department</b>	Office of City Council
<b>Contact Name &amp; Phone</b>	Breean Beggs
<b>Contact Email</b>	bbeggs@spokanecity.org
<b>Council Sponsor(s)</b>	Council President Beggs and Councilmember Kinnear
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion      Time Requested: 10 minutes
<b>Agenda Item Name</b>	SBO relating to Mayor's Office and Council Office Staffing
<b>Summary (Background)</b>	<p>This SBO addresses potential rightsizing the staffing and salaries for the Office of the Mayor and City Council Office. Both offices have been considering these for some time and have agreed to present them in the same draft SBO for committee discussion before determining what final ordinance to propose based on Council feedback.</p> <p>Regarding City Council staff positions, the following reclassifications and salary changes reflect overdue adjustments to parity between existing positions in the Administration and Council offices as well as changes in job duties. The cost of these changes for the rest of the current year is approximately \$42,700. The Reserve for Budget Adjustment appropriation will be reduced to cover these increases resulting in no net change to the City Council budget.</p> <ul style="list-style-type: none"> <li>• Director, City Council Office: Range 40 to 51 equal to Director Mayor's Office as recommended by Human Resources</li> <li>• Director, Communications &amp; Community Engagement: Range 49 to 51 equal to Division Communications Officers</li> <li>• Initiative Manager for Housing and Homelessness: Range 39 to 42 to reflect increased position responsibilities</li> <li>• Initiative Manager for Equity and Inclusion: Range 39 to 42 to reflect increased position responsibilities</li> </ul> <p>The Office of the Mayor is requesting additional capacity to deliver the services at the level the community expects.</p> <p>The request for a permanent Chief of Staff will formalize what has been a working practice for the previous year and allows the office to hire additional staff for this leadership position that is critical to the successful completion of projects, staff supervision and coordination across the organization for many urgent and time sensitive needs. HR conducted a salary review and has assigned range 60 of the A07 Non-Represented pay plan to this position.</p> <p>Historically, there have been no staff dedicated to the assistance and operation of the City Administrator's office. In 2021, the Administrator utilized a project employee for this position. The City Administrator manages and oversees all operations of the City, including active management of all Divisions, coordination with the Mayor and City Council, and community engagement. A dedicated executive assistant is necessary for timely and professional support of an extremely busy and high output office. This position is assigned range 23 of the A07 Non-Represented pay plan.</p>

	<p>The total cost of salaries and benefits of the two new positions as well as startup costs such as computers, desks, chairs, and other equipment for the rest of the current year is approximately \$215,100. Salary savings from other positions in the Office of the Mayor will contribute approximately \$29,000 to the increased costs resulting in a final net increase of up to approximately \$186,100 in the Office of the Mayor's budget depending on what Council approves, which will be transferred from unallocated general fund reserves.</p>
<b>Proposed Council Action &amp; Date:</b>	Approve final passage of a final SBO on April 11, 2022 at a regular legislative meeting.
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b> What impacts would the proposal have on historically excluded communities? Increase in the Initiative Manager salaries recognizes their creation and supervision of community engagement groups that are weighted towards these communities.	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?  N/A	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?
N/A



ORDINANCE NO \_\_\_\_\_

An ordinance amending Ordinance No. C-36161, passed by the City Council December 13, 2021, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2022 budget Ordinance No. C-36161, as above entitled, and which passed the City Council December 13, 2021, it is necessary to make changes in the appropriations of the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

- 1) Add one exempt/confidential Executive Assistant position (from 1 to 2) and increase the associated appropriation for salary and benefits in the Mayor's Office, approximately \$55,500.
- 2) Add one exempt/confidential Chief of Staff position (from 0 to 1) and increase the associated appropriation for salary and benefits in the Mayor's Office, approximately \$148,000.
- 3) Increase the supplies and services appropriations in the Mayor's Office by \$11,600.
- 4) Decrease the salary appropriation for the Policy Advisor position by \$29,000.
- A) The total appropriation increase in the Mayor's Office department is approximately \$186,100.
- 5) Increase the salary for the Senior Executive Assistant-Council President position by \$21,700 (salary range change from Grade 40 to Grade 51 of the A07-Non-Represented pay plan) plus associated benefits, approximately \$25,350 in total.
- 6) Increase the salary for the Director of Communications and Community Engagement position by \$6,250 (salary range change from Grade 49 to Grade 51 of the A07-Non-Represented pay plan) plus associated benefits, approximately \$7,350 in total.
- 7) Increase the salary for the Manager-Housing and Homelessness position by \$4,200 (salary range change from Grade 39 to Grade 42 of the A07-Non-Represented pay plan) plus associated benefits, approximately \$4,900 in total.
- 8) Increase the salary for the Manager-Equity and Inclusion Initiatives position by \$4,350 (salary range change from Grade 39 to Grade 42 of the A07-Non-Represented pay plan) plus associated benefits, approximately \$5,100 in total.
- 9) Decrease the Reserve for Budget Adjustment by \$42,700.
- A) There is no net change to the City Council department budget.
- 10) The overall increase to the General Fund appropriation is \$186,100.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need for additional staff support in the Mayor's Office department and process salary range changes in the City Council department 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 the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

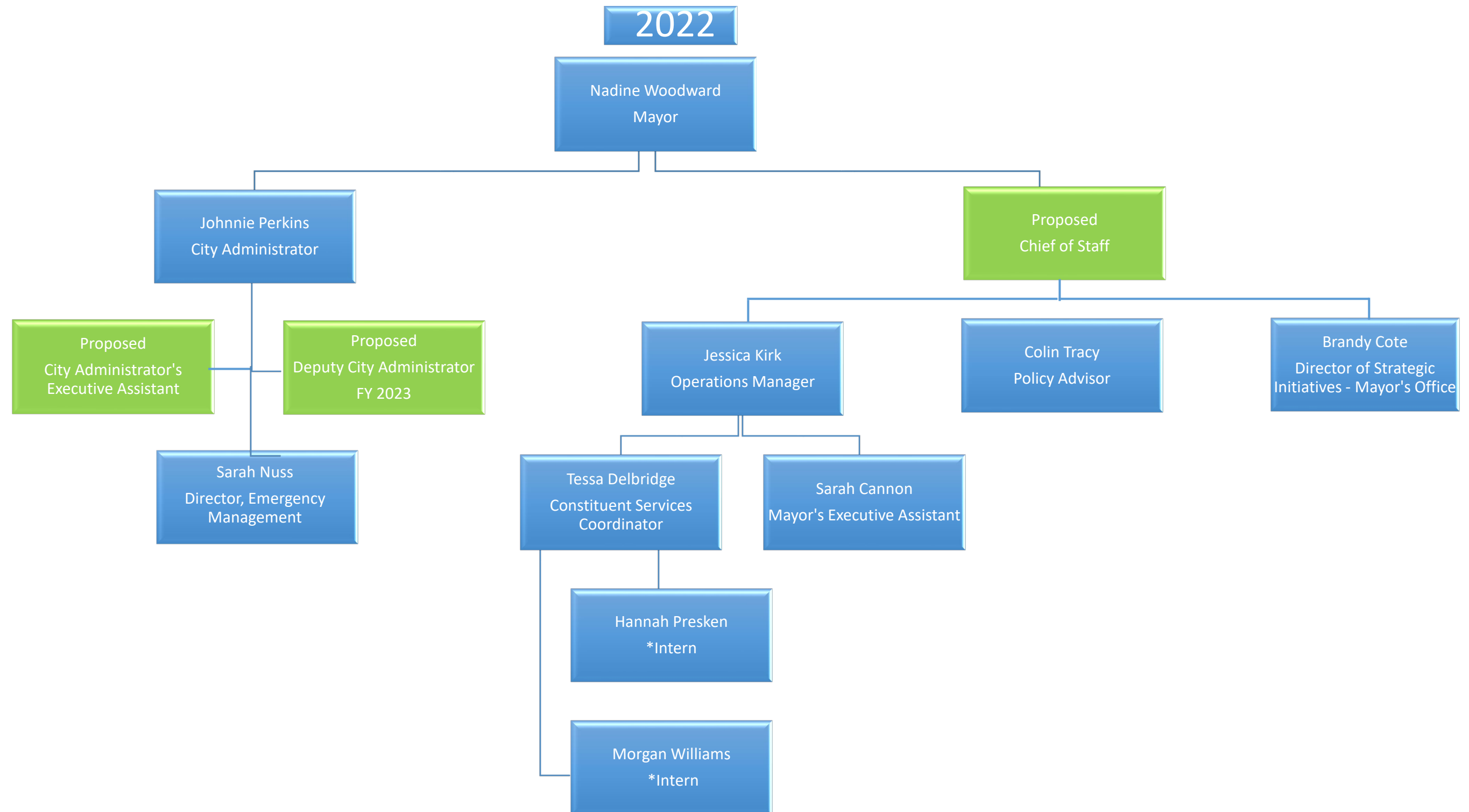
Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



## Committee Agenda Sheet

### Urban Development

<b>Submitting Department</b>	Finance
<b>Contact Name &amp; Phone</b>	Tonya Wallace 625-6845
<b>Contact Email</b>	<a href="mailto:twallace@spokanecity.org">twallace@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Karen Stratton
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	True Value Investment Advisory Services Agreement
<b>Summary (Background)</b>	<p>Concourse Financial Group, parent company for Time Value Investment or TVI, will assist the City with its primary investment pool. TVI will support updating the City's investment policy incorporating industries best practices including the priorities safety liquidity and yield. Specifically, TVI/Concourse Financial Group will assist the City in determining the appropriate risk parameters, maturity constraints and diversification to meet City's objectives.</p> <p>TVI will work closely with the City and offers the following primary services:</p> <ul style="list-style-type: none"> <li>• Continuous oversight of the investment portfolio.</li> <li>• Assistance with 3<sup>rd</sup> party DVP safekeeping setup (if necessary).</li> <li>• Investment purchase and sale recommendations for maturities and as need or opportunity arises.</li> <li>• Best pricing execution on securities transactions. Multiple bids acquired whenever available.</li> <li>• Regularly scheduled phone/Zoom meetings to discuss the portfolio (in person meetings as availability allows).</li> <li>• Ensure portfolio remains in compliance with all state and city policies and regulations.</li> <li>• Investment policy review and updating as appropriate.</li> <li>• Monthly portfolio reporting (see "sample platinum" attached).</li> <li>• GASB year-end reporting.</li> <li>• Access to ongoing CPE educational opportunities and classes.</li> <li>• Monthly market update newsletter and quarterly economic reports.</li> </ul> <p>The contract will be for non-discretionary investment services at an annual flat rate fee of \$65,000 for the first 3 years. TVI is the only firm listed on the MRSC Roster offering the listed Investment Advisory services.</p>
<b>Proposed Council Action &amp; Date:</b>	Approve contract with Concourse Financial Group for Investment Advisory Services on Feb. 28

**Fiscal Impact:**

Total Cost: \$65,000 Per year

Approved in current year budget? ☒ Yes ☐ No ☐ N/A

Funding Source ☐ One-time ☒ Recurring

Specify funding source:

Expense Occurrence ☐ One-time ☒ Recurring

Other budget impacts: (revenue generating, match requirements, etc.)

**Operations Impacts**

What impacts would the proposal have on historically excluded communities?

N/A

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Staff capacity will be measured and redirected to other Treasury priorities.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This contract helps to ensure that staff is compliant with all Investment and Treasury policies.



**City of Spokane**  
**PERSONAL SERVICES AGREEMENT**  
Title: **INVESTMENT ADVISORS**

This Agreement is made and entered into by and between the **CITY OF SPOKANE** as ("City"), a Washington municipal corporation, and **CONCOURSE FINANCIAL GROUP, INC.**, whose address is 2801 Highway 280 South, Birmingham Alabama 35223, as ("Company"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the purpose of this Contract is to provide Investment Advisor Services to the City of Spokane; and*

*WHEREAS, Company was selected from the MRSC A&E Roster.*

*NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance of the Scope of Work contained herein, the City and Company mutually agree as follows:*

**1. SCOPE OF SERVICES.**

Company shall provide Investment Advisor Services in accordance with its Non-Discretionary Investment Advisory Services Agreement attached hereto as Exhibit B. In the event of a conflict or discrepancy in the Agreement documents, this City Contract controls.

**2. TERM OF AGREEMENT.**

The term of this Agreement begins on March 1, 2022, and shall run through February 28, 2025, unless amended by written agreement or terminated earlier under the provisions. This Agreement may be renewed by agreement of the parties not to exceed two (2) additional one (1) year contract periods.

**3. COMPENSATION / PAYMENT.**

Total compensation for Company's services under this Agreement shall not exceed **SIXTY FIVE THOUSAND AND NO/100 DOLLARS (\$65,000.00)**, including tax if applicable, unless modified by a written amendment to this Agreement. This is the maximum amount to be paid under this Agreement for the work described in Section 3 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Agreement.

Company shall submit its applications for payment to City of Spokane Finance Department, Fourth Floor, City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington 99201-3317. Spokane, Washington 99201. Payment will be made within thirty (30) days after receipt of the Company's application except as provided by state law. If the City objects to all or any portion of

the invoice, it shall notify the Company and pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

#### **4. TAXES, FEES AND LICENSES.**

- A. Company shall pay and maintain in current status, all necessary licenses, fees, assessments, permit charges, etc. necessary to conduct the work included under this Agreement. It is Company's sole responsibility to monitor and determine changes or the enactment of any subsequent requirements for said fees, assessments, or changes and to immediately comply.
- B. The cost of any permits, licenses, fees, etc. arising as a result of the projects included in this Agreement shall be included in the project budgets.

#### **5. CITY OF SPOKANE BUSINESS LICENSE.**

Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. Company shall be responsible for contacting the State of Washington Business License Services at [www.dor.wa.gov](http://www.dor.wa.gov) or 360-705-6741 to obtain a business registration. If Company does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

#### **6. SOCIAL EQUITY REQUIREMENTS / NON-DISCRIMINATION.**

No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Agreement because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. Company agrees to comply with, and to require that all subcontractors comply with, federal, state and local nondiscrimination laws, including but not limited to: the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, and the American's With Disabilities Act, to the extent those laws are applicable.

#### **7. INDEMNIFICATION.**

Company shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from Company's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Company to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of Company's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of Company, its agents or employees. Company specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by Company's own employees against the City and, solely for the purpose of this indemnification and defense, Company specifically waives any immunity under the Washington State industrial insurance law, or Title 51 RCW. Company recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

## 8. INSURANCE.

During the period of the Agreement, Company shall maintain in force at its own expense, each insurance noted below with companies or through sources approved by the State Insurance Commissioner pursuant to Title 48 RCW:

A. **Worker's Compensation Insurance** in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;

B. **General Liability Insurance** on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this agreement. It shall provide that the City, its officers and employees are additional insureds but only with respect to Company's services to be provided under this Agreement;

i. Acceptable **supplementary Umbrella insurance** coverage combined with Company's General Liability insurance policy must be a minimum of \$1,000,000, in order to meet the insurance coverage limits required in this Agreement; and

C. **Automobile Liability Insurance** with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days written notice from Company or its insurer(s) to the City. As evidence of the insurance coverage(s) required by this Agreement, Company shall furnish acceptable Certificates Of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Company's services under this Agreement, as well as all of the parties who are additional insureds, and include applicable policy endorsements, the thirty (30) day cancellation clause, and the deduction or retention level. Company shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

## 9. DEBARMENT AND SUSPENSION.

Company has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549 and "Debarment and Suspension", codified at 29 CFR part 98.

## 10. AUDIT.

Company and its sub-Company shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Agreement. Company and its sub-consultants shall provide access to authorized City representatives, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Agreement, the federal law shall prevail.

## 11. ASSIGNMENT AND SUBCONTRACTING.

Company shall not assign or subcontract its obligations under this Agreement without the City's written consent, which may be granted or withheld in the City's sole discretion. Any subcontract made by Company shall incorporate by reference this Agreement, except as otherwise provided.



Company shall ensure that all subcontractor comply with the obligations and requirements of the subcontract. The City's consent to any assignment or subcontract does not release Company from liability or any obligation within this Agreement, whether before or after City consent, assignment or subcontract.

## **12. TERMINATION.**

Either party may terminate this Agreement, with or without cause, by ten (10) days written notice to the other party. In the event of such termination, the City shall pay Company for all work previously authorized and performed prior to the termination date.

## **13. STANDARD OF PERFORMANCE.**

The standard of performance applicable to Company's services will be the degree of skill and diligence normally employed by professional Companies performing the same or similar services at the time the services under this Agreement are performed.

## **14. OWNERSHIP AND USE OF RECORDS AND DOCUMENTS.**

Original documents, drawings, designs, reports, or any other records developed or created under this Agreement shall belong to and become the property of the City. All records submitted by the City to Company shall be safeguarded by Company. Company shall make such data, documents and files available to the City upon the City's request. If the City's use of Company's records or data is not related to this project, it shall be without liability or legal exposure to Company.

Under Washington State Law (reference RCW Chapter 42.56, the *Public Records Act* [PRA]) all materials received or created by the City of Spokane are **public records** and are available to the public for viewing via the City Clerk's Records (online) or a valid Public Records Request (PRR).

## **15. ANTI KICK-BACK.**

No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Agreement shall have or acquire any interest in the Agreement, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in this Agreement.

## **16. MISCELLANEOUS PROVISIONS.**

- A. **Amendments/Modifications:** This Agreement may be modified by the City in writing when necessary, and no modification or Amendment of this Agreement shall be effective unless signed by an authorized representative of each of the parties hereto.
- B. Company, at no expense to the City, shall comply with all laws of the United States and Washington, the Charter and ordinances of the City of Spokane; and rules, regulations, orders and directives of their administrative agencies and officers. Without limiting the generality of this paragraph, Company shall comply with the requirements of this Section.
- C. This Agreement shall be construed and interpreted under the laws of Washington. The venue of any action brought shall be in a court of competent jurisdiction, located in Spokane County, Washington.
- D. **Captions:** The titles of sections or subsections are for convenience only and do not define or limit the contents.
- E. **Severability:** If any term or provision is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and provision shall be valid and enforceable to the fullest extent permitted by law.

- F. **Waiver:** No covenant, term or condition or the breach shall be deemed waived, except by written consent of the party against whom the waiver is claimed, and any waiver of the breach of any covenant, term or condition shall not be deemed a waiver of any preceding or succeeding breach of the same or any other covenant, term of condition. Neither the acceptance by the City of any performance by Company after the time the same shall have become due nor payment to Company for any portion of the Work shall constitute a waiver by the City of the breach or default of any covenant, term or condition unless otherwise expressly agreed to by the City in writing.
- G. **Entire Agreement:** This document along with any exhibits and all attachments, and subsequently issued addenda, comprises the entire agreement between the City and Company. If conflict occurs between Agreement documents and applicable laws, codes, ordinances or regulations, the most stringent or legally binding requirement shall govern and be considered a part of this Agreement to afford the City the maximum benefits.
- H. **No personal liability:** No officer, agent or authorized employee of the City shall be personally responsible for any liability arising under this Agreement, whether expressed or implied, nor for any statement or representation made or in any connection with this Agreement.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Agreement by having legally-binding representatives affix their signatures below.

**CONCOURSE FINANCIAL GROUP, INC.**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature Date

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Agreement:**

Exhibit A – Certificate Regarding Debarment

Exhibit B - Non-Discretionary Investment Advisory Services Agreement

22-039

**EXHIBIT A**

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION**

1. The undersigned (i.e., signatory for the Subrecipient / Company / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
  - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
  - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,
  - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.
2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

1. The lower tier Company certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier Company is unable to certify to any of the statements in this contract, such Company shall attach an explanation to this contract.
4. I understand that a false statement of this certification may be grounds for termination of the contract.

<hr/> Name of Subrecipient / Company / Consultant (Type or Print)	<hr/> Program Title (Type or Print)
<hr/> Name of Certifying Official (Type or Print)	<hr/> Signature
<hr/> Title of Certifying Official (Type or Print)	<hr/> Date (Type or Print)

## EXHIBIT B



## Investment Advisors

### Non-Discretionary Investment Advisory Services Agreement

---

**THIS NON-DISCRETIONARY INVESTMENT ADVISORY SERVICES AGREEMENT** ("Agreement") is between Concourse Financial Group, Inc., an Alabama corporation doing investment advisory business as Investment Advisors ("Advisor"), and City of Spokane ("Client"). The non-discretionary advisory services ("Non-Discretionary Investment Advisory Services") provided by Advisor under this Agreement shall be furnished by the investment advisor representative of Advisor named in the "Signatures" section of this Agreement ("Representative"), unless Client and Advisor agree otherwise.

Advisor is registered with the Securities and Exchange Commission as an investment advisor, and is registered or exempt from registration under all applicable state laws regarding investment advisor registration. Advisor provides investment advisor services for its clients. Client wishes to retain Advisor to provide Client with Non-Discretionary Investment Advisory Services under the terms set forth below:

**Section 1 – Non-Discretionary Investment Advisory Services.** Based upon information furnished to Advisor by Client, Advisor shall provide Client with such Non-Discretionary Investment Advisory Services as may be agreed upon by Advisor and Client and further detailed in Schedule A. The foregoing notwithstanding, Advisor shall not, and shall not be required to, take any action or render any advice with respect to legal action or proceedings (including bankruptcy proceedings) with respect to securities.

**Section 2 – Client Information.** Client agrees to consult with Advisor and to provide Advisor with all information relevant to the Non-Discretionary Investment Advisory Services to be provided by Advisor. Client understands that Advisor shall depend on the accuracy, timeliness and completeness of such information in providing the Non-Discretionary Investment Advisory Services. Client represents and agrees that the information provided by Client will be, to the best of Client's knowledge, substantially accurate and complete.

**Section 3 – Risk of Investment.** Client recognizes that there is no assurance as to the accuracy or timeliness of the Non-Discretionary Investment Advisory Services provided hereunder, and that any market losses resulting from such services are a risk assumed by Client. Client further acknowledges that the past performance of Advisor is not a guarantee of future results, which may prove to be better or worse than past results. Advisor has not and does not promise, represent or guarantee that Advisor's services will result in a profit to Client, will yield a stated level of returns or will result in achievement of Client's financial or investment objectives. Advisor may rely on information furnished to it which it reasonably believes to be accurate and reliable. Advisor shall have no liability for Client's failure to inform

Advisor in a timely manner of any material change in Client's financial circumstances, investment or financial needs or objectives, or risk tolerance.

**Section 4 – Fees.** Client shall pay Advisor a Non-Discretionary Investment Advisory Services Fee for the provision of the Non-Discretionary Investment Advisory Services in accordance with fee table listed in Schedule A. The Non-Discretionary Investment Advisory Services Fee shall be a flat fee agreed upon at contract commencement. The Non-Discretionary Investment Advisory Services Fee shall be paid to the order of Concourse Financial Group, Inc.

**Section 5 – Ongoing Review.** Except as otherwise explicitly set forth in Schedule A, Advisor makes no commitment to initiate a review or update of any Non-Discretionary Investment Advisory Services previously provided hereunder, or to monitor Client's progress toward achieving Client's financial objectives.

**Section 6 – No Legal, Tax or Accounting Advice.** Nothing in this Agreement shall require Advisor or Representative to provide legal, tax or accounting advice. Client is responsible for consulting, and is encouraged to consult legal, tax and accounting advisors of Client's choosing.

