

CITY OF SPOKANE



REGARDING CITY COUNCIL MEETINGS

City Council's standing committee meetings, Briefing Sessions, Legislative Sessions and study sessions are held in City Council Chambers – Lower Level of City Hall, 808 W. Spokane Falls Blvd.

City Council Members, City staff, presenters and members of the public have the option to participate virtually via WebEx during all meetings, with the exception of Executive Sessions which are closed to the public. Call in information for the December 16, 2024, meetings is below. All meetings will be streamed live on Channel 5 and online at <https://my.spokanecity.org/citycable5/live> and <https://www.facebook.com/spokanecitycouncil>.

WebEx call in information for the week of December 16, 2024:

3:30 p.m. Briefing Session: 1-408-418-9388; access code: 249 250 76017; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 248 083 29311; password: 0320

Thursday Study Session: 1-408-418-9388; access code: 249 143 67432; password: 0320

To participate in public comment (including Open Forum):

Testimony sign-up is open beginning at 5:00 p.m. on Friday, December 13, 2024, and ending at 6:00 p.m. on Monday, December 16, 2024, via the online testimony sign-up form link which can be accessed by clicking <https://forms.gle/Vd7n381x3seaL1NW6> or in person outside council chambers beginning at 8:00 a.m. on December 16, 2024. You must sign up by 6:00 p.m. to be called on to testify. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Instructions for participation are provided on the form when you sign up.

The open forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City and not relating to the current or advance agendas, pending hearing items, or initiatives or referenda in a pending election. "Affairs of the city" shall include (i) matters within the legislative, fiscal or regulatory purview of the city, (ii) any ordinance, resolution or other official act adopted by the city council, (iii) any rule adopted by the city, (iv) the delivery of city services and operation of city departments, (v) any act of members of the city council, the mayor or members of the administration, or (vi) any other matter deemed by the council president to fall within the affairs of the city, which determination may be overridden by majority vote of the council members present. Individuals speaking during the open forum shall address their comments to the council president and shall maintain decorum as laid out in Rule 2.15 (Participation by Members of the Public in Council Meetings).

**CITY COUNCIL MEETINGS
RULES – PUBLIC DECORUM**

Strict adherence to the following rules of decorum by the public will be observed and adhered to during City Council meetings, including open forum, public comment period on legislative items, and Council deliberations:

- 1. No Clapping!**
- 2. No Cheering!**
- 3. No Booing!**
- 4. No public outbursts!**
- 5. Two-minute time limit for comments made during open forum, and three-minute time limit on public testimony regarding legislative items!**

In addition, please silence your cell phones when entering the Council Chambers!

Further, keep the following City Council Rules in mind:

Rule 2.2 OPEN FORUM

- A. After the conclusion of all legislative business, the council shall recess briefly and then convene for an open forum, unless a majority of council members vote otherwise. The open forum shall have twenty (20) spaces available. The individuals assigned to the twenty (20) spaces available will be chosen at random, with preference given to individuals who have not spoken at open forum during that calendar month. The council shall conclude open forum after twenty (20) speakers unless a majority of council members vote to allow additional speakers. The city clerk and other staff shall not be required to remain in attendance during the open forum. Nothing in this Rule 2.2 shall be deemed to require open forum or the legislative session to continue after 10:00 p.m., or to require open forum during a council “Town Hall” meeting contrary to Rule 2.14.F.
- B. Members of the public can sign up for open forum beginning no later than 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the virtual testimony form linked in the meeting packet or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. Speakers must sign themselves in using a name. Members of the public who are unable to sign up during the sign-up period or who attempt to sign up late will be added to the list of speakers at the discretion of the chair, or their designee. The order of the speakers will be determined at the discretion of the chair, taking into account any special accommodations for persons of limited English proficiency as provided in Rule 2.2.F below. Each speaker shall be limited to no more than two (2) 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. “Affairs of the city” shall include (i) matters within the legislative, fiscal or regulatory purview of the city, (ii) any ordinance, resolution or other official act adopted by the city council, (iii) any rule adopted by the city, (iv) the delivery of city services and operation of city departments, (v) any act of members of the city council, the mayor or members of the administration, or (vi) any other matter deemed by the council president to fall within the affairs of the city, which determination may be overridden by majority vote of the council members present. Absent permission of the chair, no person shall be permitted to speak in open forum regarding items on that week’s current agenda or the next week’s advanced agenda, pending hearing items, or initiatives or referenda in a pending election. Legal or personal matters between private parties that do not impact the governance of the City of Spokane are not a permissible topic of open forum testimony.
- E. No person shall be permitted to display visual information during open forum, including but not limited to presentations, videos, or other media; however, members of the public may share this information with the council by emailing them at citycouncil2@spokanecity.org. Individuals speaking during open forum shall address their comments to the council president, and speakers as well as members of the audience shall comply with Rule 2.15 (Participation by Members of the Public in Council Meetings).
- F. Participation of individuals with limited English language proficiency in open forum shall be accommodated to the extent set forth in Rule 2.15.J.