**Section 7 – Relationship of the Parties.** Client acknowledges that Advisor is a registered investment advisory firm and Representative is an investment advisory representative of Advisor. As such, Representative shall receive, and other individuals affiliated with Advisor may receive, a portion of the compensation paid by Client to Advisor under this Agreement.

**Section 8 – Confidentiality; Disclosure to Advisors.** The information about Client in Advisor's possession or control that arises pursuant to the terms of this Agreement shall be treated as confidential, as set forth in Advisor's privacy policy (a copy of which has been provided to Client). Notwithstanding the foregoing, Client hereby grants Advisor and Representative the authority to discuss, disclose and communicate any or all information received from Client or related to this Agreement to such third-party service providers as Client may designate.

**Section 9 – Term and Termination.** Notwithstanding Section 11 below, the term of this Agreement shall commence on the date last signed below by a party to this Agreement, and shall remain effective until either party elects to terminate it. This Agreement may be terminated by Client upon thirty (30) days' written notice to Advisor in accordance with Section 13 below. The Advisor may terminate the agreement with ninety (90) days' written notice to the Client.

**Section 10 – Effective Date; Amendment and Assignment.** This Agreement shall not become effective unless approved in writing by an authorized signatory of Advisor. No modification or amendment to this Agreement shall be effective unless made in writing and signed by Client and Advisor. This Agreement may not be assigned by either party without the written consent of the other party.

**Section 11 – Applicable Law; Interpretation.** This Agreement shall be interpreted and construed in accordance with the laws of the state in which Client executed this Agreement (without giving effect to such state's conflict of laws principles) and in a manner consistent with the securities laws, including

Investment Advisors Act of 1940 and the rules and regulations thereunder. The headings in this Agreement are for convenience of reference only, and shall not be considered in the interpretation hereof. This Agreement (including all Schedules and attachments hereto) constitutes the complete agreement of the parties with respect to the subject matter hereof.

**Section 12 – Arbitration. (a) THIS AGREEMENT CONTAINS A DISPUTE ARBITRATION CLAUSE. BY SIGNING AN ARBITRATION AGREEMENT THE PARTIES AGREE AS FOLLOWS:**

**(b) Arbitration Disclosure**

- 1. ALL PARTIES TO THIS AGREEMENT ARE GIVING UP THE RIGHT TO SUE EACH OTHER IN COURT, INCLUDING THE RIGHT TO A TRIAL BY JURY, EXCEPT AS PROVIDED BY THE RULES OF THE ARBITRATION FORUM IN WHICH A CLAIM IS FILED.**
- 2. ARBITRATION AWARDS ARE GENERALLY FINAL AND BINDING; A PARTY'S ABILITY TO HAVE A COURT REVERSE OR MODIFY AN ARBITRATION AWARD IS VERY LIMITED.**
- 3. THE ABILITY OF THE PARTIES TO OBTAIN DOCUMENTS, WITNESS STATEMENTS AND OTHER DISCOVERY IS GENERALLY MORE LIMITED IN ARBITRATION THAN IN COURT PROCEEDINGS.**
- 4. THE ARBITRATORS DO NOT HAVE TO EXPLAIN THE REASON(S) FOR THEIR AWARD UNLESS, IN AN ELIGIBLE CASE, A JOINT REQUEST FOR AN EXPLAINED DECISION HAS BEEN SUBMITTED BY ALL PARTIES TO THE PANEL AT LEAST 20 DAYS PRIOR TO THE FIRST SCHEDULED HEARING DATE.**
- 5. THE PANEL OF ARBITRATORS MAY INCLUDE A MINORITY OF ARBITRATORS WHO WERE OR ARE AFFILIATED WITH THE SECURITIES INDUSTRY.**
- 6. THE RULES OF SOME ARBITRATION FORUMS MAY IMPOSE TIME LIMITS FOR BRINGING A CLAIM IN ARBITRATION. IN SOME CASES, A CLAIM THAT IS INELIGIBLE FOR ARBITRATION MAY BE BROUGHT IN COURT.**
- 7. THE RULES OF THE ARBITRATION FORUM IN WHICH THE CLAIM IS FILED, AND ANY AMENDMENTS THERETO, SHALL BE INCORPORATED INTO THIS AGREEMENT.**

**(c) Arbitration Agreement**

ANY CONTROVERSY BETWEEN CLIENT, ADVISOR AND REPRESENTATIVE ARISING OUT OF ANY BUSINESS CONDUCTED BY OR BETWEEN THE PARTIES OR THIS AGREEMENT SHALL BE SUBMITTED TO ARBITRATION CONDUCTED BEFORE THE NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., AND IN ACCORDANCE WITH ITS RULES. IF FINRA ARBITRATION IS NOT AVAILABLE AND ENFORCEABLE FOR ANY REASON, THE ARBITRATION SHALL BE

CONDUCTED UNDER THE COMMERCIAL ARBITRATION RULES OF THE AMERICAN ARBITRATION ASSOCIATION (OR, IF SUCH RULES DO NOT EXIST, PURSUANT TO SUCH SUCCESSOR OR SIMILAR RULES AS ADVISOR SHALL STIPULATE). ARBITRATION MUST BE COMMENCED BY SERVICE UPON THE OTHER PARTY OF A WRITTEN DEMAND FOR ARBITRATION OR A WRITTEN NOTICE OF INTENTION TO ARBITRATE.

NO PERSON SHALL BRING A PUTATIVE OR CERTIFIED CLASS ACTION TO ARBITRATION, NOR SEEK TO ENFORCE ANY PREDISPUTE ARBITRATION AGREEMENT AGAINST ANY PERSON WHO HAS INITIATED IN COURT A PUTATIVE CLASS ACTION, OR WHO IS A MEMBER OF A PUTATIVE CLASS ACTION; OR WHO IS A MEMBER OF A PUTATIVE CLASS ACTION WHO HAS NOT OPTED OUT OF THE CLASS WITH RESPECT TO ANY CLAIMS ENCOMPASSED BY THE PUTATIVE CLASS ACTION UNTIL: (i) THE CLASS CERTIFICATION IS DENIED; (ii) THE CLASS ACTION IS DECERTIFIED; OR (iii) THE CUSTOMER IS EXCLUDED FROM THE CLASS BY THE COURT. SUCH FORBEARANCE TO ENFORCE AN AGREEMENT TO ARBITRATE SHALL NOT CONSTITUTE A WAIVER OF ANY RIGHTS UNDER THIS AGREEMENT EXCEPT TO THE EXTENT STATED HEREIN.

THE TERMS OF THIS SECTION 12 REGARDING ARBITRATION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

**Section 13 – Address for Notices.** All notices under this Agreement (including, without limitation, notices of termination under Section 10) shall be deemed properly given if delivered by hand, faxed, mailed by U.S. mail (first class, certified or registered), or delivered to a nationally-recognized express delivery service, and addressed to a party at the address set forth in the “Signatures” section of this Agreement (or to such other address as such party may provide by written notice as described herein).

**Section 14 – Municipal Advisor Exemption.** Client acknowledges that Advisor is *not* acting as a “municipal advisor” as that term is defined in Section 15B of the Securities Exchange Act and the rules promulgated thereunder (the “Municipal Advisor Rules”). Client further acknowledges that Advisor is acting under an exemption from registration as a municipal advisor for SEC-registered investment advisors.

**Section 15 – Receipt of Information and Agreement.** Client acknowledges that Client has received (1) a copy of Advisor’s Form ADV Part 2A; (2) Form ADV Part 2B; and (3) a copy of this Agreement, as signed by Client and Representative. Client has read and understands this Agreement. Client has had the opportunity to review this Agreement with advisors of Client’s choosing, and has either done so or has decided not to have this Agreement reviewed. **Client agrees that disputes under this Agreement shall be resolved by binding arbitration, as provided in Section 12 entitled, “Arbitration”.**

#### **SIGNATURES ON FOLLOWING PAGE**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.



---

Client Name

**CONCOURSE FINANCIAL GROUP, INC.**

2801 Highway 280 South, Birmingham AL 35223

---

By

---

By

---

Name

---

Name

---

Title

---

Title

---

Date

---

Date

---

Client Address (Street or P.O. Box, City, State, Zip Code)

---

Investment Advisor Representative Signature

---

Rep Number

---

Investment Advisor Representative Address (Street or P.O. Box, City, State, Zip Code)

## SCHEDULE A

### A. Scope of Services

Advisor will provide the following non-discretionary advisory services to Client:

1. **Review of investment policy.**

Concourse Financial Group will assist the public entity in either updating or creating an investment policy incorporating industries best practices including the priorities safety liquidity and yield. Specifically, TVI/Concourse Financial Group will assist the client in determining the appropriate risk parameters, maturity constraints and diversification to meet the client's objectives.

2. **Establishment of investment strategy and corresponding benchmarks.**

Concourse Financial Group will work closely with the public entity to develop investment strategies that fall within the risk parameters of the investment policy and the client's objectives. A benchmark will be established as an appropriate gauge of the portfolio's performance.

3. **Analysis of weighted average maturity and duration measures.**

Through current economic, market and yield curve analysis, Concourse Financial Group will advise the client regarding the appropriate weighted average maturity for the portfolio. The preferred effective duration measures will also be determined in an effort to manage the volatility of the portfolio's market value in a changing interest rate environment.

4. **Identify securities for purchase that comply with Client's investment policy.**

Concourse Financial Group has broad visibility of the typical legal securities that are currently available and will select those securities that comply with the entity's investment policy. These will be recommended to the client when appropriate.

5. **At the Client's direction, purchase securities on behalf of Client.**

With the client's approval, Concourse Financial Group will purchase securities on the client's behalf. After the client has approved the purchase of the recommended security, Concourse Financial Group will purchase the security and provide a confirmation to the client. Concourse Financial Group will monitor the delivery of the security to the client's US Bank Safekeeping account.

6. **Provide professional bond reporting.**

TVI/CFG is able to provide proprietary “Platinum” bond reporting to our investment advisory clientele. This reporting tracks important portfolio metrics like yield-to-maturity, duration, and asset allocation. PLEASE NOTE: Unless custodial services are provided by US Bank Safekeeping, which our reporting is linked directly to, portfolio reporting will be on a best-efforts basis.

**B. Fee Table**

Advisor will charge a flat fee as described below:

**\$65,000 per year** (flat fee), billed quarterly in arrears

**This amount will not increase for at least three years, after which time TVI/CFG may reevaluate and modify fees with permission of the client.**

## Committee Agenda Sheet

### Finance & Administration

<b>Submitting Department</b>	Finance, Treasury and Administration – Treasury Services
<b>Contact Name &amp; Phone</b>	Tonya Wallace 509-844-4456
<b>Contact Email</b>	<a href="mailto:twallace@spokanecity.org">twallace@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Betsy Wilkerson
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion         Time Requested: 10 _____
<b>Agenda Item Name</b>	Investment Allocation Methodology
<b>Summary (Background)</b>	<p>Update methodology for the distribution of investment earnings in Spokane Investment Pool to participating funds not restricted by bond covenants, grant terms, contractual terms, or establishing ordinances.</p> <p>Distributions of investment earnings will be based on a proportionate share of earnings for such funds that held an average book value of more than \$2,500,000 in the prior year. This update replaces the guaranteed minimum earnings allocation and streamlines administrative workload.</p>
<b>Proposed Council Action &amp; Date:</b>	Approve amendments to resolution _____ TBA
<b>Fiscal Impact:</b> Total Cost: \$0 Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: City funds having held less than \$2.5M in average book value from the prior year would see a reduction of \$48,040 previously budgeted in their departments	
<b>Operations Impacts: N/A</b>	
What impacts would the proposal have on historically excluded communities?  N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?	

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

RESOLUTION NO. \_\_\_\_\_

~~Concerning distribution of investment revenues of moneys deposited in the Spokane Investment Pool.~~

CONCERNING DISTRIBUTION OF INVESTMENT REVENUES OF MONEYS DEPOSITED IN THE SPOKANE INVESTMENT POOL

WHEREAS, The City of Spokane has provided for the establishment of various separate funds for the deposit of moneys in the conduct of its business; and

WHEREAS, RCW 35.39.030 provides for the authority of the City to invest any portion of its moneys deposited in inactive funds or in other funds in excess of current needs; and

WHEREAS, RCW 35.39.032 provides that no investments may be made without the approval of the City's legislative authority, expressed by ordinance, and this has been done; and

WHEREAS, RCW 35.39.034 provides that moneys from individual funds may, unless otherwise restricted by law, be commingled within one common investment portfolio for investment, and

WHEREAS, City investment activity was aggregated citywide in the city's Spokane Investment Pool (SIP) effective September 30, 2007; and

WHEREAS, The SIP is managed by the City's Chief Financial Officer or his or her designee; and

WHEREAS, prior to the creation of the SIP, the City's investable funds outside of the General Fund were generally invested at the direction of the individual departments in the State of Washington's Local Government Investment Pool (LGIP) and/or other short term investments; and

WHEREAS, RCW 35.39.034 provides that the governing body of a city may determine by ordinance or resolution that, unless otherwise restricted by law, income derived from citywide investments may be apportioned to the General Fund subject to certain restrictions pertaining to moneys derived from various types of indebtedness or grant-related activity; and

WHEREAS, is the desire of the City Council to apportion a reasonable level of investment income to the originating funds consistent with investment practices followed prior to the creation of the SIP;

NOW, THEREFORE -- ~~BE IT RESOLVED it is hereby resolved by the Spokane City Council by the City Council of the City of Spokane:~~

Formatted: Font: (Default) Arial, 12 pt, Character scale: 105%

Formatted: Normal, Indent: Left: 0", Right: 0", Space Before: 0 pt

Formatted: Font: (Default) Arial, Character scale: 105%

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Formatted: Indent: First line: 0.43"

Updated

1. That effective, ~~January 1, 2019~~ January 1, 2022, SIP Investment earnings shall be apportioned to participating originating funds on a monthly basis~~monthly~~, based on ~~their~~ average invested balances.

**Formatted:** Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

**Formatted:** Strikethrough

2. The ~~General Fund and City~~ funds restricted by bond covenants, grant terms, contractual terms or establishing ordinances shall be allocated investment earnings at a rate equal to the full interest earned for a given month. Realized and Unrealized gains and losses, and amortization of Premium and Discount shall be apportioned to such funds on a basis not to exceed quarterly.

**Formatted:** Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

3. City funds otherwise not restricted by bond covenants, grant terms, contractual terms or establishing ordinances, and maintain an average book value greater than \$2,500,000 based on the previous year balances, shall receive a proportionate share of all monthly investment earnings based on average invested balance. ~~be allocated investment earnings at a rate equal to the 84-month average LGIP earnings rate in effect on December 31st of the preceding fiscal year.~~ The remaining investment earnings balance or deficit, if any, will be deposited into or withdrawn from the General Fund.

**Formatted:** Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

**Formatted:**

~~The interest allocation on City Funds not restricted by bond covenants, grant terms, contractual terms, or establishing ordinances will be applied to such funds that held greater than \$2,500,000 in average book value from the previous year.~~

**Formatted:** Character scale: 100%

**Formatted:** List Paragraph, Right: 0", Line spacing: single, No bullets or numbering

**Formatted:** Highlight

**Formatted:** Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

BE IT ALSO RESOLVED, that a one-time allocation adjustment will be performed in the year ~~2022~~2018 to amend current practice and ensure consistency with this resolution.

ADOPTED by City Council on this \_\_\_\_\_ day of \_\_\_\_\_ 2022~~2018~~.

~~CITY OF SPOKANE~~  
~~Spokane County, Washington~~

\_\_\_\_\_  
City Clerk

Approved as to form:

Updated

---

Assistant City Attorney

Updated



## Committee Agenda Sheet

### Finance and Administration Committee

<b>Submitting Department</b>	Municipal Court & Community Justice Services
<b>Contact Name &amp; Phone</b>	Howard F. Delaney / 509-625-4400
<b>Contact Email</b>	<a href="mailto:hdelaney@spokanecity.org">hdelaney@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Karen Stratton
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: <u>10 Min</u>
<b>Agenda Item Name</b>	Position Revision: Supervisory Probation Officer to Director of CJS
<b>Summary (Background)</b>	<p>As part of the restructure of the Spokane Municipal Probation Department into the Community Justice Services Department (CJS), a review of the employment classifications in the department was undertaken by Civil Service and Human Resources. As a result of the position review the following changes either have been, or are in the process of, being completed:</p> <ol style="list-style-type: none"> <li>1. Probation Specialist to CJS Specialist (completed);</li> <li>2. Probation Officer I to CJS Counsellor I (completed);</li> <li>3. Probation Officer II to Senior CJS Counsellor (completed); &amp;</li> <li>4. Supervisory Probation Officer to Director of CJS (in process).</li> </ol> <p>As part of the review of the Supervisory Probation Officer (see: SPN 957 - attached) position, it was decided that based upon the nature of the supervisory duties associated with the position should move from a Civil Service classified position to an exempt position. The resulting position is Director of Community Justice Services (See: SPN 953 – attached) and more accurately reflects the duties and responsibilities for the position following the conversion of the office to the Community Justice Services model.</p> <p>As we do not intend to fill the Supervisory Probation Officer position and will not request that position in our 2023 budget, the economic impact in 2022 is confined to the salary differential between the current Supervisory Probation Officer and the new Director of Community Justice Services.</p> <p>Using the current salary for the Supervisory Probation Officer (A02-Range 51, Step 6 - \$111,123.36) and applying the promotional rule to promote retention and define the compensation for the Director of Community Justice Services (A01-Grade 59) position, the resulting salary is A01-Grade 59, Step 5, or \$126,365.76. This constitutes a gross salary increase of \$15,242.40 annually. As the Court and CJS have current salary savings from multiple open positions, no additional 2022 budget allocations are required.</p> <p>SBO  0690-51020-09570-957003 – Supervisory Probation Officer balance to New Position  0690-51020-09540-954001 – Vacant CJC II - \$7,000 to New Position  0690-51020-09540-954008 – Vacant CJC II - \$7,000 to New Position</p>
<b>Proposed Council Action &amp; Date:</b>	<p>Approve the SBO, including the Director of Community Justice Services.</p> <p>April 2022</p>

**Fiscal Impact:** Approximately \$15,000 plus benefits depending on month position is created

Total Cost:

Approved in current year budget? ☐ Yes ☒ No ☐ N/A

Funding Source ☒ One-time ☐ Recurring

Specify funding source: Salary savings

Expense Occurrence ☐ One-time ☒ Recurring

Other budget impacts: (revenue generating, match requirements, etc.) N/A

### Operations Impacts

What impacts would the proposal have on historically excluded communities?

Although the reclassification of this position will have no direct impact in and of itself, one of the goals of this reclassification is to promote the hiring and retention of personnel qualified to provide analysis of how CJS programs positively or negatively impact this population.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

Data points related to the demography of those under supervision in all CJS programs are collected and analyzed. This analytical process will be improved and streamlined with the implementation of the new software program, "eSupervision", slated for later this year.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Data points on all CJS programs are continually collected and analyzed to monitor the effectiveness all CJS functions and programs. This analytical process will be improved and streamlined with the implementation of the new software program, "eSupervision", slated for later this year.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The changes to the Community Justice Services department and the resulting modifications to departmental operations is a critical element of the City's criminal justice reform efforts.

ORDINANCE NO \_\_\_\_\_

An ordinance amending Ordinance No. C-36161, passed by the City Council December 13, 2021, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2022 budget Ordinance No. C-36161, as above entitled, and which passed the City Council December 13, 2021, it is necessary to make changes in the appropriations of the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

- 1) Delete one classified Supervisory Probation Officer position (from 1 to 0) and decrease the associated appropriation for salary and benefits in the Community Justice Services department.
- 2) Decrease the salary appropriation for two vacant Community Justice Coordinator positions by \$7,500 each, or \$15,000 in total, in the Community Justice Services department.
- 3) Add one exempt Director of Community Justice Services position (from 0 to 1) and increase the associated appropriation for salary and benefits in the Community Justice Services department.
- A) There is no change to the overall appropriation level in the General Fund.

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 create a Director of Community Justice Services position, 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 the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

## Committee Agenda Sheet

### Finance & Administration

<b>Submitting Department</b>	City Council
<b>Contact Name &amp; Phone</b>	Kara Odegard; 509-828-3507
<b>Contact Email</b>	<a href="mailto:kodegard@spokanecity.org">kodegard@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Betsy Wilkerson & Lori Kinnear
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion     Time Requested: 15 mins
<b>Agenda Item Name</b>	Impact of drought on the River
<b>Summary (Background)</b>	<p>In 2020, the City of Spokane adopted its first Water Conservation Master Plan. At the time of adoption, City Council noted that the City lacked a drought response plan, either as a stand-alone policy or as part of the conservation plan. In May of 2020, City Council convened a technical advisory committee called the Water Resource Collaboration Group (WRCG), in part, to provide recommendations on how the City might respond to drought.</p> <p>In 2021, eastern Washington experienced two unprecedented weather events:</p> <p>1) an <i>exceptional drought</i> as determined by the National Integrated Drought Informational System (<a href="#">NIDIS</a>), which in turn caused the WA Dept of Ecology to issue a drought emergency declaration for most of the state, including Spokane County.</p> <p>From the <a href="#">DOE</a>: <i>A drought emergency means water supply is projected to be below 75 percent of average, and there is a risk of undue hardship to water users and uses.</i></p> <p>2) Spokane experienced record <a href="#">high temperatures</a> in June from the heat dome that covered the entire PNW, resulting in higher than normal water use for early summer.</p> <p>Drought conditions are expected to increase into the future. Spokane County has not fully recovered from the 2021 drought and is currently experiencing <a href="#">moderate drought</a> conditions.</p>
<b>Proposed Council Action &amp; Date:</b>	No proposed action at this time. The purpose of this discussion is to provide context around the interaction between the Spokane River and the Aquifer, especially during drought conditions.
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  There is currently no proposal to be considered.	

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A at this time

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

No policy

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The Sustainability Action Plan identifies the adoption of drought response measures as a priority action. This discussion will help provide context for future policy considerations around water conservation and drought response.

# Washington State Water Rates

WA DOH Water System Data				Purveyor website Data, Residential Single Family Within City Rates, 2019												
WS Name	Region	County	Total Conn	Bi-monthly Basic Service	Monthly Basic Service	Meter size, inches	Units included in Basic Service?	Consumption Charge Tiers by Increasing Usage								Example month bill, ERU 359 gpd ~ 15 units
								1st Step Usage, units	1st Step Rate, \$/unit	2nd Step Usage, units	2nd Step Rate, \$/unit	3rd Step Usage, units	3rd Step Rate, \$/unit	4th Step Usage, units	4th Step Rate, \$/unit	
SEATTLE PUBLIC UTILITIES **	Northwest	KING	173833		\$ 17.15	3/4	No	0 - 5	\$ 5.41	6 - 18	\$ 6.69	> 18	\$11.80			\$ 111.10
TACOMA WATER DIVISION CITY OF	Northwest	PIERCE	138239		\$ 24.76	5/8	No	0 - 5	\$ 2.01	> 5	\$ 2.51					\$ 59.92
VANCOUVER CITY OF	Southwest	CLARK	104798		\$ 8.53	5/8	No	> 0	\$ 2.22							\$ 41.83
SPOKANE CITY OF *	Eastern	SPOKANE	85259		\$ 17.72		No	0 - 6	\$ 0.34	7 - 12	\$ 0.72	13 - 25	\$ 0.96	26-45	\$ 1.24	\$ 25.92
ALDERWOOD WATER DISTRICT	Northwest	SNOHOMISH	76297	\$ 31.73	\$ 15.87	5/8	4	5 - 14	\$ 2.51	15 - 30	\$ 3.04	> 30	\$ 3.66			\$ 52.74
BELLEVUE CITY OF	Northwest	KING	66090	\$ 48.11	\$ 24.06	5/8	No	0 - 11	\$ 3.77	11 - 17	\$ 4.79	17-45	\$ 6.29	> 45	\$ 8.98	\$ 90.30
YAKIMA WATER DIVISION CITY OF	Eastern	YAKIMA	27638	\$ 21.68	\$ 10.84	3/4	No	> 0	\$ 1.80							\$ 37.84
WHITWORTH WATER DISTRICT 2	Eastern	SPOKANE	11849		\$ 21.00		10	11 - 37	\$ 0.38	37 - 140	\$ 0.50	> 140	\$ 0.61			\$ 22.90
PULLMAN WATER DEPARTMENT, CITY OF **	Eastern	WHITMAN	11637		\$ 24.25	3/4	5	6 - 8	\$ 2.56	9 - 20	\$ 2.76	> 20	\$ 4.58			\$ 51.25

\* City of Spokane rates are up to date as of Dec 2021; all other data is from 2019

\*\* Summer Rates

# Drought Response Option 1

Drought Type	Triggers	Dates Effective	# of Years Triggered Since 2009	Required Measures	Voluntary Measures
<b>Advisory</b>	ECY issues <b>Drought Advisory for Spokane County</b>	April 1-June 1	1 (ECY received drought advisory authority 2020)		<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ Every other day watering (all outdoor)</li> <li>▪ 15 min/station; <u>2 hour</u> total irrigation (all types)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>
<b>Moderate</b>	<b>River Flow &lt;6,500 CFS</b>	June 1-15	8	<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ Every other day watering (all outdoor)</li> </ul>	<ul style="list-style-type: none"> <li>▪ 15 min/station; <u>2 hour</u> total irrigation (all types)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>
<b>River Drought</b>	<b>River Flow &lt;1,250 CFS</b>	June 16 – Oct 1	5 prior to 8/1; every year after 8/1	<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ Every other day watering</li> <li>▪ 15 min/station; <u>2 hour</u> total irrigation (all type)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>	
<b>Drought Emergency</b>	<b>River Flow &lt;850 CFS</b> or ECY issues <b>Drought Emergency for Spokane County</b>	June 16 – Oct 1	4	<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ 2 day per week watering</li> <li>▪ 15 min/station; <u>2 hour</u> total irrigation (all type)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>	

Option 1 incrementally curtails outdoor water use depending on the drought type, with the goal of changing citizens behavior to voluntarily adopting water conservation practices. River flows and [determinations from the WA Dept. of Ecology](#) (ECY) are used as triggers to define drought type. All river flows (cubic feet per second, CFS) are measured at the USGS gauge located near Monroe St. Bridge ([USGS 12422500 Spokane River at Spokane, WA](#)).

# Drought Response Option 2

Drought Type	Triggers	Dates Effective	# of Years Triggered Since 2009	Required Measures	Voluntary Measures
<b>Advisory</b>	ECY issues <b>Drought Advisory for Spokane County</b>	April 1 – June 1	1 (ECY received drought advisory authority 2020)		<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ Every other day watering (all outdoor)</li> <li>▪ 15 min/station; 2 hour total irrigation (all types)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>
<b>Moderate</b>	River Flow <6,500 CFS	June 1 – 15	8	<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Every other day watering (all outdoor)</li> <li>▪ 15 min/station; 2 hour total irrigation (all types)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>
<b>River Drought</b>	River Flow <1,250 CFS	June 16 – Oct 1	5 prior to 8/1; every year after 8/1	<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ Every other day watering (all outdoor)</li> </ul>	<ul style="list-style-type: none"> <li>▪ 15 min/station; 2 hour total irrigation (all types)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>
<b>Drought Emergency</b>	River Flow <1,000 CFS or ECY issues <b>Drought Emergency for Spokane County</b>	June 16 – Oct 1	6	<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ 2 day per week watering</li> <li>▪ 15 min/station; 2 hour total irrigation (all types)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>	

Option 2 is the same as option 1 but with greater consideration given to river flows, adding a mid-summer trigger at 1250 CFS. Fewer actions are “required” until the drought type is severe or extreme. River flows and [determinations from the WA Dept. of Ecology](#) (ECY) are used as triggers to define drought type. All river flows (cubic feet per second, CFS) are measured at the USGS gauge located near Monroe St. Bridge ([USGS 12422500 Spokane River at Spokane, WA](#)).



# Drought Response Option 3

Drought Type	Triggers	Dates Effective	# of Years Triggered Since 2009	Required Measures	Voluntary Measures
<b>Advisory</b>	River Flow <6,500 CFS or ECY issues <b>Drought Advisory for Spokane County</b>	June 1 – Oct 1	All years	<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ Every other day watering (turf)</li> <li>▪ 15 min/station; <u>2 hour</u> total irrigation (all types)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Every other day watering (garden/trees)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>
<b>Drought Emergency</b>	River Flow <1,000 CFS or ECY issues <b>Drought Emergency for Spokane County</b>	June 1 – Oct 1	6	<ul style="list-style-type: none"> <li>▪ Daytime watering prohibition (9am-6pm)</li> <li>▪ Two day per week watering (all type)</li> <li>▪ 15 min/station; <u>2 hour</u> total irrigation (all types)</li> <li>▪ Home car washing restriction</li> <li>▪ Hardscape washing restriction</li> </ul>	

Option 3 uses simplified definitions of drought type. This option encourages citizens to change water use behavior, recognizing that Spokane is more likely to experience drought conditions more frequently into the future. River flows and [determinations from the WA Dept. of Ecology](#) (ECY) are used as triggers to define drought type. All river flows (cubic feet per second, CFS) are measured at the USGS gauge located near Monroe St. Bridge ([USGS 12422500 Spokane River at Spokane, WA](#))

## Committee Agenda Sheet

### Finance and Administration Committee

<b>Submitting Department</b>	5100 – Fleet Services
<b>Contact Name &amp; Phone</b>	Rick Giddings 625-7706
<b>Contact Email</b>	rgiddings@spokanecity.org
<b>Council Sponsor(s)</b>	CM Kinnear
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion     Time Requested: <u>10 min</u>
<b>Agenda Item Name</b>	SBO for Clean Fuel Infrastructure Reserve Budget
<b>Summary (Background)</b>	<p>In support of the Clean Fuel Infrastructure Reserve Plan resolution that was adopted on February 28, 2022, Fleet Services is requesting a Special Budget Ordinance to establish a budget for 2022 estimated revenues and expenditures.</p> <p>Revenues will be generated with a per gallon surcharge calculated to be no greater than the difference between the average local retail gasoline &amp; diesel prices and the gas &amp; diesel prices charged by Fleet services (including markup and applicable taxes). This will ensure City-supplied fuel prices remain below prices charged at retail fueling sites. Police, Solid Waste Collection, Streets, Fire and Water are the departments estimated to be most impacted by this surcharge, but within a manageable amount.</p> <p>Expenditures will go toward installing clean fuel infrastructure to support existing alternative fuel vehicles in the City's fleet.</p>
<b>Proposed Council Action &amp; Date:</b>	Approve SBO for 2022 budget creation
<b>Fiscal Impact:</b> Total Cost: <u>\$264,259 per year</u> Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: fuel surcharge  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  <b>N/A</b>	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  <b>Data will be collected via department fuel usage and has no existing disparities.</b>	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

**Fleet and Accounting will collect and analyze the fuel usage data both monthly and annually to ensure the surcharge meets the needs of the impacted departments.**

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

**The clean fuel infrastructure reserve program aligns with the sustainability action plan and SMC via reducing greenhouse gas emissions by providing alternative fueling options for City fleet.**

ORDINANCE NO \_\_\_\_\_

An ordinance amending Ordinance No. C-36161, passed by the City Council December 13, 2021, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2022, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2022, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2022 budget Ordinance No. C-36161, as above entitled, and which passed the City Council December 13, 2021, it is necessary to make changes in the appropriations of the Fleet Services 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 Fleet Services Fund and the budget annexed thereto with reference to the Fleet Service Fund, the following changes be made:

- 1) Increase revenue by \$264,259.
  - A) Of the increased revenue, \$264,259 is from interfund fuel sales from other city departments.
- 2) Increase appropriation by \$264,259.
  - A) Of the increased appropriation, \$264,259 is provided solely for supplies and equipment related to Clean Fuel Infrastructure Reserves expenses in the Fleet Services 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 creation of the Clean Fuel Infrastructure Reserve Plan 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 the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

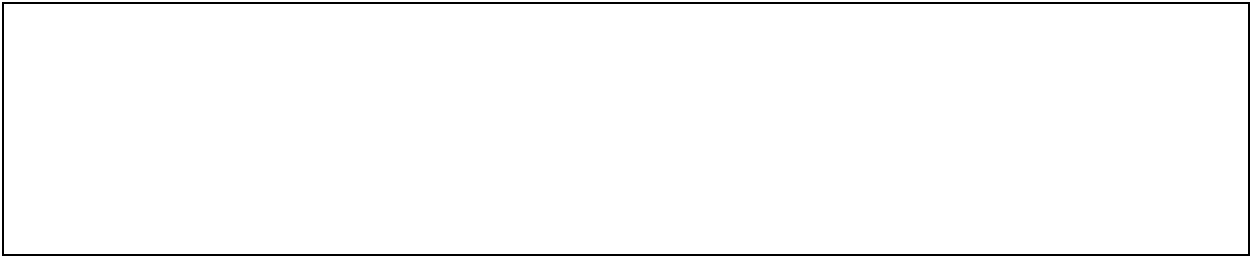
\_\_\_\_\_  
Effective Date

# Committee Agenda Sheet

## FINANCE AND ADMINISTRATION COMMITTEE

<b>Submitting Department</b>	Council
<b>Contact Name &amp; Phone</b>	Erik Poulsen, 625-6721
<b>Contact Email</b>	epoulsen@spokanecity.org
<b>Council Sponsor(s)</b>	CM Wilkerson
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion      Time Requested: 10
<b>Agenda Item Name</b>	2022 State Legislative Agenda Outcomes
<b>Summary (Background)</b>	<p>Legislative Team report on final disposition of Council's 2022 state legislative agenda, including bills that passed, funding that was secured in the state capital, transportation and operating budgets, oppose bills, dynamics of other legislative issues relevant to the City and region.</p> <p>Council's state agenda is developed in fall prior to each legislative session. Tier 1 (highest priority) items are approved by Council resolution. Tier 2 (support), tier 3 (monitor) and tier 4 (oppose) items are evaluated and approved throughout session by the Legislative Team, made up of Council Members Beggs, Bingle, Zappone, Council and Administration staff, state and federal lobbyists. Other Council members and staff are also heavily involved in populating these issue tiers, testifying on bills before the legislature, communicating with lawmakers, stakeholders, etc.</p> <p>2022 legislative agenda outcomes document attached.</p>

<b>Proposed Council Action &amp; Date:</b>	N/A – report only
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: general fund  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  N/A	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  N/A	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?  N/A	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?  SMC 02.03.030	



# 2022 Legislative Session Outcomes

## Overview

If there's one word to describe the City of Spokane's role in the 2022 state legislative session, it's *engaged*.

Council Members, the Mayor and staff provided compelling testimony in public hearings on a wide array of issues, including bills on the City's State Legislative Agenda and other proposals with potential impacts on cities. They also played a prominent role in defeating some bills that posed harmful consequences for Spokane. Their work behind the scenes rallying support from the community, making personal contact with legislators, and sharing the subject matter expertise of City staff were all instrumental in achieving excellent outcomes.

It was a tremendous team effort that resulted in passage of Spokane's Tier 1 legislative priorities and bills on our Tier 2 support list, as well as helped to secure many millions in the state budgets for City priorities.

None of these victories would be possible without the outstanding leadership of Spokane's 3<sup>rd</sup> District delegation – Sen. Billig, Reps. Ormsby and Riccelli, all of whom hold significant influence in the Legislature. Their unwavering support of the City's Legislative Agenda and work to secure support of lawmakers from neighboring districts and throughout the state were critical throughout the session, one of Spokane's most successful ever.

## Outcomes

### Police Reform

Last July, police announced they were pulling back from responding to certain incidents due to questions about when they could legally use force in their efforts to promote safety under a suite of new laws. The City of Spokane successfully supported two bills that answered those questions and made it clear police can still use force to assist people in a mental health crisis or who are intentionally fleeing a lawful investigatory stop.

#### [HB 1735](#) – Police use of force/community caretaking

Addresses unanticipated questions about police reform legislation from last year that resulted in some law enforcement agencies not responding or using force during mental health calls. Law enforcement contended last year's law might not allow them to get involved except in specific scenarios such as imminent threat of injury. HB 1735 makes clear that using reasonable care before physical force does not limit officers' caretaking functions of taking a person into custody, transporting them for treatment or providing other mental health assistance.

#### [HB 2037](#) – Terry stops

This bill was also aimed at a misunderstanding of last year's police reform law that police believed prevented them from using force against someone intentionally disregarding a police order to remain for questioning. It confirms that police can use force against someone refusing an



investigatory “Terry stop” – in situations where someone is actively fleeing a lawful temporary investigative detention after they have been given notice they are being detained and not free to leave. This was already a crime of "obstruction," which subjected people to arrest, but the new language gives police more confidence in enforcing the law.

### Criminal Justice Reform

The Legislature approved \$2.4 million for the City’s Tier 1 priority of establishing a program that will allow judges to use Accelerated Rehabilitation and Community Safety (ARCS) services to speed up rehabilitation and reduce future crimes. Council led this effort and is grateful to Rep. Timm Ormsby for championing it.

The funding supports community justice counselors and community coordinators that work with municipal and district court drug and therapeutic court programs. They are responsible for working with court participants to ensure connection to community services and existing resources to support completion of court requirements. Funding is provided for a minimum of four municipal court programs, including Spokane County. It may also be used for additional supports for participants, including bus passes and other transportation assistance, basic cell phones and phone cards, and translation services while they complete their criminal court obligations.

### Additional Tier 1 & 2 Bills

#### [SB 5687](#) – Traffic safety

Along with expanded use of automated traffic cameras near schools, parks and hospitals, Spokane helped pass this authority to establish a 20-mph speed limit on nonarterials without first having to conduct costly and time-consuming engineering and traffic studies. Aim of both these measures is to make neighborhoods and business districts safer for pedestrians and bicyclists.

#### [SB 5853](#) – Leasing WSDOT land for housing, parks

Sen. Billig sponsored this legislation to boost housing supply and correct historic injustices that occurred when homes in Spokane’s East Central neighborhood were demolished to make way for I-90 construction in the 1950s. SB 5853 will allow unoccupied land owned by the Washington State Department of Transportation along I-90 and the future North Spokane Corridor to be leased back to the community for housing, parks and open space, as well as potential new businesses.

#### [SB 5755](#) – Incentives to encourage more housing in urban areas

Sen. Billig also sponsored this bill that will enable Spokane and similar-sized cities to establish a sales and use tax deferral program for affordable housing projects in underdeveloped areas such as surface parking lots. The projects can be mixed use but at least 50 percent must be set aside for multifamily housing units to be rented at a price at or below fair market rent or sold at a price at or below median price.

#### [HB 2061](#) – Tax increment financing for housing

Rep. Ormsby championed this legislation clarifying cities may use revenue from local property taxes in tax increment financing districts to create and preserve permanently affordable housing. This provides a new tool for Spokane to address displacement and gentrification problems resulting from the increased demand for housing.

#### [SB 5042](#) – GMA vesting

This bill will help prevent sprawl by closing a loophole some counties have used to enable improper permits and invalid development. If a local government expands its urban growth boundaries into areas like farmland or forests, a permit to develop in that area gets vested under existing law, allowing a developer to proceed even if the local government's decision is later found to be in violation of the Growth Management Act." SB 5042 extends the effective date of certain actions by local governments, providing the Growth Management Hearings Board more time to rule on permits and developments.

#### [HB 1914](#) – Film industry incentives

Rep. Riccelli championed a significant increase in funding for the Washington State's Motion Picture Competitiveness Program, which benefits Spokane's local film industry directly and provides additional benefits for the region from related economic activity. HB 1914 raises the state's B&O tax credit from \$3.5 million to \$15 million per calendar year, more than four times the amount the program has ever received. It adds special incentives for small production companies and productions that tell the stories of marginalized communities.

[HB 1722](#) (utility microtrenching) and [SB 5621](#) (wastewater utility taxes) were bills the City strongly opposed because of potentially harmful impacts on Spokane ratepayers and undermining local control of city utility governance. Neither made it out of committee following persuasive testimony against the bills by Council President and Administration staff.

#### Transportation Funding

The Legislature passed an historic investment in Washington's transportation system, including several items on Spokane's Legislative Agenda. "Move Ahead Washington" will invest \$17 billion over the next 16 years, the state's largest transportation funding package ever. The transportation budget also includes authorization for cities to expand use of automated traffic safety cameras near schools, parks and hospitals, a Tier 1 priority for Spokane.

#### Spokane-specific investments:

- 2-year acceleration in the construction of the North Spokane Corridor
- \$50 million dedicated to Spokane Transit for a comprehensive bus rapid transit system on Division Street
- \$5.8 million to extend the Millwood Trail to Spokane
- \$4 million for the Liberty Park Land Bridge, helping to reconnect the East Central Neighborhood
- \$2.2 million for pedestrian and bicycling improvements, creating the Cook Street Greenway

- \$3.9 million for pedestrian and bicycling improvements, creating the Pacific Avenue Greenway
- \$1.5 million for the transload facility at the Spokane International Airport
- \$300,000 for preliminary engineering of US 195/Inland Empire Way project

Additional statewide investments:

- \$3 billion for preservation and maintenance of critical bridges and roads throughout the state
- \$290 million to ensure that all students can walk and bike to school safely through the Safe Routes to School program
- \$900 million to address stormwater, keeping the Spokane River and waterways around the state clean for people, fish, and wildlife
- Free fare on all transit buses for Washington those 18 years old and under

State Funding for Spokane Community Projects

The City's top Capital Budget request was funding for a community partnership to transform the former Hillyard Library into a new behavioral health facility that will be operated by MultiCare. The state awarded \$700,000 for the project, Council recently passed a resolution committing an additional \$500,000, and MultiCare will also make significant investments to make this broad community effort a reality.

Spokane-specific investments:

- \$3 million to support Spokane & Colville Tribal programs to reintroduce salmon into the Upper Columbia River
- \$1.5 million for St. Agnes Haven, part of Dept. of Commerce Rapid Capital Housing Acquisition program to help people experiencing homelessness
- \$1.5 million for Daybreak Youth Services to open state's first receiver agency for sexually exploited youth
- \$1 million for constructing early learning classrooms at Logan Elementary
- \$200,000 for Felts Field renovations
- \$195,000 for Volunteers of America's Veteran Transitional Housing Energy Efficiency program
- \$103,000 for Transitions, a nonprofit that helps people in poverty and experiencing homelessness

Housing/homelessness (Capital Budget only, see below for Supplemental Operating Budget spending):

- \$240 million for rapid housing and shelter acquisition (including \$20 million for "rural and underserved communities")
- \$114.5 million for Housing Trust Fund
  - \$25 million for affordable home ownership
  - \$16.4 million for specific projects
  - \$73.1 million for competitive applications
- \$60 million for permanent supportive housing

- \$14.9 million for homeless youth facilities
- \$9 million in competitive assistance to local governments and PUDs for utility improvements or connections to new affordable housing

### State Operating Budget Highlights

The Supplemental Operating Budget made significant adjustments to the two-year, \$59 billion budget passed in 2021, including a onetime \$2 billion transfer to the state transportation budget multimodal account and additional spending for homelessness, public education, and various other state services. No tax increases, no across-the-board cuts – increased funding comes from budget surplus, stronger-than-expected revenue forecast and federal pass-through funds.

- Housing/homelessness
  - \$100 million for utility assistance
  - \$68.5 million for rental assistance
  - \$55 million for homeless services providers workforce stipends
  - \$45.05 million for WSDOT right-of-way outreach, services, and relocation
  - \$39 million for permanent supportive housing services, outreach, and administration (Rep. Chopp's HB 1866)
  - \$4.5 million for foreclosure prevention
- \$351 million vendor rate increase for developmentally disabled and long-term care needs
- \$350 million more for paid family leave
- \$252 million to extend the Medicaid transformation project for 5 years
- \$236 million to increase the inflation factor for K-12 salaries, materials, supplies, operating costs
- \$232 million in wage increases and other compensation for state employees
- \$150 million to design and implement a state student loan program
- \$100 million more for salmon recovery efforts
- \$90 million more for school nurses, social workers, psychologists, counselors
- \$57 million for solar energy projects
- \$50 million to expand broadband access
- \$50 million for costs associated with resentencing, as required under *State v. Blake*
- \$49.9 million to increase Medicaid reimbursement rates for community behavioral health providers contracted through managed care organizations
- \$49 million to increase rates for Working Connections Child Care
- \$46 million for health care workforce and training initiatives

and more . . .

## Committee Agenda Sheet

### FINANCE & ADMINISTRATION

<b>Submitting Department</b>	Purchasing
<b>Contact Name &amp; Phone</b>	Thea Prince 625-6403
<b>Contact Email</b>	<a href="mailto:tprince@spokanecity.org">tprince@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Wilkerson and CM Cathcart
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
<b>Agenda Item Name</b>	<b>Spokane County Detention Services Work Crew Services Agreement</b>
<b>Summary (Background)</b>	<p>Multiple departments within the City of Spokane have a need to access the Spokane County Detention Services/Geiger Corrections Work Crew Services. Based on the City of Spokane's needs, the parties desire to enter into an Spokane County Detention Services Work Crew Services Agreement wherein they reduce to writing the County's responsibilities through Spokane County Detention Services/Geiger Correction Center Work Crew as well as the City's responsibilities to reimburse the County for providing such services. Per RCW 39.26.230 the City of Spokane Departments can contract for these services from Spokane County without competition once this agreement is in place. The Scope of Services and the Service Fees are a part of the Agreement.</p>
<b>Proposed Council Action &amp; Date:</b>	Approve Spokane County Detention Services Work Crew Services Agreement 3/21/2022
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?          	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

**Spokane County Detention Services**  
**Work Crew Services Agreement**

THIS AGREEMENT is effective as of January 1, 2022 by and between SPOKANE COUNTY DETENTION SERVICES, 1100 West Mallon Ave, Spokane, WA 99206 (hereinafter called "CONTRACTOR") and the CITY OF SPOKANE, whose address is 808 West Spokane Falls Boulevard, Spokane, WA 99201 (hereinafter called the "CITY"). The CONTRACTOR and CITY are jointly referred to as "PARTIES" within this Agreement.