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.

Rule 2.15 PARTICIPATION OF MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS

The council encourages public participation in the legislative process. Council meetings shall be conducted in a manner that provides the opportunity for all attendees to hear, see and participate in the proceedings to the extent provided in these Rules and applicable city, state, and federal law. Speech or conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any council meeting is prohibited. In addition to these general principles governing public participation, the following specific rules apply:

- A. Members of the public may address the council regarding the following items during the council's legislative session: the consent agenda as a whole, all first reading ordinances together (with the exception of first reading ordinances associated with hearings, which shall be taken separately), final readings of regular and special budget ordinances, emergency ordinances, hearing items, special considerations, 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. Those who wish to provide commentary but do not wish to give verbal comments at the podium may provide written comments to the council via letter or electronic mail.
- F. No person shall be permitted to conduct demonstrations, display banners, hold signs, applaud or boo speakers, use profanity, vulgar language or obscene speech, yell or make comments that attack or verbally insult any individual, or engage in other such disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the proceedings.
- G. Standing is permitted so long as doing so maintains compliance with applicable fire codes and the Americans with Disability Act (ADA), does not interfere with reserved seating areas, and does not impede access to entrances and exits to the Council Chambers, aisles, or pathways inside the Council Chambers. Attendees shall be mindful not to obstruct the views of others in Council Chambers when standing.
- H. A speaker asserting a statement of fact may be asked by a council member to document and identify the sources of the factual datum being asserted.
- I. 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.
- J. City employees or city officials (including members of city boards and commissions) 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 while in uniform; or city property, including using a city-issued computer or cell phone, in giving testimony.
- K. 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 and avoiding unlawful harassment 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 advisor and/or a 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. All persons attending city council meetings or city council sponsored meetings shall refrain from harassing other attendees or risk being removed and/or prohibited from attending future meetings.

- L. The city council intends to fully comply with chapter 18.11 SMC, Language Access in Municipal Proceedings. Rules regarding participation of individuals in council proceedings, including legislative sessions and open forum, shall be deemed amended to conform to any Language Access Plan adopted by the council pursuant to SMC 18.11.030. Except as otherwise provided in an adopted Language Access Plan, individuals with limited English language proficiency are encouraged to contact the council office director at least five (5) days prior to a scheduled legislative session for assistance with the signing up to testify or to arrange translation or interpretation assistance.
- M. City council legislative sessions are regularly video and audio recorded and available online (<https://vimeo.com/spokanecitycouncil>). Members of the public may also photograph or film council proceedings so long as doing so maintains compliance with applicable fire codes and the Americans with Disability Act (ADA), does not interfere with reserved seating areas, and does not impede access to entrances and exits to the Council Chambers, aisles, or pathways inside the Council Chambers. Attendees shall be mindful not to obstruct the views of others in Council Chambers when photographing or recording. No flash photography or other lighting is permitted.
- N. RCW 42.17A.555 generally prohibits the use of city facilities for electioneering. Therefore, no person may use the council meeting or facilities for the purpose of assisting a campaign for election of any person to any office, or for the promotion of or opposition to any ballot proposition. In this context, the term “facilities” includes council chambers, the council gallery and the speaking opportunities available through the public comment and open forum procedures set forth in these rules.