WHEREAS, SPOKANE COUNTY DETENTION SERVICES provides adult offender work crews for hire by other jurisdictions; and

WHEREAS, CITY has a need for manual labor to assist with duties as assigned by the designated authority in the following CITY Departments: (1) Code Enforcement; (2) Parks & Rec; (3) Parks & Rec Golf; (4) Parks & Rec Riverfront Park; (5) Solid Waste Collections; (6) Solid Waste Disposal; (7) Neighborhood Services; and (8) Engineering; and

WHEREAS, this Agreement will define the terms and scope of work to be performed and allocate liability for the PARTIES to this Agreement; and

NOW, THEREFORE, the PARTIES mutually agree on the terms and conditions set forth below:

**ARTICLE ONE**  
**SCOPE OF SERVICES**

**1.1 Scope of Work.** See attached Scope of Work.

**1.2 Compliance with Laws.** The CONTRACTOR shall comply with all applicable laws, ordinances and codes of the United States, State of Washington, Spokane County and applicable City, including those that prohibit unlawful discrimination.

**1.3 Standards.** The CONTRACTOR will use offenders to provide work crew services that, to the best knowledge of CONTRACTOR, are in good physical condition and capable of performing the services identified in Section 1.1. and have volunteered to participate in the program. Inmate workers are low level offenders who are screened for appropriate charges and behavior prior to placement. No registered sex offenders are authorized to participate on the offender work crews.

**1.4 Equipment and Cleaning Supplies.** The CITY will provide all specialized equipment (e.g. backpack blowers and four wheel mechanical mules). This equipment will belong to the CITY and will be maintained by the CONTRACTOR in good working condition throughout the contract term. Equipment will be maintained and stored at the

facility of CONTRACTOR'S choice. All CITY-owned equipment irreparably damaged or destroyed through CONTRACTOR negligence will be repaired or replaced by the CONTRACTOR. Necessary consumable, non-specialized equipment (e.g. mops, brooms and other hand tools) and cleaning supplies will be provided by the CITY to complete work projects.

**1.5 Vehicle.** The CONTRACTOR will provide a motor vehicle for transporting the work crew to the work site. The vehicle will be owned and maintained by the CONTRACTOR.

**1.6 Work Schedule.** The CITY shall establish a work crew schedule that anticipates using work crews on an as-needed, on-call basis subject to availability and schedule. Provided, however, CITY recognizes that CONTRACTOR retains the authority to adjust any work crew schedule. CITY will reimburse the cost of the officer's overtime if the crew is required to work beyond the standard workday, or beyond forty (40) hours in a week as prearranged. The CITY will reimburse the cost of the officer's holiday premium pay if work is performed on County holidays.

**1.7 Independent Contractor.** The CONTRACTOR, in the performance of this Agreement, is acting as an independent contractor and not in any manner as officers, employees or agents of the CITY.

**1.8 Reporting.** If requested, the CONTRACTOR agrees to provide monthly reports outlining hours of work each month and a general summary of activities performed. Requested reports will be provided to the CITY no later than the twentieth (20<sup>th</sup>) day of the following month during the term of this Agreement.

**1.9 Media Contact.** The CONTRACTOR and their agents agree to refer all media contacts relative to their work on this contract to CITY Public Information Officer.

## **ARTICLE TWO** **COMPENSATION**

**2.1 Services Fee.** The CITY shall pay the CONTRACTOR three hundred eighty-five dollars (\$385.00) per work crew, per day worked with a two (2) hour minimum, plus mileage at the current IRS rate. Any work performed on a holiday or in excess of forty (40) hours per work week will be billed at the appropriate Spokane County wage scale.

		Monday – Friday	Holidays and Officer OVT
5-8	Hours	\$385.00	\$450.00
4	Hours	\$217.00	\$250.00
3	Hours	\$169.50	\$193.75
2	Hours	\$121.25	\$137.50



**2.2 Invoices.** CONTRACTOR shall provide CITY with monthly invoices. CITY shall pay said invoices to the CONTRACTOR within ten (10) days of receipt of the monthly invoice.

### **ARTICLE THREE**

#### **TERM AND TERMINATION**

**3.1 Term.** The term of the Agreement shall begin January 1, 2022 and shall terminate on December 31, 2026.

**3.2 Termination.** Either party may terminate this Agreement for any reason whatsoever upon giving the other party thirty (30) days written notice of such termination.

**3.3 Handling of Property upon Contract Termination.** All purchases of equipment supplied by the CITY and deemed to be the property of the CITY shall be inventoried and kept separate from other CONTRACTOR property. Upon termination of this Agreement all equipment shall be returned to the CITY.

### **ARTICLE FOUR**

#### **QUALITY OF PERFORMANCE**

**4.1 Performance.** The CITY shall judge the overall quality of the work performed, and the sufficiency of records. If during the course of this Agreement, the services rendered do not meet the requirements of the CITY under this contract, upon written notification, the CONTRACTOR agrees to meet with CITY and mutually determine what steps are necessary to correct, modify and/or properly perform the services.

**4.2 Liability.** Each PARTY agrees to assume responsibility for all liabilities that occur or arise in any way out of the performance of this Agreement by its personnel only and to save and hold the other party, its employees and officials, harmless from all costs, expenses, losses and damages, including cost of defense, incurred as a result of any acts or omissions of the party's employees relating to the performance of this Agreement.

### **ARTICLE FIVE**

#### **MISCELLANEOUS**

**5.1 Parties-In-Interest and Assignment.** This Agreement is binding upon and is for the exclusive benefit of the PARTIES hereto and their respective successors and assigns, and no person who is not a party hereto shall have any rights under this Agreement, either as a third-party beneficiary or otherwise. Neither party may assign this Agreement without the prior written consent of the other party.

**5.2 Entire Agreement.** This Agreement supersedes any and all prior oral or written agreements and understandings relating to the subject matter hereof and contains the entire agreement of the parties relating to the subject matter hereof. All exhibits, addenda, schedules and appendices hereto, now or hereafter created, are incorporated into

this Agreement by reference and made a part hereof. The terms “hereof,” “herein” and like words shall refer to this Agreement in its entirety and shall include such exhibits, addenda, schedules and appendices. This Agreement cannot be amended or modified, except by a written agreement executed by the PARTIES hereto or their respective successors and assigns.

**5.3 Governing Law.** This Agreement shall be governed by, and construed in accordance with, the laws of the State of Washington. A finding that any term or provision of this Agreement is invalid or unenforceable shall not affect the validity or enforceability of the remainder of this Agreement. Venue for any action arising out of this Agreement shall be in Spokane County.

**5.4 Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement shall be binding when at least one counterpart has been signed by both PARTIES.

**5.5 General Guidelines for the Use of Offender Labor**

- A detailed scope of work will be established prior to any work performed. No work will be completed outside of this scope without review.
- The use of correctional crews is dependent on the availability of appropriate offender labor. Crew numbers are subject to change due to factors outside of CONTRACTOR’S control.
- Safety and security of staff, offenders and the public are always the priority. If there are conditions at the job site that create safety or security concerns for the supervising Officer then work may be delayed until resolved.
- Exposure to extreme temperatures may cause serious health problems. Hot/Cold weather safety protocols may impact crew work schedules and availability.
- Work Crews cannot perform the following tasks:
  - Activities that involve the use of pesticides or chemical agents – Household type cleaners may be used with appropriate PPE and access to safety information.
  - Activities that involve exposure, clean-up of body/bodily waste or biohazardous materials.
  - Activities involving the demolition or destruction of buildings, to include exposure to asbestos or suspected asbestos containing materials. This can include tile, carpeting, or ceiling tiles.
  - Activities performed in confined spaces, or take place four feet or more below ground level. This could include trench digging, sewers or working in tunnels.
  - Activities around electrical panels, electrical wiring or energized lines-overhead or underground.

- Activities that take place on roof tops or elevated platforms. To include any activity that takes place more than 10 feet above the ground.
- Operating equipment that requires certification or licensing.
- Safety briefings will be conducted prior to using any power equipment. Appropriate PPE will be provided and usage required.
- Any task not listed that may pose significant safety or security risks.
- Access to Work Crew services will be limited during the dates of the Spokane County Fair.

**BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY WASHINGTON**

**PASSED AND ADOPTED** by the Board of County Commissioners of Spokane County, Washington this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MARY L. KUNEY, Chair

ATTEST:

\_\_\_\_\_  
AL FRENCH, Vice-Chair

\_\_\_\_\_  
Ginna Vasquez, Clerk of the Board

\_\_\_\_\_  
JOSH KERNS, Commissioner

DATED: \_\_\_\_\_

**CITY OF SPOKANE**

ATTEST:

\_\_\_\_\_  
NADINE WOODWARD, Mayor

\_\_\_\_\_  
City Clerk

### **Scope of Work**

- A. CONTRACTOR will provide offender work crews and necessary supervisors as requested by the CITY, including but not limited to, the following departments:
1. Code Enforcement;
  2. Parks & Rec;
  3. Parks & Rec Golf;
  4. Parks & Rec Riverfront Park;
  5. Solid Waste Collection;
  6. Solid Waste Disposal;
  7. Neighborhood Services; and
  8. Engineering.
- B. The services provided to the CITY by the offender work crew shall consist of, but not limited to, the following:
1. Grounds keeping, including that of storm swales: planting, weeding, mowing, mulch removal or installation;
  2. Litter cleanup: service and reline garbage cans (excludes garbage or items inside porta potties);
  3. Cleanup tasks: community events on public or private properties consisting of litter pick up, sweeping and wash down;
  4. Graffiti abatement: paint over or remove graffiti;
  5. Moving or hauling tasks;
  6. Event preparation: set up and/or tear down as necessary;
  7. Basic non-skilled labor; and
  8. Snow removal.
- C. Required equipment:
1. Work gloves;
  2. Safety glasses;
  3. Ear protections (as applicable);
  4. Weed eaters;
  5. Shovels (spade and snow) and rakes; and
  6. Inclement weather clothing.
- D. CITY staff will coordinate directly with work crew supervisors as to time and place of work to be performed. It is preferred that the crew supervisor view the projects before the scheduled work for on-site assessment. CITY staff will accommodate crew supervisor's schedule.

## Committee Agenda Sheet

### Finance & Administration

<b>Submitting Department</b>	City Council
<b>Contact Name &amp; Phone</b>	Council President Beggs
<b>Contact Email</b>	<a href="mailto:bbeggs@spokanecity.org">bbeggs@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CP Beggs & CM Kinnear
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Resolution adopting the 2022 City Council Rules
<b>Summary (Background)</b>	Council typically makes updates to the Council Rules annually. The updates for 2022 incorporate feedback from all interested Council Members and were sent to CMs via email and discussed at the Q1 Council Retreat in February.
<b>Proposed Council Action &amp; Date:</b>	Will file for a vote after committee
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities?  There is no direct impact to historically excluded communities in the Rules changes, but there are multiple changes intended to help increase easy public participation in Council meetings. The rules also formally adopt this new briefing paper template, which is intended to focus City staff on the impacts that policies and purchases have on the community at large.	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?  Council rules are typically amended on at least an annual basis and changes are made based on observations and suggestions by Council Members, City and Council staff and community members and organizations.	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Same answer as above – official data is not collected, but changes are made based on experience and feedback of those interacting with Council’s processes.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The Rules help guide the policy-setting process for Council and hopefully these changes help clarify the process for staff that needs to bring items forward to Council for approval.

**RESOLUTION NO. 2022-\_\_\_\_\_**

A Resolution adopting various amendments to the City Council's Rules of Procedure.

**WHEREAS**, the City Council's Rules of Procedure may be amended by resolution and are amended from time to time, normally on an annual basis; and

**WHEREAS**, the City Council intends to amend its Rules of Procedure by the adoption of this resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Spokane City Council hereby amends its City Council Rules of Procedure by adopting the attached 2022 City Council Rules of Procedure.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney



## **SPOKANE CITY COUNCIL RULES OF PROCEDURE**

**(2022 revision, adopted by Resolution No. 2022-\_\_\_\_[date])**



## Table of Contents

RULE 1 - GENERAL PRINCIPLES .....	4
Rule 1.1    PURPOSE.....	4
Rule 1.2    DUTY OF MUTUAL RESPECT .....	4
Rule 1.3    DUTY OF ETHICAL CONDUCT .....	4
Rule 1.4    ROBERT'S RULES OF ORDER.....	5
Rule 1.5    AMENDMENT .....	5
RULE 2 – MEETINGS.....	5
Rule 2.1    PLACE AND TIME OF MEETINGS .....	5
Rule 2.2    OPEN FORUM.....	6
Rule 2.3    ADJOURNED MEETINGS.....	6
Rule 2.4    SPECIAL MEETINGS.....	7
Rule 2.5    STUDY SESSIONS.....	7
Rule 2.6    QUORUM.....	7
Rule 2.7    SERVICE ANIMALS AT CITY COUNCIL MEETINGS .....	8
Rule 2.8    FUNCTIONS OF MEETING AGENDA .....	9
Rule 2.9    INTRODUCTION OF ITEMS .....	9
Rule 2.10   AGENDA PROCESS.....	9
Rule 2.11   NOTICE BY AGENDA .....	10
Rule 2.12   SPECIAL MEETING NOTICES .....	10
Rule 2.13   THE CHAIR.....	10
Rule 2.14   ORDER OF BUSINESS .....	11
Rule 2.16   PARTICIPATION BY MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS ...	13
Rule 2.17   PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS .....	14
Rule 2.18   VOTING .....	16
Rule 2.19   SUSPENSION OF THE RULES .....	17
Rule 2.20   RECONSIDERATION.....	17
Rule 2.21   PARTICIPATION BY TELEPHONIC OR VIRTUAL MEANS .....	17
RULE 3 – ADJUDICATIVE APPEALS AND HEARINGS .....	18
RULE 4 – ORDINANCES AND FORMAL RESOLUTIONS.....	20
Rule 4.1    FILING .....	20
Rule 4.2    AMENDMENT .....	21
Rule 4.3    SUBJECT MATTER .....	22
RULE 5 – PROCESSING ORDINANCES .....	22
Rule 5.1    PUBLICATION, SIGNATURE AND RECORDING .....	22

Rule 5.2	VETO .....	22
RULE 6 – COMMITTEES .....		23
Rule 6.1	STANDING COMMITTEES – ESTABLISHMENT AND MEMBERSHIP .....	23
Rule 6.2	COMMITTEE PROCESS .....	23
Rule 6.3	INTER-GOVERNMENTAL COMMITTEES AND BOARDS .....	26
Rule 6.4	AD HOC COMMITTEES AND WORKING GROUPS .....	26
Rule 6.5	BOARDS AND COMMISSIONS APPOINTMENT PROCESS .....	26
RULE 7 – MISCELLANEOUS .....		26
Rule 7.1	COUNCIL POSITION VACANCY .....	27
Rule 7.2	COUNCIL MEMBER DISCIPLINE .....	27
Rule 7.3	COUNCIL STAFF .....	28
Rule 7.4	COUNCIL OFFICE BUDGET .....	28
Rule 7.5	COUNCIL MEMBER AND STAFF ORIENTATION .....	28
Rule 7.6	COUNCIL MEMBER RESPONSIBILITIES .....	29
Rule 7.7	CITY COUNCIL PLANNING .....	30

## **RULE 1 - GENERAL PRINCIPLES**

### **Rule 1.1      PURPOSE**

The Spokane City Council adopts these Rules to govern the conduct of City Council business. These Rules do not confer upon any person who is not a member of the Council any right to a particular procedure, nor do they affect the validity or legality of any Council action.

### **Rule 1.2      DUTY OF MUTUAL RESPECT**

It is the constant duty of each Council Member to treat each other, City staff, board and commission appointees, and the public with respect. Likewise, all persons who attend a Council meeting or interact with Council Members or Council staff in any type of public forum or communication, regardless of the form or format, must act respectfully toward all persons. Mutual respect between Council Members and towards staff includes, but is not limited to, not intentionally disclosing private information about a Council Member or staff such as personal telephone numbers or home address without the permission of the Council Member or staff.

### **Rule 1.3      DUTY OF ETHICAL CONDUCT**

- A. Each Council Member must uphold the constitution, laws, and regulations of the United States of America, the State of Washington and the Charter and ordinances of the City including, without limitation, chapter 01.04A, SMC (Code of Ethics), recognizing that federal and state laws pre-empt local laws. Should a Council Member have a conflict of interest or become aware that they have or may have a conflict of interest, that Council Member shall promptly inform the Council of the conflict of interest and abstain from any Council action in connection with that matter.
- B. Confidential information.
  - 1. No Council Member may disclose confidential information to any person not entitled or authorized to receive the information. Notwithstanding the foregoing, the City Council may, upon the affirmative vote of ~~((six (6)))~~ five (5) Council Members taken in an open meeting, authorize the release of specific information which would otherwise be deemed confidential information, including without limitation discussions held in executive session.
  - 2. For purposes of these rules, "confidential information" has the same meaning as the term is defined in SMC 01.04A.020(I) and SMC 01.04A.030(I)(1).
- C. No Council Member may use or authorize the use of facilities of the City, directly

or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the purpose of or opposition to a ballot proposition. Council Members shall comply with RCW 42.17A.555 (Use of public office or agency facilities in campaigns—Prohibition—Exceptions). Notwithstanding the foregoing, nothing in these Rules prevent any member of the public from exercising their rights to free expression by wearing clothing, buttons, or other attire which displays messages of a political nature in a Council meeting, so long as such conduct does not include the display of signs and/or disrupt the Council meeting. Further, these Rules do not prohibit the City Council, acting as a body in an open public meeting, from adopting resolutions supporting or opposing state or local ballot propositions.

#### Rule 1.4 ROBERT'S RULES OF ORDER

Matters of procedure not otherwise provided for herein are, insofar as practical, determined by reference to *Robert's Rules of Order, newly revised*.

#### Rule 1.5 AMENDMENT

These rules may be amended at any time by resolution of the City Council.

### **RULE 2 – MEETINGS**

#### Rule 2.1 PLACE AND TIME OF MEETINGS

- A. As provided in SMC 02.01.010, the regular meeting of the City Council is at 3:30 p.m. every Monday in the Council Chambers. If a Monday is a City Holiday, that week's regular meeting (~~may~~) shall be held on the next day that is not a holiday if a quorum is available, unless cancelled at the discretion of the Council President.
- B. The 3:30 p.m. Council session is a briefing session in which the Council receives staff reports on matters of interest, committee reports, background information from staff regarding matters on the advance agenda for the next week's meeting and for that day's agenda, making any adjustments to the agenda and agreeing as to any issues of procedure for that day's meeting. Once the advance agenda has been reviewed, the City Council shall approve the agenda by motion.
- C. At the conclusion of the briefing session, there is an administrative session during which action will be taken on consent agenda items. Upon the request of any Council Member, an item on the consent agenda may be considered and voted on separately from the consent agenda or carried over for Council consideration and possible action at that day's legislative session.
- D. At the conclusion of the administrative session, or at other time properly announced, the City Council may adjourn into executive session consistent with the (~~OPMA~~) Open Public Meetings Act ("OPMA"). Before so doing, the chair shall announce the subject matter of the executive session with as much particularity as

will not frustrate the purpose of the executive session and the estimated duration of the executive session. The Council determines which person(s) shall attend each executive session.

- E. The 6:00 p.m. Council session is the legislative session, during which the Council may take public testimony, discuss, and take action on agenda items, and hold the open forum. The Council President may combine specific agenda items for purpose of public comment and voting if there is no objection by attending Council Members, and if there is an objection, by majority vote.

## Rule 2.2 OPEN FORUM

- A. At ~~((each meeting))~~ the 6:00 p.m. legislative session, after the conclusion of the legislative agenda, the Council shall hold an open ~~((public comment period))~~ forum unless a majority of Council Members vote otherwise. The open forum will not extend past ~~((until))~~ 9:30 p.m. unless extended by a supermajority of the Council ~~((, which may be extended by motion))~~.
- B. ~~((At the beginning of the open forum session, staff will collect the sign-up sheet(s) and deliver them to the Chair.))~~ Members of the public can sign up for open forum in the hour preceding the legislative session via the virtual testimony form linked in the meeting packet or in person outside Council Chambers. The order of the speakers ~~((and the appropriate time limits for the speakers))~~ will be determined at the discretion of the chair. Each speaker shall be limited to no more than three minutes unless a majority of the Council Members in attendance vote on an alternate time limit.
- C. No action, other than a statement of Council Members' intent to address the matter in the future, points of order, or points of information will be taken by Council Members during an open forum.
- D. The open forum is a limited public forum~~((; all))~~ and all matters discussed in the open forum shall relate to the affairs of the City ~~((and items not currently scheduled on the current or advance Council agendas))~~. No person shall be permitted to speak in open forum regarding items on ~~((the current or advance agendas))~~ that week's current agenda or the next week's advanced agenda, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during ~~((the))~~ open forum shall address their comments to the Council President and shall not use profanity, engage in obscene speech, or make personal comment or verbal insults about any individual.

## Rule 2.3 ADJOURNED MEETINGS

- A. At the conclusion of the legislative session, unless there is further business before the Council, the chair shall adjourn the meeting until the next regularly scheduled Council meeting.

- B. Any meeting may be adjourned to a place and time set by motion. Unless otherwise specified in the motion, the meeting will be adjourned to the place and time fixed for the next regular meeting. If a regular meeting be adjourned to a place and time specified, that adjourned meeting is a regular meeting.
- C. If at the time fixed for the beginning of any meeting, or at any time in the course of a meeting, less than a quorum be present, the Council President, or in the President's absence any member, or if there are no Council Members present then the City Clerk, shall declare the meeting adjourned to the next regular meeting.
- D. If a meeting is adjourned prior to the completion of the City Council's agenda, all matters on the agenda not disposed of shall be continued to the adjourned meeting. The City Clerk or other person designated by the Clerk shall post a written notice of adjournment conspicuously on or near the main door of the place of any meeting which has been adjourned. The notice shall be posted as soon as possible after the adjournment and shall state the fact of adjournment and the place and time to which the meeting was adjourned.
- E. At 9:30 p.m., absent an adopted motion to remain in session to a time certain, the Council's regular meeting shall be adjourned.

#### Rule 2.4 SPECIAL MEETINGS

A special meeting may be called by the Council President or by passage of a motion made during a regular meeting. All such special meetings shall be noticed in compliance with the OPMA and Rule 4.2 of these Rules.

#### Rule 2.5 STUDY SESSIONS

A regular study session of the City Council is held every Thursday at 11:00 a.m. ((The Council President may schedule study sessions as needed)) for receiving information on staff matters, staff briefings, and discussion among Council Members on issues of public concern. Study sessions are held in a workshop format, with no public hearing, no Council action to dispose of any item unless the study session was noticed as a special meeting in compliance with the OPMA and Rule 4.2 of these rules. A quorum of the Council is not necessary in order to proceed with a study session, though a quorum is required for the Council to take any action to dispose of any item. Additional study sessions may be scheduled at the discretion of the Council President or by a vote of the majority of Council Members present at a public meeting of the Council.

#### Rule 2.6 QUORUM

A quorum is four (4) or more Council Members present and qualified to act unless a particular action requires the affirmative vote of more than four. The quorum for the adoption of an ordinance making an emergency expenditure as provided in RCW

35.33.081 and 35.33.091, adoption of an ordinance effective immediately under subsection 19(a)(1) of the Charter, and override of a veto as provided in subsection 16(b) is five (5).

## Rule 2.7 SERVICE ANIMALS AT CITY COUNCIL MEETINGS

- A. For purposes of these Rules, only dogs that are individually trained to do work or perform tasks for a person with a disability are recognized as service animals. Dogs or other animals whose sole function is to provide comfort or emotional support do not qualify as service animals under these Rules. Service animals are permitted to accompany people with disabilities in City Council meetings, as well as all areas where members of the public are allowed to go.
- B. Service animals must, at all times while present in a City Council meeting, be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices, in which case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- C. When it is not obvious what service an animal provides, City staff may only inquire (1) whether the dog is a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. City Staff shall not ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- D. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- E. A person with a disability cannot be asked to remove their service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When one of these situations exists, City staff shall offer the person with the disability the opportunity to be present at the City Council meeting without the animal's presence.
- F. No person with a disability who uses a service animal will be isolated from other people or treated less favorably than another person in the conduct of a City Council meeting.
- G. City staff shall not be required to provide care or food for a service animal at a City Council meeting.



## Rule 2.8 FUNCTIONS OF MEETING AGENDA

The agenda serves to introduce items to the Council, to establish the order of business and to give notice to the public. The notice of a special meeting is the agenda for such meeting.

## Rule 2.9 INTRODUCTION OF ITEMS

- A. Resolutions and ordinances shall only be placed on a regular legislative meeting agenda by the Council President or any Council Member, except as otherwise provided by Rule 5.6 (Suspension of Rules). No resolution or ordinance may be filed in OnBase for consideration on the legislative agenda unless it has first been presented in a committee or study session and is recommended by at least two committee members for consideration by the full Council. Items for which six (6) months have elapsed between the discussion of the item at a committee meeting and the filing of the item in OnBase should be returned to committee for an additional discussion before filing. Items that need consideration on a compressed timeline due to an unforeseen urgency or emergency may be filed in OnBase prior to being presented at a committee or study session with prior written permission from both the Council sponsor(s) and the Council President.
- B. Regular meeting agendas are prepared by the City Clerk in the manner and format prescribed by the City Council and consistent with administrative policies and procedures and these Rules.

## Rule 2.10 AGENDA PROCESS

- A. The process of submitting agenda items and preparing the agenda for all Council meetings shall be consistent with these Rules and any administrative policies and procedures governing Council meetings and agenda items. In a conflict between these Rules and an administrative policy and procedure, these Rules shall control.
- B. An agenda item is submitted using the agenda sheet presented to the City Clerk and in the template provided for in the exhibit to these Rules. No agenda item may be submitted to OnBase without first securing written confirmation from a Council Member that they will sponsor the item. Resolutions and Ordinances must secure two (2) Council sponsors prior to being submitted to OnBase.
- C. The wording for the agenda item and the relevant information placed on the agenda sheet ~~((is))~~ are to be provided by the person submitting the item. Plain language shall be used to accurately describe the item with the goal of making the item easily understood by the public. The Council President or their designee shall decide any disputes over wording unless verbiage is determined by a majority vote of the Council. The City Clerk and City Attorney's office staff may edit agenda items for grammatical or typographical errors.



- D. Each Council Member shall have the continuing duty to be familiar with all agenda items and all accompanying information.

#### Rule 2.11 NOTICE BY AGENDA

Except as provided below, the agenda is the only required meeting notice.

#### Rule 2.12 SPECIAL MEETING NOTICES

Notice of every special meeting shall be given in writing to every Council Member, Council staff, the Mayor, the City Attorney, and to all parties who have on file with the City Clerk a request for such notices. The notice shall be delivered personally, electronically, by mail, by facsimile or otherwise, so as to be received at least 24 hours before the meeting or as otherwise provided for in RCW 42.30.080. The notice shall state the place and time of the meeting and the business to be conducted. The Council shall not make final disposition of any matter not included in the notice. Notices of special meetings are prepared by the City Council Office staff and issued by the City Clerk's office.

#### Rule 2.13 THE CHAIR

- A. The Council President, or in their absence or incapacity, the Council Member ~~((elected))~~ chosen by the Council to serve as Council President *pro tem* pursuant to SMC 03.01.120(A) (each of whom is referred to in these Rules as "the chair") shall preside over meetings of the Council and cause the business of the Council to be transacted in accordance with these rules. The presiding officer may yield the chair to another Council Member to conduct a portion of the meeting. If the Council President *pro tem* is unavailable, the Council Member of seniority of tenure on the Council shall preside.
- B. The chair shall determine all questions of parliamentary procedure, subject to appeal as provided in this Rule 5.1.2, but shall liberally grant leave to the City Council's Policy Director and/or City Attorney to speak to the question. A ruling of the chair can be appealed, before the ruling is acted on, by any Council Member's announcement of an appeal, which appeal is perfected by receiving a second. The chair shall then state the question in terms of upholding the ruling and may state the reasons for the ruling. Then the member appealing has the floor to open debate on the appeal. Upon the close of debate, the Council shall vote on the appeal.
- C. The chair may not make a motion. The chair may second a motion only if there is no other second and only for the purposes of discussion. The chair may vote as any other Council Member.
- D. The chair has the authority to recess, adjourn or move to virtual, ~~((subject to appeal,))~~ any meeting when noise, disturbance, indecorum, or other circumstances warrant a recess to enable the Council to conduct its meeting in an appropriate manner unless a majority of the Council votes to continue the meeting

in progress as is. The chair may direct any person disrupting the meeting to be removed from the chambers or to otherwise eliminate a source of disruption. The chair will be guided by the Council's intent to support robust public participation by the public without inappropriate disruption.

E. The chair has the authority to recess a meeting in the appropriate circumstances.

## Rule 2.14 ORDER OF BUSINESS

### A. Briefing Session.

The regular order of business in a briefing session is as follows. The meeting chair may make adjustments to the order of business as needed.((:))

1. Roll call;
2. Council or staff reports of matters of interest;
3. ~~((Background information from staff))~~ Staff or Council Member briefings regarding matters on the advance agenda;
4. Discussion of and any adjustments to the advance agenda for the following week's meeting;
5. Approval by motion of the advance agenda;
6. Any new background by staff or Council Members for items on the current agenda; and
7. Discussion of and any adjustments to the current agenda.

### B. Administrative Session.

The regular order of business in an administration session is as follows. The meeting chair may make adjustments to the order of business as needed. ((:))

1. Reading of consent agenda items by the Clerk;
2. Request(s) by an individual Council Member, if any, to consider any specific consent agenda items separately from the consent agenda or to move specific consent agenda items to the legislative session for consideration;
3. Action on the consent agenda; and
4. Action on any items considered separately from the consent agenda.

### C. Executive Session.

The business of an executive session is determined case by case within the restrictions of the OPMA and other provisions of state law.

### D. Legislative Session.

The regular order of business in a legislative session is as follows. The meeting chair may make adjustments to the order of business as needed, including combining testimony on multiple items. ((:))

1. Pledge of Allegiance;
2. Words of inspiration and special introductions;
3. Roll call to establish the presence of a quorum;
4. Council and committee reports;
5. Reading of proclamations and salutations;
6. Reports from Neighborhood Councils and/or other City-sponsored community organizations;
7. Announcement of adjustments to the agenda;
8. Council appointments and approval of Mayoral appointments;
9. ~~((Report from the Administration on internal City issues))~~ Administrative reports;
10. Reading of each agenda item by the Clerk;
  - a. Report by staff and questions to staff;
  - b. Testimony from members of the public concerning the agenda item;
  - c. Deliberation by Council, and such further dialogue with staff and ~~((citizens))~~ community members as Council may desire, including any motions by Council embers concerning the agenda item; and
  - d. Vote.
11. Open forum; and
10. Adjournment.

- E. Items shall be acted upon in the order in which they appear on the agenda; provided, items may be taken out of order, combined, or separated at the chair's discretion, absent the objection of a majority of the Council. Items on the agenda may be grouped under various headings or sections and entire sections may be read and acted upon at one time at the discretion of the chair absent the objection of a majority of the Council.
- F. All City Council appointments or Mayoral appointments which require City Council approval shall be announced and voted upon by motion during the legislative session; provided, that the confirmation of mayoral nominations of department heads, the City Clerk, and the City Attorney, pursuant to Section 24 of the City Charter, shall be by resolution.

#### Rule 2.16 PARTICIPATION BY MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS

- A. Members of the public may address the Council regarding the following items on the Council's legislative agenda: first and final readings of regular and special budget ordinances, emergency ordinances, special consideration items, hearing items, items published on the consent agenda for the next administrative session, and other items before the City Council requiring Council action, except those that are adjudicatory or solely administrative in nature. This rule shall not limit the public's right to speak on issues that are not part of the current or advanced agendas during ((the)) open forum.
- B. No member of the public may speak without first being recognized for that purpose by the chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide their city of residence as a condition of recognition. Council Members must be recognized by the chair for the purpose of obtaining the floor.
- C. Each person speaking in a public Council meeting shall verbally identify themselves by name, city of residence, and, if appropriate, representative capacity.
- D. Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded, and documents submitted for the record are identified and marked by the Clerk.
- E. In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults will be permitted.

- F. A speaker asserting a statement of fact may be asked to document and identify the sources of the factual datum being asserted.
- G. When addressing the Council, members of the public shall direct all remarks to the Council President, shall refrain from remarks directed personally to any Council Member or any other individual, and shall confine remarks to the matters that are specifically before the Council at that time.
- H. Members of City Council staff may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they do the following:
  - 1. Announce at the beginning of their testimony that they are there in their personal capacity or their capacity as a member of a relevant board, commission, committee or community group;
  - 2. Protect confidential information, including, but not limited to, confidential financial information and attorney-client communications;
  - 3. Do not use, or be perceived to use, City funds, including giving testimony during paid work time, or City property, including using a City-issued computer or cell phone to, in giving testimony.
- I. When any person, including members of the public, City staff, and others, are addressing the Council, Council Members shall observe the same decorum and process, as the rules require among the members *inter se*. That is, a Council Member shall not engage the person addressing the Council in colloquy but shall speak only when granted the floor by the Council President. All persons and/or Council Members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order, newly revised*, shall extend to all speakers before the City Council. The City Council's Policy Director and/or City Attorney shall, with the assistance of Council staff, assist the Council President to ensure that all individuals desiring to speak shall be identified, appropriately recognized, and provided the opportunity to speak.

#### Rule 2.17 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS

- A. The City Council shall take public testimony on all matters included on its legislative agenda as described at Rule 2.16(A), with those exceptions stated in Rule 2.17(B). Public testimony shall be limited to the final Council action, except that public testimony shall be allowed at the first reading of ordinances. Public testimony shall be limited to three (3) minutes per speaker unless the time limit is adjusted by a majority vote of the Council. (~~(– unless, at their discretion, the chair determines that, because of the number of speakers signed up to testify, less time will be needed for each speaker in order to accommodate all speakers.))~~) The chair may allow additional time if the speaker is asked to respond to questions from the

Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council.

- B. No public testimony shall be taken on items on the Council's current consent agenda, amendments to legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council, including amendments to these Rules.
- C. Public testimony will be taken on legislative items that are moved to Council's regular Briefing Session or study session unless a majority of Council votes otherwise during the meeting in which the items are moved.
- D. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented at the discretion of the Council President:
  - 1. Following an assessment by the chair of factors such as complexity of the issue(s), the apparent number of people indicating a desire to testify, representation by designated spokespersons, etc., the chair shall, in the absence of objection by the majority of the Council present, impose the following procedural time limitations for taking public testimony regarding legislative matters:
    - a. There shall be up to fifteen (15) minutes for staff, board, or commission presentation of background information, if any.
    - b. The designated representative of the proponents of the issue shall speak first and may include within their presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes may be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the allotted time between or among themselves.
    - c. Following the presentation of the proponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the proponents who wishes to speak on behalf of the proponent's position.
    - d. The designated representative, if any, of the opponents of the issue shall speak following the presentation of the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. The designated representative(s) of the opponents shall have the same amount of time which was allotted to the proponents.
    - e. Following the presentation by the opponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated

representative of the opponents who wishes to speak on behalf of the opponents' position.

- f. Up to ten (10) minutes of rebuttal time may be granted to the designated representative for each side, the proponents speaking first, the opponents speaking second.
  2. In the event the party or parties representing one side of an issue has a designated representative and the other side does not, the chair shall publicly ask the unrepresented side if they wish to designate one or more persons to utilize the time allotted for the designated representative. If no such designation is made, each person wishing to speak on behalf of the unrepresented side shall be granted three (3) minutes to present their position, and no additional compensating time shall be allowed due to the fact that the side has no designated representative.
  3. In the event there appears to be more than two groups wishing to advocate their distinct positions on a specific issue, the chair may grant the same procedural and time allowances to each group or groups, as stated previously.
  4. In the event that the side for which individuals wish to speak is not identified, those wishing to give testimony shall be granted three (3) minutes to present their position after all sides have made their initial presentations and before each side's rebuttal period.
- E. The time taken for staff or Council Member questions and responses thereto shall be in addition to the time allotted for any individual or designated representative's testimony.

## Rule 2.18 VOTING

- A. Except where a majority plus one vote is required, (e.g., Charter section 19, RCW 35.33.081), and unless otherwise provided herein, all motions, except a motion to adjourn (which passes by a majority of votes cast), to carry must receive at least four (4) affirmative votes.
- B. If a motion receives a majority of favorable votes, but less than four, and if further voting cannot produce four votes for any motion, either:
  1. The matter will be continued, or
  2. if it appears that because of disqualification or other reason the Council will not obtain four votes for any motion to dispose of the matter, it shall be declared that no action was taken, and the status quo shall prevail.
- C. Upon a tie vote, the status quo prevails and the matter upon which the vote was



cast.

- D. The votes on any ordinance or formal resolution shall be individually taken and recorded. As to any other matter (such as motions), voting shall be by voice vote unless a member requests, prior to action on the next item of business, a roll call vote. Unless otherwise required due to the technical limitations of the specific meeting method or forum, the alternative to voice vote shall be the electronic voting tally system currently in use in the Council Chambers.
- E. In all cases of voting by other than voice vote, the City Clerk shall record the names of those voting on each side of the question and of those abstaining. In cases of voice vote, it shall be sufficient for the chair to announce, and the record to reflect, whether the motion carried or failed. Regardless of method of voting, each Council Member shall have the right to explain the reasons for their vote and such a request shall be regarded as a point of personal privilege.
- F. A Council Member may abstain from voting on any matter before the Council if they have a direct personal or financial interest in the matter before the Council which is not held in common with other members of the Council. In order to abstain from voting, a Council Member must describe to the Council President the basis for the abstention in an open public meeting prior to the vote.

#### Rule 2.19      SUSPENSION OF THE RULES

These Rules may be temporarily suspended for a particular matter or meeting by the affirmative vote of a majority plus one of the Council Members present at the meeting. Motions to suspend the rules must specify the general purpose of the suspension (e.g., "Motion to suspend the rules for the purpose of adding three items to the agenda").

#### Rule 2.20      RECONSIDERATION

A Council Member who voted on the prevailing side regarding an item voted on during an administrative session may move reconsideration of that item at that day's legislative session or at ~~((the next))~~ a future briefing session. All legislative decisions of the City Council regarding ordinances, resolutions, and hearing items are final. When permissible, a Council Member may re-submit a subsequent ordinance or resolution to repeal or modify a prior City Council action.

#### Rule 2.21      PARTICIPATION BY TELEPHONIC OR VIRTUAL MEANS

- A. A Council Member may participate telephonically and/or virtually in all or part of a Council meeting if:
  - 1. Prior approval is given by the Council President for good cause, whose approval shall not be unreasonably withheld;



2. All persons participating in the meeting, including the public, are able to hear each other at the same time, such as by the use of a speaker phone; and
  3. The Council Member participating ~~((telephonically))~~ remotely shall have reviewed all of the applicable material and participated in the relevant portion of the Council meeting related to the topic to which the Council Member is voting on.
- B. Any technical prohibitions or difficulties that prevent all parties present at the Council meeting from adequately communicating with one another will negate any authorization previously given by the Council President.

### **RULE 3 – ADJUDICATIVE APPEALS AND HEARINGS**

- A. Adjudicative hearings are quasi-judicial hearings involving named parties. Testimony during adjudicative hearings is limited to the parties involved in the hearing. Public testimony is not accepted in adjudicative hearings. Where procedures for appeals and hearings have been established by ordinance, the Council shall follow those procedures. If a conflict arises between the ordinance and Council rules, the ordinance shall prevail. Where there are no established procedures for an adjudicative appeal or hearing, the Council shall implement the following procedure.
- B. No person shall be allowed to discuss any matter pending hearing with any member or members of the Council except in the Council Chambers in the regular course of a Council meeting. Each Council Member shall vigorously strive to avoid any outside communication from anyone in any form concerning a matter pending hearing or decision. If an outside contact cannot be avoided, the Council Member shall immediately make a note of the contact and shall at the beginning of the Council's hearing on the matter announce the fact of the contact, the identity of the person, and the substance of the communication. If the communication be in written form, the Council Member shall as soon as possible file it with the City Clerk.
- C. When the Council's discussion and vote on a hearing item is at a meeting other than the hearing, it shall be the obligation of every Council Member participating in the action to be familiar with the facts in order to reach an informed, independent judgment. When a member discussing or voting on the matter was not present at the hearing, that member will have familiarized themselves with the hearing item based upon any audio or video recording of the hearing and all documents contained in the record. A Council Member shall not be briefed by anyone except in an open meeting.
- D. Council Members shall disqualify themselves from participating in a hearing whenever bias, interest, or other influences will prevent or appear to prevent them from exercising fair-minded, independent judgment on the facts and established

policy. Disqualifying influences include prejudgment of the issues that cannot be swayed by the facts in evidence, a partiality or personal bias for or against a party, and a personal pecuniary interest in the subject matter. Examples of disqualifying bias include a close personal, family, or business relationship with a party, ownership of property the value of which might be affected by the decision, and a business or personal financial situation that might be affected by the decision.

- E. Should a Council Member be aware of circumstances which might appear to disqualify them, they can either disqualify themselves or explain the circumstances before the hearing and let the rest of the Council, by majority vote, decide whether they can participate. Should the Council be aware of circumstances which might appear to disqualify a member, the Council may, by majority vote, disqualify the member. The Council's discussion concerning disqualification of a member may occur in executive session. A disqualified member shall be absent from the dais during the hearing and during discussion and voting.
- F. In all adjudicatory appeals and hearings, Council Members are acting in their quasi-judicial capacity and shall comply with all applicable provisions of state law including the appearance of fairness doctrine (Chapter 42.36 RCW) and the code of ethics for municipal officers in contract interests (Chapter 42.23 RCW).
- G. Adjudicatory Appeal Hearing Procedures.

At the hearing on the appeal, the following rules apply:

1. Oral argument on appeal is limited to parties of record.
2. Oral argument on appeal is limited to thirty minutes per side. If there is more than one appellant or more than one person wishing to present oral argument on appeal, the total time allowed to all such persons is thirty minutes. Any time reserved for rebuttal or surrebuttal is deducted from the time allowed for opening argument. Time taken to respond to questions from the City Council is not deducted from the time allowed for argument.
3. Argument is presented first by the appellant in support of the appeal followed by the respondent in opposition to the appeal.
4. No new evidence may be presented during oral argument. Matters found by the hearing officer or body to be facts in the record are presumed to be true and accurate. Oral argument is limited to stating why the record does or does not support the decision.
5. The City Council may not consider any new facts or evidence on appeal. The City Council's review of appeals is limited to the record prepared by the hearing officer or body, including the verbatim transcript of the hearing, the written appeal, memoranda submitted, and, if permitted, oral arguments presented in

accordance with the requirements of this section. Closed record appeals before the City Council must be concluded within 90 days of the date the appeal is filed unless all parties agree to a longer period.

6. Supplemental documents.

- a. The parties to the appeal may file memoranda regarding the appeal. Such memoranda must be filed by the agenda deadline for the meeting preceding the meeting set for consideration of the appeal.
  - b. Any replies to the memoranda must be filed by the agenda deadline for the meeting set for consideration of the appeal.
  - c. The City Clerk distributes such memoranda and responsive documents to all parties to the appeal, the City Council, the City Attorney, the Planning Director, and the Hearing Examiner.
  - d. Neither memoranda nor responses may contain any new facts or evidence or discuss matters outside the record. They are limited to stating why the record does or does not support the decision.
- H. The City Council may supplement these rules in a case-by-case situation in order to provide due process to all participants in a hearing.

## **RULE 4 – ORDINANCES AND FORMAL RESOLUTIONS**

### **Rule 4.1 FILING**

- A. Unless impractical in a given case, ordinances and resolutions shall be filed with the Clerk by the advance agenda (Wednesday at 12:00 p.m.) deadline. Copies of ordinances and resolutions submitted by the advance agenda deadline shall be included in the Council's packet which will be made available by the second Friday preceding the meeting for which the ordinance is on the agenda. In any event, an ordinance or resolution must have been filed with the Clerk prior to the meeting of which it is an agenda item. No ordinance or resolution, except emergency measures, shall be passed until it has been on file with the Clerk for at least three (3) business days, including the day of the Council meeting.
- B. If an ordinance or resolution has not been on file with the Clerk for at least three (3) business days, its reading shall be a reading in full. If an ordinance or formal resolution has been so pre-filed, it shall be sufficient reading to read its title or a summary.
- C. Each ordinance or resolution shall have a succinct, plain-language title and summary which briefly describes its purpose and effect. ~~((Every sponsor))~~ The agenda sheet for every item shall, when filing the same with the City Clerk, specify

the committee of origin for the ordinance or resolution and the ~~((name of the Council Member who is the sponsor of))~~ names of the Council Members who are sponsoring the ordinance or resolution. Subject to Rule 5.6 (Suspension of Rules), every ordinance or resolution must be first presented in a committee before it may appear on the Council's agenda for first reading (for ordinances) or for Council consideration (for resolutions).

- D. Each ordinance or resolution which would have an impact on the fiscal condition of the City must note that fact on the agenda sheet and be accompanied by a brief description of the fiscal impact of the ordinance or resolution on the current year's budget.

#### Rule 4.2 AMENDMENT

- A. Amendment of the wording of an ordinance or resolution which appears on the current or advance Council agenda is accomplished by motion. Amendments to an ordinance or resolution should be in writing and circulated to all Council Members and the City Clerk by no later than ~~((noon))~~ 1:00 p.m. of the day of the meeting at which the ordinance or resolution is to be considered. Wherever practical, proposals for amendment to an ordinance or resolution should be forwarded to ~~((Council staff))~~ all Council Members by the Friday preceding the meeting at which the ordinance or resolution is to be considered. Ordinances and resolutions which are amended by oral motion at the City Council's legislative session and not circulated in writing prior to the meeting shall be carried over to the next legislative session for Council action on the amended ordinance or resolution unless such oral amending motion is made under a suspension of the rules. Amendments and substitute versions not filed with the City Clerk at least three days before the meeting shall whenever reasonably possible be posted for public viewing on the City Council Facebook page or other similar channels so that interested members of the public may review during Council's consideration of the matter.
- B. Only the Council Members who ~~((is))~~ are the sponsors of the ordinance or resolution may, jointly and absent objection, substitute a revised version of the ordinance or resolution for the one in the agenda packet between readings or between meetings when the differences between the two versions are, in the opinion of the sponsors, minor. If a Council Member objects to the substitution, then such substitution may only be accomplished by adoption of a motion of the Council. If the substituted ordinance or formal resolution makes a significant substantive change from the earlier version, the substitution shall be done only by motion of the Council.
- C. The deletion of an emergency clause converts the ordinance to a regular ordinance which requires a second reading at a subsequent meeting. The addition of an emergency clause requires the ordinance to be deferred to allow public hearing.

### Rule 4.3 SUBJECT MATTER

The Council shall not consider or pass any ordinance or resolution the subject matter of which is not directly related to local affairs or municipal business or if action by the City Council does not result in the adoption of a new or amendment to an existing ordinance or resolution or affect any City policy or practice.

## **RULE 5 – PROCESSING ORDINANCES**

### Rule 5.1 PUBLICATION, SIGNATURE AND RECORDING

- A. An ordinance passed by the City Council shall, within five (5) days thereafter, be presented to the Mayor.
- B. An ordinance:
  - 1. Making the annual tax levy,
  - 2. Adopting the original annual budget,
  - 3. Making appropriations,
  - 4. Implementing a local improvement district or confirming the assessments therefor,
  - 5. Which is an emergency or special budget ordinance,
  - 6. Which is an emergency ordinance, or
  - 7. Which has been approved by the electors by referendum or initiative

shall become effective immediately upon passage.

- C. Ordinances signed by the Mayor, and the approved parts of ordinances that have been partially vetoed, will thereupon be filed with the Clerk for recording and publication if not already published.
- D. Ordinances not signed by the Mayor after ten (10) days will be filed with the Clerk for signature, recording and publication as necessary.

### Rule 5.2 VETO

If, within ten (10) days of presentment, the Mayor vetoes an ordinance or part of an ordinance, the ordinance or part thereof, along with the veto message (if any), is returned to the City Council, which shall provide a copy to the City Clerk. The City Clerk shall schedule the matter for reconsideration for the next available Council meeting, if

requested by a City Council Member. If, within thirty (30) days of the Mayor's veto or partial veto, the ordinance receives at least five (5) votes for passage, it shall ~~((thereupon))~~ immediately take effect. Such ordinance will then be signed by the Council President or two Council Members and filed with the City Clerk for publication and recording.

## **RULE 6 – COMMITTEES**

### **Rule 6.1      STANDING COMMITTEES – ESTABLISHMENT AND MEMBERSHIP**

A. There shall be four (4) standing committees, as follows:

1. Public Safety and Community Health;
2. Finance and Administration;
3. Urban Experience;
4. Public Infrastructure, Environment and Sustainability.

B. ~~((Committee membership shall be comprised of a minimum of one (1) council member from each council district, and additional members as desired. Standing committees composed of more than three (3) Council Members shall be noticed as meetings of the Council where no legislative action shall occur.))~~ All Council Members shall be members of each standing committee. Standing committee meetings shall be noticed as meetings of the Council where no legislative action shall occur.

C. The Council President shall chair each study session, Administrative Session and Legislative Session of the City Council. All committee chairs and vice-chairs shall be determined by majority vote of the Council and shall preside over the meetings of their respective committees.

D. The Council shall confirm the standing committee membership and leadership by resolution adopted no later than the second meeting in January of each year or as soon thereafter as possible.

### **Rule 6.2      COMMITTEE PROCESS**

A. The purposes of standing committee meetings are first to provide Council Members an opportunity to discuss potential legislation publicly and second to provide the city administration and city staff an opportunity to update ~~((members of the committee))~~ Council Members regarding department programs, plans, and other administrative activities and future City Council administrative items, to brief the Council on future legislative agenda items, and to discuss strategic initiatives with the City administration and measuring progress of these initiatives. ~~((Any~~

~~legislative~~)) Legislative items should be in final draft form at the committee presentation.

- B. All standing committees shall be video recorded and open to the public using the appropriate method (i.e., webcasting or streaming when physical presence is not possible due to law or regulation) except during such time as the committee is in executive session consistent with the OPMA. No public testimony is taken during standing committee meetings. Participation in a standing committee meeting shall be limited to standing committee members, appropriate staff and other individuals recognized by the committee. ~~((Participation by Council Members, including deliberation and voting, shall be limited to the appointed Council members.))~~ Upon motion of the City Council, a standing committee meeting may be conducted as a meeting of the full City Council, in which case, a special meeting notice shall be issued, and the meeting shall be conducted in a study session format. Administrative support for each committee will be provided by Council office staff.
- C. Each committee shall meet monthly at 1:15 p.m. in the Council Chambers, except where cancelled or rescheduled to a different time at the discretion of the chair, in the following order:
1. Public Safety and Community Health: First Monday of each month
  2. Urban ~~((Development))~~ Experience: Second Monday of each month
  3. Finance and Administration: Third Monday of each month
  4. Public Infrastructure, Environment, and Sustainability: Fourth Monday of each month
  5. If there is a fifth Monday in a month, that date is reserved for an additional study session if needed and as convened by the Council President.
  6. If a committee meeting falls on a scheduled City Holiday, the chair may cancel the meeting or reschedule it for a Monday morning in the same month.
- D. Committee meeting agendas are formalized under the following process:
1. Three Wednesdays prior to the scheduled committee meeting, ~~((the chair's legislative aide or))~~ the committee's administrative staff will circulate a request for agenda items.
  2. No later than 5:00 p.m. on the Wednesday occurring 12 days before the committee meeting, suggested agenda items and briefing papers (for both consent and discussion items) are due to be submitted to the



~~((legislative aide or))~~ administrative staff who circulated the request for agenda items.

- a. At that time, the briefing paper template should be filled out and must indicate whether the preparer prefers the item to be a consent item or a discussion agenda item.
  - b. Agenda items that require no discussion at committee meetings (consent items) can be placed on any committee's agenda.
  - c. As many supporting documents as are available should be attached to the briefing paper.
  - d. Supporting attachments for consent agenda items are due at this time except with express permission by the committee chair.
3. By the Friday occurring 10 days before the committee meeting, the preliminary agenda, with briefing papers, is to be sent out to all Council Members for review.
  4. No later than 10:00 a.m. on the ~~((Monday))~~ Wednesday occurring 1 week before the committee meeting, Council Member requests for additional information on any agenda item are due.
  5. At any time after briefing papers are submitted, the committee chair, vice chair and administrative leads should meet at least once to create and/or finalize the agenda.
  6. The Wednesday at 5:00 p.m. prior to the committee meeting is the deadline for all supporting documents for briefing papers and addenda, if any, for discussion items.
  7. After the final agenda is approved by the chair, the ~~((legislative aide or))~~ administrative staff circulates the final agenda by 5:00 p.m. on the Thursday prior to the committee meeting.
  8. Any deviation from the schedule above (accepting briefing papers past the deadlines for example), must be approved by the committee chair.
  9. All committee agenda items must have at least one Council Member identified as a sponsor of the item before being placed on a committee agenda. If staff need help identifying a sponsor, they should consult with the committee chair, vice chair or their legislative assistants.

The regular order of business for committee meetings is as specified in the Agenda Template document attached as an exhibit to these Rules.

- E. Each item presented in committee must be accompanied by a briefing paper, using the Briefing Paper Template attached as an exhibit to these Rules, and any



additional briefing or research documents necessary, unless waived in the particular case by the committee chair.

- F. Each ordinance or resolution must be presented by the Council sponsor or their designee in the appropriate committee which corresponds to the subject matter of the ordinance or resolution before it may be filed in OnBase for inclusion on the Council's legislative agenda. With the consent of the Council President, this requirement may be met by conducting a presentation of the item in a regular Council study session which has been noticed as a public meeting. Committee chairs may authorize the consideration of items outside the subject matter of their committee.
- G. By declaration of the chair (subject to a seconded appeal) or by motion of the Council, any matter before the Council may be referred to a committee, except that no committee shall investigate the facts of, nor shall any member or members of the Council take independent action on, any pending or contemplated adjudicated matters.

#### Rule 6.3 INTER-GOVERNMENTAL COMMITTEES AND BOARDS

Unless governed by other regulations, statutes, or ordinances, the nomination of the full slate of Council Members to inter-governmental committees or boards shall be made by the Council President, subject to confirmation by a majority of the City Council. All appointments shall be made consistent with the governmental documents creating the inter-governmental committee. The Council President shall appoint proxies to attend meetings when the assigned Council Member is unable to attend a meeting.

#### Rule 6.4 AD HOC COMMITTEES AND WORKING GROUPS

Ad hoc committees, also known as working groups, with specified functions may be established for a designated term or for a specific task or to advise the Council on specific subject matter, by resolution. Unless specified in the resolution which created the ad hoc committee, matters of committee business such as the appointment process and qualifications for membership, the number of members, and the deadline for any resulting reports of the ad hoc committee shall be determined by the committee itself.

#### Rule 6.5 BOARDS AND COMMISSIONS APPOINTMENT PROCESS

City Council shall interview Mayoral nominees for appointment to boards and commissions prior to considering their appointment and shall take action on each such nomination in an open public meeting. Re-appointments do not require and interview unless requested by a Council Member.

### **RULE 7 – MISCELLANEOUS**

## Rule 7.1 COUNCIL POSITION VACANCY

- A. Upon receipt of a written notice of a vacancy or an impending vacancy of a City Council position other than that of Council President, the Council President or designee shall announce the vacancy within seven (7) days of the receipt of the vacancy notice occurring and call for interested parties to submit their applications for consideration by a deadline stated by the Council President set with concurrence of the Council.
- B. Upon the close of the deadline, each ~~((member of the))~~ Council Member shall review the applications, interview on an individual basis whichever applicant~~(s)~~ they desire to interview and ~~((notify))~~ send the Council President a prioritized list of ~~((the names of the individuals))~~ who they believe should be interviewed by the entire City Council.
- C. The Council President shall compile the Council Members' ~~((list))~~ prioritization of candidates to be interviewed and schedule ~~((compiled list of))~~ the top-ranked candidates to be interviewed by the entire City Council. Additional candidates may be selected for interviews by a majority vote of the Council.
- D. The Council shall conduct interviews of each individual candidate selected for interviews in an open public meeting. No public comment is permitted in such public meetings.
- E. Upon completion of the interviews, the Council, pursuant to RCW 42.30.110(1)(h), may go into executive session to evaluate the qualifications of each candidate.
- F. The Council shall take final action by resolution appointing a candidate to fill the vacancy during an open public meeting.
- G. Provisions regarding the selection of a candidate for a City Council vacancy not set forth by these rules shall be determined by the City Council by motion during an open public meeting.
- H. If the Council President position becomes vacant, the City Council may elect to appoint one of the existing Council Members to fill the position of Council President without following the selection procedure set forth above. If, upon a motion of the City Council, the City Council decides to consider someone other than an existing Council Member to fill the vacant position of Council President, the City Council shall follow the selection procedure set forth above.

## Rule 7.2 COUNCIL MEMBER DISCIPLINE

Council Members may be subject to disciplinary action only by motion adopted by the affirmative vote of five (5) members of the Council, taken in an open public meeting. Disciplinary action may be based on violation of these Rules, the City Ethics Code (SMC

01.04 A), or any standards of behavior expected of elected officials, including apparent conflicts of interest, and may include, without limitation, censure, removal from membership on a standing committee, or removal from membership on an intergovernmental board or commission.

#### Rule 7.3 COUNCIL STAFF

- A. Each Council Member has the sole authority to hire, direct, and discharge one legislative assistant.
- B. While all Council Members have the authority to direct a member of shared council office staff, pursuant to Charter Section 9 and SMC 02.005.030, the City Council delegates the power to hire, supervise and discharge central Council office staff to the Council President, subject to reversal by a vote of the majority of the Council Members other than the Council President.
- C. ~~((On a quarterly basis, shared council office staff shall present in a study session to all Council Members, a progress report on their ongoing duties and projects.))~~

#### Rule 7.4 COUNCIL OFFICE BUDGET

- A. Any Council Member may propose to allocate funding from the approved Council office budget beyond that which is reserved for the salaries of Council Members, personal staff, and approved shared council office staff.
- B. All Council office budget allocation proposals over \$10,000 that differ from the adopted Council budget must be approved by the affirmative vote of four (4) Council Members at an open public meeting.
- C. On at least a quarterly basis, ~~((a directed member of the shared Council office staff))~~ Council's Budget Manager shall make available to all Council Members a report on the status of and balances of all individual line items in the Council office budget. The Manager will also work with the Administration to pursue dashboard capability for public and Council review of all City budget line items.

#### Rule 7.5 COUNCIL MEMBER AND STAFF ORIENTATION

- A. New Council Members and newly appointed staff shall receive on-boarding and orientation meetings and information within thirty (30) days of their swearing-in or appointment.
- B. Orientation materials shall be generated by shared Council staff and shall consist of at least the following:
  - 1. Charter and Spokane Municipal Code overview;

2. Overview of the city's budget process and statutory budget requirements;
3. Overview of the Council rules of procedure and meeting process;
4. Summary of often-cited parliamentary process (i.e., motions, decorum, etc.); and
5. Overview of all standing and outside boards and commissions to which Council Members are appointed, including their functions, history, and composition.

#### Rule 7.6 COUNCIL MEMBER RESPONSIBILITIES

- A. A time commitment of approximately 30-50 hours per week is normally required to adequately fulfill the role of City Council Member.
- B. Unless excused by the Council President or committee chair, as applicable, Council Members must attend the following recurring engagements:
  1. City Council administrative and legislative sessions each Monday;
  2. Standing committee Meetings on Mondays as scheduled;
  3. Weekly study sessions, as scheduled by the Council President;
  4. Ad hoc workgroups as assigned;
  5. Outside boards and commissions as assigned (typically between 6-9);
  6. Neighborhood Council meetings from their respective Council District on a regular basis but not necessarily every scheduled meeting (typically at least two a week district wide during each of the first three weeks of a month);
  7. Constituent meetings as necessary;
  8. Staff meetings as necessary;
  9. Other Council Member meetings as necessary; and
  10. Community events as time permits.
- C. Notwithstanding the provisions of this Rule, nothing in these Rules preclude the administration from providing onboarding and orientation as to the activities and

procedures followed by administration staff.

**Rule 7.7 CITY COUNCIL PLANNING**

- A. Council shall consider annual Council Member appointment to boards, commissions, and committees by resolution no later than the 2<sup>nd</sup> meeting of each calendar year.
- B. Council shall consider the Plan Commission's annual work program by resolution no later than February 28<sup>th</sup> of each calendar year.
- C. Council shall consider annual changes to the Council Rules by resolution no later than February 28<sup>th</sup> of each calendar year. Additional adjustments to the rules may be made by resolution.
- D. The Council President or their designee shall schedule a Council Retreat annually prior to February 28<sup>th</sup> of each calendar year. Additional retreats may be scheduled throughout the year at the Council President's discretion.

---

Adopted by Resolution 2022-\_\_\_\_\_(date)

***Exhibits:***

Briefing Paper template

Committee Agenda template



## **SPOKANE CITY COUNCIL RULES OF PROCEDURE**

**(2022 revision, adopted by Resolution No. 2022-\_\_\_\_[date])**

## Table of Contents

RULE 1 - GENERAL PRINCIPLES .....	4
Rule 1.1    PURPOSE.....	4
Rule 1.2    DUTY OF MUTUAL RESPECT .....	4
Rule 1.3    DUTY OF ETHICAL CONDUCT .....	4
Rule 1.4    ROBERT'S RULES OF ORDER.....	5
Rule 1.5    AMENDMENT .....	5
RULE 2 – MEETINGS.....	5
Rule 2.1    PLACE AND TIME OF MEETINGS .....	5
Rule 2.2    OPEN FORUM.....	6
Rule 2.3    ADJOURNED MEETINGS.....	6
Rule 2.4    SPECIAL MEETINGS.....	7
Rule 2.5    STUDY SESSIONS.....	7
Rule 2.6    QUORUM.....	7
Rule 2.7    SERVICE ANIMALS AT CITY COUNCIL MEETINGS .....	7
Rule 2.8    FUNCTIONS OF MEETING AGENDA .....	8
Rule 2.9    INTRODUCTION OF ITEMS .....	9
Rule 2.10   AGENDA PROCESS.....	9
Rule 2.11   NOTICE BY AGENDA .....	9
Rule 2.12   SPECIAL MEETING NOTICES .....	10
Rule 2.13   THE CHAIR.....	10
Rule 2.14   ORDER OF BUSINESS .....	11
Rule 2.16   PARTICIPATION BY MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS ...	13
Rule 2.17   PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS .....	14
Rule 2.18   VOTING .....	16
Rule 2.19   SUSPENSION OF THE RULES .....	16
Rule 2.20   RECONSIDERATION.....	17
Rule 2.21   PARTICIPATION BY TELEPHONIC OR VIRTUAL MEANS .....	17
RULE 3 – ADJUDICATIVE APPEALS AND HEARINGS .....	17
RULE 4 – ORDINANCES AND FORMAL RESOLUTIONS.....	19
Rule 4.1    FILING .....	20
Rule 4.2    AMENDMENT .....	20
Rule 4.3    SUBJECT MATTER .....	21
RULE 5 – PROCESSING ORDINANCES .....	21
Rule 5.1    PUBLICATION, SIGNATURE AND RECORDING .....	21

Rule 5.2	VETO .....	22
RULE 6 – COMMITTEES .....		22
Rule 6.1	STANDING COMMITTEES – ESTABLISHMENT AND MEMBERSHIP .....	22
Rule 6.2	COMMITTEE PROCESS .....	23
Rule 6.3	INTER-GOVERNMENTAL COMMITTEES AND BOARDS .....	25
Rule 6.4	AD HOC COMMITTEES AND WORKING GROUPS .....	25
Rule 6.5	BOARDS AND COMMISSIONS APPOINTMENT PROCESS .....	25
RULE 7 – MISCELLANEOUS .....		26
Rule 7.1	COUNCIL POSITION VACANCY .....	26
Rule 7.2	COUNCIL MEMBER DISCIPLINE .....	27
Rule 7.3	COUNCIL STAFF .....	27
Rule 7.4	COUNCIL OFFICE BUDGET .....	27
Rule 7.5	COUNCIL MEMBER AND STAFF ORIENTATION .....	27
Rule 7.6	COUNCIL MEMBER RESPONSIBILITIES .....	28
Rule 7.7	CITY COUNCIL PLANNING .....	29



## **RULE 1 - GENERAL PRINCIPLES**

### **Rule 1.1      PURPOSE**

The Spokane City Council adopts these Rules to govern the conduct of City Council business. These Rules do not confer upon any person who is not a member of the Council any right to a particular procedure, nor do they affect the validity or legality of any Council action.

### **Rule 1.2      DUTY OF MUTUAL RESPECT**

It is the constant duty of each Council Member to treat each other, City staff, board and commission appointees, and the public with respect. Likewise, all persons who attend a Council meeting or interact with Council Members or Council staff in any type of public forum or communication, regardless of the form or format, must act respectfully toward all persons. Mutual respect between Council Members and towards staff includes, but is not limited to, not intentionally disclosing private information about a Council Member or staff such as personal telephone numbers or home address without the permission of the Council Member or staff.

### **Rule 1.3      DUTY OF ETHICAL CONDUCT**

- A. Each Council Member must uphold the constitution, laws, and regulations of the United States of America, the State of Washington and the Charter and ordinances of the City including, without limitation, chapter 01.04A, SMC (Code of Ethics), recognizing that federal and state laws pre-empt local laws. Should a Council Member have a conflict of interest or become aware that they have or may have a conflict of interest, that Council Member shall promptly inform the Council of the conflict of interest and abstain from any Council action in connection with that matter.
- B. Confidential information.
  - 1. No Council Member may disclose confidential information to any person not entitled or authorized to receive the information. Notwithstanding the foregoing, the City Council may, upon the affirmative vote of five (5) Council Members taken in an open meeting, authorize the release of specific information which would otherwise be deemed confidential information, including without limitation discussions held in executive session.
  - 2. For purposes of these rules, "confidential information" has the same meaning as the term is defined in SMC 01.04A.020(I) and SMC 01.04A.030(I)(1).
- C. No Council Member may use or authorize the use of facilities of the City, directly or indirectly, for the purpose of assisting a campaign for election of a person to an

office or for the purpose of or opposition to a ballot proposition. Council Members shall comply with RCW 42.17A.555 (Use of public office or agency facilities in campaigns—Prohibition—Exceptions). Notwithstanding the foregoing, nothing in these Rules prevent any member of the public from exercising their rights to free expression by wearing clothing, buttons, or other attire which displays messages of a political nature in a Council meeting, so long as such conduct does not include the display of signs and/or disrupt the Council meeting. Further, these Rules do not prohibit the City Council, acting as a body in an open public meeting, from adopting resolutions supporting or opposing state or local ballot propositions.

#### Rule 1.4 ROBERT'S RULES OF ORDER

Matters of procedure not otherwise provided for herein are, insofar as practical, determined by reference to *Robert's Rules of Order, newly revised*.

#### Rule 1.5 AMENDMENT

These rules may be amended at any time by resolution of the City Council.

### **RULE 2 – MEETINGS**

#### Rule 2.1 PLACE AND TIME OF MEETINGS

- A. As provided in SMC 02.01.010, the regular meeting of the City Council is at 3:30 p.m. every Monday in the Council Chambers. If a Monday is a City Holiday, that week's regular meeting shall be held on the next day that is not a holiday if a quorum is available, unless cancelled at the discretion of the Council President.
- B. The 3:30 p.m. Council session is a briefing session in which the Council receives staff reports on matters of interest, committee reports, background information from staff regarding matters on the advance agenda for the next week's meeting and for that day's agenda, making any adjustments to the agenda and agreeing as to any issues of procedure for that day's meeting. Once the advance agenda has been reviewed, the City Council shall approve the agenda by motion.
- C. At the conclusion of the briefing session, there is an administrative session during which action will be taken on consent agenda items. Upon the request of any Council Member, an item on the consent agenda may be considered and voted on separately from the consent agenda or carried over for Council consideration and possible action at that day's legislative session.
- D. At the conclusion of the administrative session, or at other time properly announced, the City Council may adjourn into executive session consistent with the Open Public Meetings Act ("OPMA"). Before so doing, the chair shall announce the subject matter of the executive session with as much particularity as will not frustrate the purpose of the executive session and the estimated duration of the

executive session. The Council determines which person(s) shall attend each executive session.

- E. The 6:00 p.m. Council session is the legislative session, during which the Council may take public testimony, discuss and take action on agenda items, and hold the open forum. The Council President may combine specific agenda items for purpose of public comment and voting if there is no objection by attending Council Members, and if there is an objection, by majority vote.

## Rule 2.2 OPEN FORUM

- A. At the 6:00 p.m. legislative session, after the conclusion of the legislative agenda, the Council shall hold an open forum unless a majority of Council Members vote otherwise. The open forum will not extend past 9:30 p.m. unless extended by a supermajority of the Council.
- B. Members of the public can sign up for open forum in the hour preceding the legislative session via the virtual testimony form linked in the meeting packet or in person outside Council Chambers. The order of the speakers will be determined at the discretion of the chair. Each speaker shall be limited to no more than three minutes unless a majority of the Council Members in attendance vote on an alternate time limit.
- C. No action, other than a statement of Council Members' intent to address the matter in the future, points of order, or points of information will be taken by Council Members during an open forum.
- D. The open forum is a limited public forum and all matters discussed in the open forum shall relate to the affairs of the City. No person shall be permitted to speak in open forum regarding items on that week's current agenda or the next week's advance agenda, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during open forum shall address their comments to the Council President and shall not use profanity, engage in obscene speech, or make personal comment or verbal insults about any individual.

## Rule 2.3 ADJOURNED MEETINGS

- A. At the conclusion of the legislative session, unless there is further business before the Council, the chair shall adjourn the meeting until the next regularly scheduled Council meeting.
- B. Any meeting may be adjourned to a place and time set by motion. Unless otherwise specified in the motion, the meeting will be adjourned to the place and time fixed for the next regular meeting. If a regular meeting be adjourned to a place and time specified, that adjourned meeting is a regular meeting.

- C. If at the time fixed for the beginning of any meeting, or at any time in the course of a meeting, less than a quorum be present, the Council President, or in the President's absence any member, or if there are no Council Members present then the City Clerk, shall declare the meeting adjourned to the next regular meeting.
- D. If a meeting is adjourned prior to the completion of the City Council's agenda, all matters on the agenda not disposed of shall be continued to the adjourned meeting. The City Clerk or other person designated by the Clerk shall post a written notice of adjournment conspicuously on or near the main door of the place of any meeting which has been adjourned. The notice shall be posted as soon as possible after the adjournment and shall state the fact of adjournment and the place and time to which the meeting was adjourned.
- E. At 9:30 p.m., absent an adopted motion to remain in session to a time certain, the Council's regular meeting shall be adjourned.

#### Rule 2.4 SPECIAL MEETINGS

A special meeting may be called by the Council President or by passage of a motion made during a regular meeting. All such special meetings shall be noticed in compliance with the OPMA and Rule 4.2 of these Rules.

#### Rule 2.5 STUDY SESSIONS

A regular study session of the City Council is held every Thursday at 11:00 a.m. for receiving information on staff matters, staff briefings, and discussion among Council Members on issues of public concern. Study sessions are held in a workshop format, with no public hearing, no Council action to dispose of any item unless the study session was noticed as a special meeting in compliance with the OPMA and Rule 4.2 of these rules. A quorum of the Council is not necessary in order to proceed with a study session, though a quorum is required for the Council to take any action to dispose of any item. Additional study sessions may be scheduled at the discretion of the Council President or by a vote of the majority of Council Members present at a public meeting of the Council.

#### Rule 2.6 QUORUM

A quorum is four (4) or more Council Members present and qualified to act unless a particular action requires the affirmative vote of more than four. The quorum for the adoption of an ordinance making an emergency expenditure as provided in RCW 35.33.081 and 35.33.091, adoption of an ordinance effective immediately under subsection 19(a)(1) of the Charter, and override of a veto as provided in subsection 16(b) is five (5).

#### Rule 2.7 SERVICE ANIMALS AT CITY COUNCIL MEETINGS

- A. For purposes of these Rules, only dogs that are individually trained to do work or

perform tasks for a person with a disability are recognized as service animals. Dogs or other animals whose sole function is to provide comfort or emotional support do not qualify as service animals under these Rules. Service animals are permitted to accompany people with disabilities in City Council meetings, as well as all areas where members of the public are allowed to go.

- B. Service animals must, at all times while present in a City Council meeting, be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices, in which case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- C. When it is not obvious what service an animal provides, City staff may only inquire (1) whether the dog is a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. City Staff shall not ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- D. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- E. A person with a disability cannot be asked to remove their service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When one of these situations exists, City staff shall offer the person with the disability the opportunity to be present at the City Council meeting without the animal's presence.
- F. No person with a disability who uses a service animal will be isolated from other people or treated less favorably than another person in the conduct of a City Council meeting.
- G. City staff shall not be required to provide care or food for a service animal at a City Council meeting.

## Rule 2.8      FUNCTIONS OF MEETING AGENDA

The agenda serves to introduce items to the Council, to establish the order of business and to give notice to the public. The notice of a special meeting is the agenda for such meeting.

## Rule 2.9 INTRODUCTION OF ITEMS

- A. Resolutions and ordinances shall only be placed on a regular legislative meeting agenda by the Council President or any Council Member, except as otherwise provided by Rule 5.6 (Suspension of Rules). No resolution or ordinance may be filed in OnBase for consideration on the legislative agenda unless it has first been presented in a committee or study session and is recommended by at least two committee members for consideration by the full Council. Items for which six (6) months have elapsed between the discussion of the item at a committee meeting and the filing of the item in OnBase should be returned to committee for an additional discussion before filing. Items that need consideration on a compressed timeline due to an unforeseen urgency or emergency may be filed in OnBase prior to being presented at a committee or study session with prior written permission from the Council sponsor(s) and the Council President.
- B. Regular meeting agendas are prepared by the City Clerk in the manner and format prescribed by the City Council and consistent with administrative policies and procedures and these Rules.

## Rule 2.10 AGENDA PROCESS

- A. The process of submitting agenda items and preparing the agenda for all Council meetings shall be consistent with these Rules and any administrative policies and procedures governing Council meetings and agenda items. In a conflict between these Rules and an administrative policy and procedure, these Rules shall control.
- B. An agenda item is submitted using the agenda sheet presented to the City Clerk and in the template provided for in the exhibit to these Rules. No agenda item may be submitted to OnBase without first securing written confirmation from a Council Member that they will sponsor the item. Resolutions and Ordinances must secure two (2) Council sponsors prior to being submitted to OnBase.
- C. The wording for the agenda item and the relevant information placed on the agenda sheet are to be provided by the person submitting the item. Plain language shall be used to accurately describe the item with the goal of making the item easily understood by the public. The Council President or their designee shall decide any disputes over wording unless verbiage is determined by a majority vote of the Council. The City Clerk and City Attorney's office staff may edit agenda items for grammatical or typographical errors.
- D. Each Council Member shall have the continuing duty to be familiar with all agenda items and all accompanying information.

## Rule 2.11 NOTICE BY AGENDA

Except as provided below, the agenda is the only required meeting notice.



## Rule 2.12 SPECIAL MEETING NOTICES

Notice of every special meeting shall be given in writing to every Council Member, Council staff, the Mayor, the City Attorney, and to all parties who have on file with the City Clerk a request for such notices. The notice shall be delivered personally, electronically, by mail, by facsimile or otherwise, so as to be received at least 24 hours before the meeting or as otherwise provided for in RCW 42.30.080. The notice shall state the place and time of the meeting and the business to be conducted. The Council shall not make final disposition of any matter not included in the notice. Notices of special meetings are prepared by the City Council Office staff and issued by the City Clerk's office.

## Rule 2.13 THE CHAIR

- A. The Council President, or in their absence or incapacity, the Council Member chosen by the Council to serve as Council President *pro tem* pursuant to SMC 03.01.120(A) (each of whom is referred to in these Rules as "the chair") shall preside over meetings of the Council and cause the business of the Council to be transacted in accordance with these rules. The presiding officer may yield the chair to another Council Member to conduct a portion of the meeting. If the Council President *pro tem* is unavailable, the Council Member of seniority of tenure on the Council shall preside.
- B. The chair shall determine all questions of parliamentary procedure, subject to appeal as provided in this Rule 5.1.2, but shall liberally grant leave to the City Council's Policy Director and/or City Attorney to speak to the question. A ruling of the chair can be appealed, before the ruling is acted on, by any Council Member's announcement of an appeal, which appeal is perfected by receiving a second. The chair shall then state the question in terms of upholding the ruling and may state the reasons for the ruling. Then the member appealing has the floor to open debate on the appeal. Upon the close of debate, the Council shall vote on the appeal.
- C. The chair may not make a motion. The chair may second a motion only if there is no other second and only for the purposes of discussion. The chair may vote as any other Council Member.
- D. The chair has the authority to recess, adjourn or move to virtual, any meeting when noise, disturbance, indecorum, or other circumstances warrant a recess to enable the Council to conduct its meeting in an appropriate manner unless a majority of the Council votes to continue the meeting in progress as is. The chair may direct any person disrupting the meeting to be removed from the chambers or to otherwise eliminate a source of disruption. The chair will be guided by the Council's intent to support robust public participation by the public without inappropriate disruption.
- E. The chair has the authority to recess a meeting in the appropriate circumstances.

## Rule 2.14 ORDER OF BUSINESS

### A. Briefing Session.

The regular order of business in a briefing session is as follows. The meeting chair may make adjustments to the order of business as needed.

1. Roll call;
2. Council or staff reports of matters of interest;
3. Staff or Council Member briefings regarding matters on the advance agenda;
4. Discussion of and any adjustments to the advance agenda for the following week's meeting;
5. Approval by motion of the advance agenda;
6. Any new background by staff or Council Members for items on the current agenda; and
7. Discussion of and any adjustments to the current agenda.

### B. Administrative Session.

The regular order of business in an administration session is as follows. The meeting chair may make adjustments to the order of business as needed.

1. Reading of consent agenda items by the Clerk;
2. Request(s) by an individual Council Member, if any, to consider any specific consent agenda items separately from the consent agenda or to move specific consent agenda items to the legislative session for consideration;
3. Action on the consent agenda; and
4. Action on any items considered separately from the consent agenda.

### C. Executive Session.

The business of an executive session is determined case by case within the restrictions of the OPMA and other provisions of state law.

### D. Legislative Session.



The regular order of business in a legislative session is as follows. The meeting chair may make adjustments to the order of business as needed, including combining testimony on multiple items.

1. Pledge of Allegiance;
2. Words of inspiration and special introductions;
3. Roll call to establish the presence of a quorum;
4. Council and committee reports;
5. Reading of proclamations and salutations
6. Reports from Neighborhood Councils and/or other City-sponsored community organizations;
7. Announcement of adjustments to the agenda;
8. Council appointments and approval of Mayoral appointments;
9. Administrative reports;
10. Reading of each agenda item by the Clerk;
  - a. Report by staff and questions to staff;
  - b. Testimony from members of the public concerning the agenda item;
  - c. Deliberation by Council, and such further dialogue with staff and community members as Council may desire, including any motions by Council Members concerning the agenda item; and
  - d. Vote.
9. Open forum; and
10. Adjournment.

E. Items shall be acted upon in the order in which they appear on the agenda; provided, items may be taken out of order, combined, or separated at the chair's discretion, absent the objection of a majority of the Council. Items on the agenda may be grouped under various headings or sections and entire sections may be read and acted upon at one time at the discretion of the chair absent the objection of a majority of the Council.

- F. All City Council appointments or Mayoral appointments which require City Council approval shall be announced and voted upon by motion during the legislative session; provided, that the confirmation of mayoral nominations of department heads, the City Clerk, and the City Attorney, pursuant to Section 24 of the City Charter, shall be by resolution.

#### Rule 2.16 PARTICIPATION BY MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS

- A. Members of the public may address the Council regarding the following items on the Council's legislative agenda: first and final readings of regular and special budget ordinances, emergency ordinances, special consideration items, hearing items, items published on the consent agenda for the next administrative session, and other items before the City Council requiring Council action, except those that are adjudicatory or solely administrative in nature. This rule shall not limit the public's right to speak on issues that are not part of the current or advanced agendas during open forum.
- B. No member of the public may speak without first being recognized for that purpose by the chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide their city of residence as a condition of recognition. Council Members must be recognized by the chair for the purpose of obtaining the floor.
- C. Each person speaking in a public Council meeting shall verbally identify themselves by name, city of residence, and, if appropriate, representative capacity.
- D. Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded, and documents submitted for the record are identified and marked by the Clerk.
- E. In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults will be permitted.
- F. A speaker asserting a statement of fact may be asked to document and identify the sources of the factual datum being asserted.
- G. When addressing the Council, members of the public shall direct all remarks to the Council President, shall refrain from remarks directed personally to any Council Member or any other individual, and shall confine remarks to the matters that are specifically before the Council at that time.
- H. When any person, including members of the public, City staff, and others, are

addressing the Council, Council Members shall observe the same decorum and process, as the rules require among the members *inter se*. That is, a Council Member shall not engage the person addressing the Council in colloquy but shall speak only when granted the floor by the Council President. All persons and/or Council Members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order, newly revised*, shall extend to all speakers before the City Council. The City Council's Policy Director and/or City Attorney shall, with the assistance of Council staff, assist the Council President to ensure that all individuals desiring to speak shall be identified, appropriately recognized, and provided the opportunity to speak.

#### Rule 2.17 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS

- A. The City Council shall take public testimony on all matters included on its legislative agenda as described at Rule 2.16(A), with those exceptions stated in Rule 2.17(B). Public testimony shall be limited to the final Council action, except that public testimony shall be allowed at the first reading of ordinances. Public testimony shall be limited to three (3) minutes per speaker unless the time limit is adjusted by a majority vote of the Council. The chair may allow additional time if the speaker is asked to respond to questions from the Council.
- B. No public testimony shall be taken on items on the Council's current consent agenda, amendments to legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council, including amendments to these Rules.
- C. Public testimony will be taken on legislative items that are moved to Council's regular Briefing Session or study session unless a majority of Council votes otherwise during the meeting in which the items are moved.
- D. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented at the discretion of the Council President:
  - 1. Following an assessment by the chair of factors such as complexity of the issue(s), the apparent number of people indicating a desire to testify, representation by designated spokespersons, etc., the chair shall, in the absence of objection by the majority of the Council present, impose the following procedural time limitations for taking public testimony regarding legislative matters:
    - a. There shall be up to fifteen (15) minutes for staff, board, or commission presentation of background information, if any.

- b. The designated representative of the proponents of the issue shall speak first and may include within their presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes may be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the allotted time between or among themselves.
  - c. Following the presentation of the proponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the proponents who wishes to speak on behalf of the proponent's position.
  - d. The designated representative, if any, of the opponents of the issue shall speak following the presentation of the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. The designated representative(s) of the opponents shall have the same amount of time which was allotted to the proponents.
  - e. Following the presentation by the opponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the opponents who wishes to speak on behalf of the opponents' position.
  - f. Up to ten (10) minutes of rebuttal time may be granted to the designated representative for each side, the proponents speaking first, the opponents speaking second.
- 2. In the event the party or parties representing one side of an issue has a designated representative and the other side does not, the chair shall publicly ask the unrepresented side if they wish to designate one or more persons to utilize the time allotted for the designated representative. If no such designation is made, each person wishing to speak on behalf of the unrepresented side shall be granted three (3) minutes to present their position, and no additional compensating time shall be allowed due to the fact that the side has no designated representative.
  - 3. In the event there appears to be more than two groups wishing to advocate their distinct positions on a specific issue, the chair may grant the same procedural and time allowances to each group or groups, as stated previously.
  - 4. In the event that the side for which individuals wish to speak is not identified, those wishing to give testimony shall be granted three (3) minutes to present their position after all sides have made their initial presentations and before each side's rebuttal period.

E. The time taken for staff or Council Member questions and responses thereto shall

be in addition to the time allotted for any individual or designated representative's testimony.

## Rule 2.18 VOTING

- A. Except where a majority plus one vote is required, (*e.g.*, Charter section 19, RCW 35.33.081), and unless otherwise provided herein, all motions, except a motion to adjourn (which passes by a majority of votes cast), to carry must receive at least four (4) affirmative votes.
- B. If a motion receives a majority of favorable votes, but less than four, and if further voting cannot produce four votes for any motion, either:
  1. The matter will be continued, or
  2. if it appears that because of disqualification or other reason the Council will not obtain four votes for any motion to dispose of the matter, it shall be declared that no action was taken, and the status quo shall prevail.
- C. Upon a tie vote, the status quo prevails and the matter upon which the vote was cast.
- D. The votes on any ordinance or formal resolution shall be individually taken and recorded. As to any other matter (such as motions), voting shall be by voice vote unless a member requests, prior to action on the next item of business, a roll call vote. Unless otherwise required due to the technical limitations of the specific meeting method or forum, the alternative to voice vote shall be the electronic voting tally system currently in use in the Council Chambers.
- E. In all cases of voting by other than voice vote, the City Clerk shall record the names of those voting on each side of the question and of those abstaining. In cases of voice vote, it shall be sufficient for the chair to announce, and the record to reflect, whether the motion carried or failed. Regardless of method of voting, each Council Member shall have the right to explain the reasons for their vote and such a request shall be regarded as a point of personal privilege.
- F. A Council Member may abstain from voting on any matter before the Council if they have a direct personal or financial interest in the matter before the Council which is not held in common with other members of the Council. In order to abstain from voting, a Council Member must describe to the Council President the basis for the abstention in an open public meeting prior to the vote.

## Rule 2.19 SUSPENSION OF THE RULES

These Rules may be temporarily suspended for a particular matter or meeting by the affirmative vote of a majority plus one of the Council Members present at the meeting.

Motions to suspend the rules must specify the general purpose of the suspension (e.g., “Motion to suspend the rules for the purpose of adding three items to the agenda.”)

## **Rule 2.20 RECONSIDERATION**

A Council Member who voted on the prevailing side regarding an item voted on during an administrative session may move reconsideration of that item at that day’s legislative session or at a future briefing session. All legislative decisions of the City Council regarding ordinances, resolutions, and hearing items are final. When permissible, a Council Member may re-submit a subsequent ordinance or resolution to repeal or modify a prior City Council action.

## **Rule 2.21 PARTICIPATION BY TELEPHONIC OR VIRTUAL MEANS**

- A. A Council Member may participate telephonically and/or virtually in all or part of a Council meeting if:
  - 1. Prior approval is given by the Council President for good cause, whose approval shall not be unreasonably withheld;
  - 2. All persons participating in the meeting, including the public, are able to hear each other at the same time, such as by the use of a speaker phone; and
  - 3. The Council Member participating remotely shall have reviewed all of the applicable material and participated in the relevant portion of the Council meeting related to the topic to which the Council Member is voting on.
- B. Any technical prohibitions or difficulties that prevent all parties present at the Council meeting from adequately communicating with one another will negate any authorization previously given by the Council President.

## **RULE 3 – ADJUDICATIVE APPEALS AND HEARINGS**

- A. Adjudicative hearings are quasi-judicial hearings involving named parties. Testimony during adjudicative hearings is limited to the parties involved in the hearing. Public testimony is not accepted in adjudicative hearings. Where procedures for appeals and hearings have been established by ordinance, the Council shall follow those procedures. If a conflict arises between the ordinance and Council rules, the ordinance shall prevail. Where there are no established procedures for an adjudicative appeal or hearing, the Council shall implement the following procedure.
- B. No person shall be allowed to discuss any matter pending hearing with any member or members of the Council except in the Council Chambers in the regular course of a Council meeting. Each Council Member shall vigorously strive to avoid any outside communication from anyone in any form concerning a matter pending

hearing or decision. If an outside contact cannot be avoided, the Council Member shall immediately make a note of the contact and shall at the beginning of the Council's hearing on the matter announce the fact of the contact, the identity of the person, and the substance of the communication. If the communication be in written form, the Council Member shall as soon as possible file it with the City Clerk.

- C. When the Council's discussion and vote on a hearing item is at a meeting other than the hearing, it shall be the obligation of every Council Member participating in the action to be familiar with the facts in order to reach an informed, independent judgment. When a member discussing or voting on the matter was not present at the hearing, that member will have familiarized themselves with the hearing item based upon any audio or video recording of the hearing and all documents contained in the record. A Council Member shall not be briefed by anyone except in an open meeting.
- D. Council Members shall disqualify themselves from participating in a hearing whenever bias, interest, or other influences will prevent or appear to prevent them from exercising fair-minded, independent judgment on the facts and established policy. Disqualifying influences include prejudgment of the issues that cannot be swayed by the facts in evidence, a partiality or personal bias for or against a party, and a personal pecuniary interest in the subject matter. Examples of disqualifying bias include a close personal, family, or business relationship with a party, ownership of property the value of which might be affected by the decision, and a business or personal financial situation that might be affected by the decision.
- E. Should a Council Member be aware of circumstances which might appear to disqualify them, they can either disqualify themselves or explain the circumstances before the hearing and let the rest of the Council, by majority vote, decide whether they can participate. Should the Council be aware of circumstances which might appear to disqualify a member, the Council may, by majority vote, disqualify the member. The Council's discussion concerning disqualification of a member may occur in executive session. A disqualified member shall be absent from the dais during the hearing and during discussion and voting.
- F. In all adjudicatory appeals and hearings, Council Members are acting in their quasi-judicial capacity and shall comply with all applicable provisions of state law including the appearance of fairness doctrine (Chapter 42.36 RCW) and the code of ethics for municipal officers in contract interests (Chapter 42.23 RCW).
- G. Adjudicatory Appeal Hearing Procedures.

At the hearing on the appeal, the following rules apply:

1. Oral argument on appeal is limited to parties of record.



2. Oral argument on appeal is limited to thirty minutes per side. If there is more than one appellant or more than one person wishing to present oral argument on appeal, the total time allowed to all such persons is thirty minutes. Any time reserved for rebuttal or surrebuttal is deducted from the time allowed for opening argument. Time taken to respond to questions from the City Council is not deducted from the time allowed for argument.
  3. Argument is presented first by the appellant in support of the appeal followed by the respondent in opposition to the appeal.
  4. No new evidence may be presented during oral argument. Matters found by the hearing officer or body to be facts in the record are presumed to be true and accurate. Oral argument is limited to stating why the record does or does not support the decision.
  5. The City Council may not consider any new facts or evidence on appeal. The City Council's review of appeals is limited to the record prepared by the hearing officer or body, including the verbatim transcript of the hearing, the written appeal, memoranda submitted, and, if permitted, oral arguments presented in accordance with the requirements of this section. Closed record appeals before the City Council must be concluded within 90 days of the date the appeal is filed unless all parties agree to a longer period.
  6. Supplemental documents.
    - a. The parties to the appeal may file memoranda regarding the appeal. Such memoranda must be filed by the agenda deadline for the meeting preceding the meeting set for consideration of the appeal.
    - b. Any replies to the memoranda must be filed by the agenda deadline for the meeting set for consideration of the appeal.
    - c. The City Clerk distributes such memoranda and responsive documents to all parties to the appeal, the City Council, the City Attorney, the Planning Director, and the Hearing Examiner.
    - d. Neither memoranda nor responses may contain any new facts or evidence or discuss matters outside the record. They are limited to stating why the record does or does not support the decision.
- H. The City Council may supplement these rules in a case-by-case situation in order to provide due process to all participants in a hearing.

## **RULE 4 – ORDINANCES AND FORMAL RESOLUTIONS**



#### Rule 4.1 FILING

- A. Unless impractical in a given case, ordinances and resolutions shall be filed with the Clerk by the advance agenda (Wednesday at 12:00 p.m.) deadline. Copies of ordinances and resolutions submitted by the advance agenda deadline shall be included in the Council's packet which will be made available by the second Friday preceding the meeting for which the ordinance is on the agenda. In any event, an ordinance or resolution must have been filed with the Clerk prior to the meeting of which it is an agenda item. No ordinance or resolution, except emergency measures, shall be passed until it has been on file with the Clerk for at least three (3) business days, including the day of the Council meeting.
- B. If an ordinance or resolution has not been on file with the Clerk for at least three (3) business days, its reading shall be a reading in full. If an ordinance or formal resolution has been so pre-filed, it shall be sufficient reading to read its title or a summary.
- C. Each ordinance or resolution shall have a succinct, plain-language title and summary which briefly describes its purpose and effect. The agenda sheet for every item shall, when filing the same with the City Clerk, specify the committee of origin for the ordinance or resolution and the names of the Council Members who are sponsoring the ordinance or resolution. Subject to Rule 5.6 (Suspension of Rules), every ordinance or resolution must be first presented in a committee before it may appear on the Council's agenda for first reading (for ordinances) or for Council consideration (for resolutions).
- D. Each ordinance or resolution which would have an impact on the fiscal condition of the City must note that fact on the agenda sheet and be accompanied by a brief description of the fiscal impact of the ordinance or resolution on the current year's budget.

#### Rule 4.2 AMENDMENT

- A. Amendment of the wording of an ordinance or resolution which appears on the current or advance Council agenda is accomplished by motion. Amendments to an ordinance or resolution should be in writing and circulated to all Council Members and the City Clerk by no later than 1:00 p.m. of the day of the meeting at which the ordinance or resolution is to be considered. Wherever practical, proposals for amendment to an ordinance or resolution should be forwarded to all Council Members by the Friday preceding the meeting at which the ordinance or resolution is to be considered. Ordinances and resolutions which are amended by oral motion at the City Council's legislative session and not circulated in writing prior to the meeting shall be carried over to the next legislative session for Council action on the amended ordinance or resolution unless such oral amending motion is made under a suspension of the rules. Amendments and substitute versions not filed with the City Clerk at least three days before the meeting shall whenever

reasonably possible be posted for public viewing on the City Council Facebook page or other similar channels so that interested members of the public may review during Council's consideration of the matter.

- B. Only the Council Members who are the sponsors of the ordinance or resolution may, jointly and absent objection, substitute a revised version of the ordinance or resolution for the one in the agenda packet between readings or between meetings when the differences between the two versions are, in the opinion of the sponsors, minor. If a Council Member objects to the substitution, then such substitution may only be accomplished by adoption of a motion of the Council. If the substituted ordinance or formal resolution makes a significant substantive change from the earlier version, the substitution shall be done only by motion of the Council.
- C. The deletion of an emergency clause converts the ordinance to a regular ordinance which requires a second reading at a subsequent meeting. The addition of an emergency clause requires the ordinance to be deferred to allow public hearing.

#### Rule 4.3      SUBJECT MATTER

The Council shall not consider or pass any ordinance or resolution the subject matter of which is not directly related to local affairs or municipal business or if action by the City Council does not result in the adoption of a new or amendment to an existing ordinance or resolution or affect any City policy or practice.

### **RULE 5 – PROCESSING ORDINANCES**

#### Rule 5.1      PUBLICATION, SIGNATURE AND RECORDING

- A. An ordinance passed by the City Council shall, within five (5) days thereafter, be presented to the Mayor.
- B. An ordinance:
  - 1. Making the annual tax levy,
  - 2. Adopting the original annual budget,
  - 3. Making appropriations,
  - 4. Implementing a local improvement district or confirming the assessments therefor,
  - 5. Which is an emergency or special budget ordinance,
  - 6. Which is an emergency ordinance, or

7. Which has been approved by the electors by referendum or initiative

shall become effective immediately upon passage.

- C. Ordinances signed by the Mayor, and the approved parts of ordinances that have been partially vetoed, will thereupon be filed with the Clerk for recording and publication if not already published.
- D. Ordinances not signed by the Mayor after ten (10) days will be filed with the Clerk for signature, recording and publication as necessary.

## Rule 5.2 VETO

If, within ten (10) days of presentment, the Mayor vetoes an ordinance or part of an ordinance, the ordinance or part thereof, along with the veto message (if any), is returned to the City Council, which shall provide a copy to the City Clerk. The City Clerk shall schedule the matter for reconsideration for the next available Council meeting, if requested by a City Council Member. If, within thirty (30) days of the Mayor's veto or partial veto, the ordinance receives at least five (5) votes for passage, it shall immediately take effect. Such ordinance will then be signed by the Council President or two Council Members and filed with the City Clerk for publication and recording.

## **RULE 6 – COMMITTEES**

### Rule 6.1 STANDING COMMITTEES – ESTABLISHMENT AND MEMBERSHIP

A. There shall be four (4) standing committees, as follows:

1. Public Safety and Community Health;
2. Finance and Administration;
3. Urban Experience;
4. Public Infrastructure, Environment and Sustainability.

B. All Council Members shall be members of each standing committee. Standing committee meetings shall be noticed as meetings of the Council where no legislative action shall occur.

C. The Council President shall chair each study session, Administrative Session and Legislative Session of the City Council. All committee chairs and vice-chairs shall be determined by majority vote of the Council and shall preside over the meetings of their respective committees.

D. The Council shall confirm the standing committee membership and leadership by

resolution adopted no later than the second meeting in January of each year or as soon thereafter as possible.

## Rule 6.2 COMMITTEE PROCESS

- A. The purposes of standing committee meetings are first to provide Council Members an opportunity to discuss potential legislation publicly and second to provide the city administration and city staff an opportunity to update Council Members regarding department programs, plans, and other administrative activities and future City Council administrative items, to brief the Council on future legislative agenda items, and to discuss strategic initiatives with the City administration and measuring progress of these initiatives. Legislative items should be in final draft form at the committee presentation.
- B. All standing committees shall be video recorded and open to the public using the appropriate method (i.e., webcasting or streaming when physical presence is not possible due to law or regulation) except during such time as the committee is in executive session consistent with the OPMA. No public testimony is taken during standing committee meetings. Participation in a standing committee meeting shall be limited to standing committee members, appropriate staff and other individuals recognized by the committee. Upon motion of the City Council, a standing committee meeting may be conducted as a meeting of the full City Council, in which case, a special meeting notice shall be issued, and the meeting shall be conducted in a study session format. Administrative support for each committee will be provided by Council office staff.
- C. Each committee shall meet monthly at 1:15 p.m. in the Council Chambers, except where cancelled or rescheduled to a different time at the discretion of the chair, in the following order:
  - 1. Public Safety and Community Health: First Monday of each month
  - 2. Urban Experience: Second Monday of each month
  - 3. Finance and Administration: Third Monday of each month
  - 4. Public Infrastructure, Environment, and Sustainability: Fourth Monday of each month
  - 5. If there is a fifth Monday in a month, that date is reserved for an additional study session if needed and as convened by the Council President.
  - 6. If a committee meeting falls on a scheduled City Holiday, the chair may cancel the meeting or reschedule it for a Monday morning in the same month.

D. Committee meeting agendas are formalized under the following process:

1. Three Wednesdays prior to the scheduled committee meeting, the committee's administrative staff will circulate a request for agenda items.
2. No later than 5:00 p.m. on the Wednesday occurring 12 days before the committee meeting, suggested agenda items and briefing papers (for both consent and discussion items) are due to be submitted to the administrative staff who circulated the request for agenda items.
  - a. At that time, the briefing paper template should be filled out and must indicate whether the preparer prefers the item to be a consent item or a discussion agenda item.
  - b. Agenda items that require no discussion at committee meetings (consent items) can be placed on any committee's agenda.
  - c. As many supporting documents as are available should be attached to the briefing paper.
  - d. Supporting attachments for consent agenda items are due at this time except with express permission by the committee chair.
3. By the Friday occurring 10 days before the committee meeting, the preliminary agenda, with briefing papers, is to be sent out to all Council Members for review.
4. No later than 10:00 a.m. on the Wednesday occurring 1 week before the committee meeting, Council Member requests for additional information on any agenda item are due.
5. At any time after briefing papers are submitted, the committee chair, vice chair and administrative leads should meet at least once to create and/or finalize the agenda.
6. The Wednesday at 5:00 p.m. prior to the committee meeting is the deadline for all supporting documents for briefing papers and addenda, if any, for discussion items.
7. After the final agenda is approved by the chair, the administrative staff circulates the final agenda by 5:00 p.m. on the Thursday prior to the committee meeting.
8. Any deviation from the schedule above (accepting briefing papers past the deadlines for example), must be approved by the committee chair.
9. All committee agenda items must have at least one Council Member identified as a sponsor of the item before being placed on a committee

agenda. If staff need help identifying a sponsor, they should consult with the committee chair, vice chair or their legislative assistants.

The regular order of business for committee meetings is as specified in the Agenda Template document attached as an exhibit to these Rules.

- E. Each item presented in committee must be accompanied by a briefing paper, using the Briefing Paper Template attached as an exhibit to these Rules, and any additional briefing or research documents necessary, unless waived in the particular case by the committee chair.
- F. Each ordinance or resolution must be presented by the Council sponsor or their designee in the appropriate committee which corresponds to the subject matter of the ordinance or resolution before it may be filed in OnBase for inclusion on the Council's legislative agenda. With the consent of the Council President, this requirement may be met by conducting a presentation of the item in a regular Council study session which has been noticed as a public meeting. Committee chairs may authorize the consideration of items outside the subject matter of their committee.
- G. By declaration of the chair (subject to a seconded appeal) or by motion of the Council, any matter before the Council may be referred to a committee, except that no committee shall investigate the facts of, nor shall any member or members of the Council take independent action on, any pending or contemplated adjudicated matters.

#### Rule 6.3 INTER-GOVERNMENTAL COMMITTEES AND BOARDS

Unless governed by other regulations, statutes, or ordinances, the nomination of the full slate of Council Members to inter-governmental committees or boards shall be made by the Council President, subject to confirmation by a majority of the City Council. All appointments shall be made consistent with the governmental documents creating the inter-governmental committee. The Council President shall appoint proxies to attend meetings when the assigned Council Member is unable to attend a meeting.

#### Rule 6.4 AD HOC COMMITTEES AND WORKING GROUPS

Ad hoc committees, also known as working groups, with specified functions may be established for a designated term or for a specific task or to advise the Council on specific subject matter, by resolution. Unless specified in the resolution which created the ad hoc committee, matters of committee business such as the appointment process and qualifications for membership, the number of members, and the deadline for any resulting reports of the ad hoc committee shall be determined by the committee itself.

#### Rule 6.5 BOARDS AND COMMISSIONS APPOINTMENT PROCESS

City Council shall interview Mayoral nominees for appointment to boards and commissions prior to considering their appointment and shall take action on each such nomination in an open public meeting. Re-appointments do not require and interview unless requested by a Council Member.

## **RULE 7 – MISCELLANEOUS**

### **Rule 7.1 COUNCIL POSITION VACANCY**

- A. Upon receipt of a written notice of a vacancy or an impending vacancy of a City Council position other than that of Council President, the Council President or designee shall announce the vacancy within seven (7) days of the receipt of the vacancy notice occurring and call for interested parties to submit their applications for consideration by a deadline stated by the Council President set with concurrence of the Council.
- B. Upon the close of the deadline, each Council Member shall review the applications, interview on an individual basis whichever applicant(s) they desire to interview and send the Council President a prioritized list of who they believe should be interviewed by the entire City Council.
- C. The Council President shall compile the Council Members' prioritization of candidates to be interviewed and schedule the top-ranked candidates to be interviewed by the entire City Council. Additional candidates may be selected for interviews by a majority vote of the Council.
- D. The Council shall conduct interviews of each individual candidate selected for interviews in an open public meeting. No public comment is permitted in such public meetings.
- E. Upon completion of the interviews, the Council, pursuant to RCW 42.30.110(1)(h), may go into executive session to evaluate the qualifications of each candidate.
- F. The Council shall take final action by resolution appointing a candidate to fill the vacancy during an open public meeting.
- G. Provisions regarding the selection of a candidate for a City Council vacancy not set forth by these rules shall be determined by the City Council by motion during an open public meeting.
- H. If the Council President position becomes vacant, the City Council may elect to appoint one of the existing Council Members to fill the position of Council President without following the selection procedure set forth above. If, upon a motion of the City Council, the City Council decides to consider someone other than an existing Council Member to fill the vacant position of Council President, the City Council shall follow the selection procedure set forth above.



## Rule 7.2 COUNCIL MEMBER DISCIPLINE

Council Members may be subject to disciplinary action only by motion adopted by the affirmative vote of five (5) members of the Council, taken in an open public meeting. Disciplinary action may be based on violation of these Rules, the City Ethics Code (SMC 01.04A), or any standards of behavior expected of elected officials, including apparent conflicts of interest, and may include, without limitation, censure, removal from membership on a standing committee, or removal from membership on an intergovernmental board or commission.

## Rule 7.3 COUNCIL STAFF

- A. Each Council Member has the sole authority to hire, direct, and discharge one legislative assistant.
- B. While all Council Members have the authority to direct a member of shared council office staff, pursuant to Charter Section 9 and SMC 02.005.030, the City Council delegates the power to hire, supervise and discharge central Council office staff to the Council President, subject to reversal by a vote of the majority of the Council Members other than the Council President.

## Rule 7.4 COUNCIL OFFICE BUDGET

- A. Any Council Member may propose to allocate funding from the approved Council office budget beyond that which is reserved for the salaries of Council Members, personal staff, and approved shared council office staff.
- B. All Council office budget allocation proposals over \$10,000 that differ from the adopted Council budget must be approved by the affirmative vote of four (4) Council Members at an open public meeting.
- C. On at least a quarterly basis, Council's Budget Manager shall make available to all Council Members a report on the status of and balances of all individual line items in the Council office budget. The Manager will also work with the Administration to pursue dashboard capability for public and Council review of all City budget line items.

## Rule 7.5 COUNCIL MEMBER AND STAFF ORIENTATION

- A. New Council Members and newly appointed staff shall receive on-boarding and orientation meetings and information within thirty (30) days of their swearing-in or appointment.
- B. Orientation materials shall be generated by shared Council staff and shall consist of at least the following:



1. Charter and Spokane Municipal Code overview;
2. Overview of the city's budget process and statutory budget requirements;
3. Overview of the Council rules of procedure and meeting process;
4. Summary of often-cited parliamentary process (i.e., motions, decorum, etc.); and
5. Overview of all standing and outside boards and commissions to which Council Members are appointed, including their functions, history, and composition.

#### Rule 7.6 COUNCIL MEMBER RESPONSIBILITIES

- A. A time commitment of approximately 30-50 hours per week is normally required to adequately fulfill the role of City Council Member.
- B. Unless excused by the Council President or committee chair, as applicable, Council Members must attend the following recurring engagements:
  1. City Council administrative and legislative sessions each Monday;
  2. Standing committee Meetings on Mondays as scheduled;
  3. Weekly study sessions, as scheduled by the Council President;
  4. Ad hoc workgroups as assigned;
  5. Outside boards and commissions as assigned (typically between 6-9);
  6. Neighborhood Council meetings from their respective Council District on a regular basis but not necessarily every scheduled meeting (typically at least two a week district wide during each of the first three weeks of a month);
  7. Constituent meetings as necessary;
  8. Staff meetings as necessary;
  9. Other Council Member meetings as necessary; and
  10. Community events as time permits.

- C. Notwithstanding the provisions of this Rule, nothing in these Rules preclude the administration from providing onboarding and orientation as to the activities and procedures followed by administration staff.

Rule 7.7 CITY COUNCIL PLANNING

- A. Council shall consider annual Council Member appointment to boards, commissions, and committees by resolution no later than the 2<sup>nd</sup> meeting of each calendar year.
- B. Council shall consider the Plan Commission's annual work program by resolution no later than February 28<sup>th</sup> of each calendar year.
- C. Council shall consider annual changes to the Council Rules by resolution no later than February 28<sup>th</sup> of each calendar year. Additional adjustments to the rules may be made by resolution.
- D. The Council President or their designee shall schedule a Council Retreat annually prior to February 28<sup>th</sup> of each calendar year. Additional retreats may be scheduled throughout the year at the Council President's discretion.

---

Adopted by Resolution 2022-\_\_\_\_\_(date)

*Exhibits:*

Briefing Paper template

Committee Agenda template

**Committee Name Committee**  
**Agenda for 1:15 p.m. Monday, Month XX, 20XX**

The Spokane City Council's **Committee Name** Committee meeting will be held at **1:15 p.m. on Month XX, 20XX**, in City Council Chambers, located on the lower level of City Hall at 808 W. Spokane Falls Blvd. The meeting can also be accessed live at <https://my.spokanecity.org/citycable5/live/> and <https://www.facebook.com/spokanecitycouncil> or by calling 1-408-418-9388 and entering the access code #2491 952 4023; meeting password 0320.

**Commented [BG1]:** NOTE: This access code may change and will need to be modified on the agenda sheet if the meeting is changed from it's regular date/time.

The meeting will be conducted in a standing committee format. Because a quorum of the City Council may be present, the standing committee meeting will be conducted as a committee of the whole council. The Finance & Administration Committee meeting is regularly held every **X** Monday of each month at 1:15 p.m. unless otherwise posted.

The meeting will be open to the public both virtually and in person, with the possibility of moving or reconvening into executive session only with members of the City Council and appropriate staff. No legislative action will be taken. No public testimony will be taken, and discussion will be limited to appropriate officials and staff.

**AGENDA**

- I. **Call to Order**
- II. **Approval of Minutes from Month XX, 20XX**
- III. **Discussion Items**
  1. **FORMAT:** Title of Discussion Item – Name of Person Leading Discussion (time allotted for discussion)
  2. **EXAMPLE:** CSO program and Next Level of Treatment (NLT) project at RPWRF – Raylene Gennett (15 minutes)
  - 3.
- IV. **Consent Items**
  1. **FORMAT:** Title of Consent Item (Name of Department Submitting Item)
  2. **EXAMPLE:** Duncan Liberty Meter Service Contract Extension (Parking Services)
  - 3.
- V. **Executive Session**

Executive Session may be held or reconvened during any **Committee Name** meeting.
- VI. **Adjournment**

**Next Committee Name Committee meeting**

The next meeting will be held at the regular date and time of 1:15 p.m. **Month XX, 20XX**.

**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 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [msteinolfson@spokanecity.org](mailto:msteinolfson@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.

## Committee Agenda Sheet

### [COMMITTEE]

<b>Submitting Department</b>	
<b>Contact Name &amp; Phone</b>	
<b>Contact Email</b>	
<b>Council Sponsor(s)</b>	
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input type="checkbox"/> Discussion     Time Requested:
<b>Agenda Item Name</b>	
<b>Summary (Background)</b>	
<b>Proposed Council Action &amp; Date:</b>	
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	

<b>Operations Impacts</b>
What impacts would the proposal have on historically excluded communities?
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

# Committee Agenda Sheet

## FINANCE & ADMINISTRATION COMMITTEE

<b>Submitting Department</b>	Facilities
<b>Contact Name &amp; Phone</b>	David Steele x6064
<b>Contact Email</b>	<a href="mailto:dsteeler@spokanecity.org">dsteeler@spokanecity.org</a>
<b>Council Sponsor(s)</b>	CM Betsy Wilkerson; CM Michael Cathcart
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion      Time Requested: _____
<b>Agenda Item Name</b>	Contract for On-Call Off-Street Parking Lot Repair & Maintenance
<b>Summary (Background)</b>	<p>In 2018 City staff oversaw pavement repair and maintenance efforts at 19 of the 75 facilities throughout the City of Spokane. In 2019, work was completed in 14 additional parking lots – no repairs/maintenance was completed in 2020 or 2021 due to COVID. In each successful year, work was completed under a \$200,000 master contract managed through Facilities and in coordination with each of the affected departments such as Fire, Police, Library and Parks.</p> <p>Funding has been identified to allow for the completion of an additional \$200,000 worth of off-street paving maintenance during the 2022 paving season. City staff released an Informal Public Works Quote request for the completion of this year's work in early 2022. This request for bids identified a list of the various common work items and associated unit costs for each. This format allows for the development of individual scopes of work for each unique location. This contract has been developed in a master contract format, providing the flexibility to complete as much work as possible at a wide variety of locations during the paving season, while working around various public events at these locations and accounting for the differing levels of work needed at each site.</p>
<b>Proposed Council Action &amp; Date:</b>	Approve Master Contract with Arrow Concrete March 21, 2022
<b>Fiscal Impact:</b> Total Cost: Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: General Fund  Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring  Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts: Extending the life of existing parking investments and infrastructure</b>	
What impacts would the proposal have on historically excluded communities? Much of the work completed under this contract will be completed in or at Parks, Fire Stations, and Neighborhood Centers. These locations provide recreational opportunities, safety, and a wide range of resources for all of Spokane's communities.	

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

NA

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Each season this contract is bid with a standardized list of bid items, this allows for a long-term evaluation of cost trends, material effectiveness and durability, and tracking of the overall strategy utilized to lengthen the life of the City's off street parking infrastructure. Utilizing data points over time, it allows staff to identify trendlines and pinpoint when a parking lot should be replaced rather than repaired.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

The ongoing maintenance and repair of the City of Spokane's off-street parking lots continues to invest in our facilities in a manner that prevents premature deterioration of our parking infrastructure, which would result in additional replacement costs. This program provides a manageable cycle of investment that impacts a wide range of Departments, if community wide, and demonstrates good stewardship practices for City resources.



# Committee Agenda Sheet

## Finance and Administration Committee

### March 21, 2022

<b>Submitting Department</b>	FLEET SERVICES
<b>Contact Name &amp; Phone</b>	RICHARD GIDDINGS, 509-625-7706
<b>Contact Email</b>	RGIDDINGS@SPOKANECITY.ORG
<b>Council Sponsor(s)</b>	BETSY WILKERSON
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	UBIT TRUCK REBUILD
<b>Summary (Background)</b>	Fleet Services requests approval of the Ubit Truck Rebuild by Aspen Aerials. Rebuild is a safety requirement. Total cost of rebuild is \$403,034.04, including tax.
<b>Proposed Council Action &amp; Date:</b>	March 21, 2022, Approval
<b>Fiscal Impact:</b> Total Cost: estimated: \$150,000 Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Parts will be purchased on an as needed basis. Total expenditure is estimated at \$150,000. Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities? n/a	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? n/a	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? We will continue to monitor pricing and availability of such services. This particular service can only be performed by the manufacturer since it is their equipment.	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? n/a	

# Committee Agenda Sheet

## Finance and Administration Committee

### March 21, 2022

<b>Submitting Department</b>	FLEET SERVICES
<b>Contact Name &amp; Phone</b>	MICAELA MARTINEZ, 509-449-0959
<b>Contact Email</b>	MMARTINEZ@SPOKANECITY.ORG
<b>Council Sponsor(s)</b>	BETSY WILKERSON
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	AIR BRAKE PARTS VB RENEWAL
<b>Summary (Background)</b>	Fleet Services would like to renew the Air Brake Parts Value Blanket for one year. This will be renewal 2 of 4. The Air Brake Parts Value Blanket provides Fleet Services with parts needed for the repair and maintenance of City Fleet. VB yearly expenditure is set at \$150,000.
<b>Proposed Council Action &amp; Date:</b>	March 21, 2022, Approval
<b>Fiscal Impact:</b> Total Cost: estimated: \$150,000 Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A  Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source:  Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Parts will be purchased on an as needed basis. Total expenditure is estimated at \$150,000. Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts</b>	
What impacts would the proposal have on historically excluded communities? n/a	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? n/a	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? We will continue to monitor pricing and availability of parts to ensure we are purchasing appropriately.	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? n/a	