Rule 2.16 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS

- A. Members of the public can sign up to give testimony beginning no later than 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the online testimony sign-up form linked in the meeting packet or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. Speakers must sign in using a name. Members of the public who are unable to sign up during the sign-up period or who attempt to sign up late will not be added to the list of speakers. The order of the speakers shall be determined at the discretion of the chair.
- B. The city council shall take public testimony on all matters included on its legislative agenda as described at Rule 2.15(A), with those exceptions stated in Rule 2.16(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. The chair, absent a majority vote of the council, has the authority to lower the three (3) minutes per speaker time limit by announcing the new, lower time limit at the legislative session. 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. Testimony on a legislative item deferred to a future date shall be taken on the future date, unless testimony on the date of deferral is allowed by the Council President.
- C. No public testimony shall be taken on oral amendments to consent or legislative agenda items, votes to override a mayoral veto, or solely procedural, parliamentary, or administrative matters of the council.
- D. Public testimony will be taken on consent and 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.
- E. 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.
- F. 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.
 - G. No person shall be permitted to display visual information during their testimony, including but not limited to presentations, videos, or other media; however, members of the public may share this information with the council by emailing them at citycouncil2spokanecity.org.
 - H. In addition to in-person or remote verbal testimony, testimony may also be submitted by mail to City Council Office, Spokane City Hall, 808 W. Spokane Falls Blvd., Spokane, WA, 99201, by email to all council members, or via the contact form on the council's website.¹

¹ <https://my.spokanecity.org/citycouncil/members/>

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, DECEMBER 16, 2024

MISSION STATEMENT

**TO DELIVER EFFICIENT AND EFFECTIVE SERVICES
THAT FACILITATE ECONOMIC OPPORTUNITY
AND ENHANCE QUALITY OF LIFE.**

MAYOR LISA BROWN

COUNCIL PRESIDENT BETSY WILKERSON

COUNCIL MEMBER JONATHAN BINGLE

COUNCIL MEMBER MICHAEL CATHCART

COUNCIL MEMBER PAUL DILLON

COUNCIL MEMBER KITTY KLITZKE

COUNCIL MEMBER LILI NAVARRETE

COUNCIL MEMBER ZACK ZAPPONE

**CITY COUNCIL CHAMBERS
CITY HALL**

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

LAND ACKNOWLEDGEMENT

We acknowledge that we are on the unceded land of the Spokane people. And that these lands were once the major trading center for the Spokanes as they shared this place and welcomed other area tribes through their relations, history, trade, and ceremony. We also want to acknowledge that the land holds the spirit of the place, through its knowledge, culture, and all the original peoples Since Time Immemorial.

As we take a moment to consider the impacts of colonization may we also acknowledge the strengths and resiliency of the Spokanes and their relatives. As we work together making decisions that benefit all, may we do so as one heart, one mind, and one spirit.

We are grateful to be on the shared lands of the Spokane people and ask for the support of their ancestors and all relations. We ask that you recognize these injustices that forever changed the lives of the Spokane people and all their relatives.

We agree to work together to stop all acts of continued injustices towards Native Americans and all our relatives. It is time for reconciliation. We must act upon the truths and take actions that will create restorative justice for all people.

Adopted by Spokane City Council on the 22nd day of March, 2021
via Resolution 2021-0019

BRIEFING AND LEGISLATIVE SESSIONS

The Briefing Session is open to the public, but will be a workshop meeting. Discussion will be limited to Council Members and appropriate Staff and Counsel. The Legislative Session is also open to the public and public comment will be taken on Legislative Session items, except those that are adjudicatory or solely administrative in nature. Following the conclusion of the Legislative Agenda, an Open Forum will be held unless a majority of Council Members vote otherwise. Please see additional Open Forum information that appears at the end of the City Council agenda.

SPOKANE CITY COUNCIL BRIEFING SESSIONS (BEGINNING AT 3:30 P.M. EACH MONDAY) AND LEGISLATIVE SESSIONS (BEGINNING AT 6:00 P.M. EACH MONDAY) ARE BROADCAST LIVE ON CITY CABLE CHANNEL FIVE AND STREAMED LIVE ON THE CHANNEL FIVE WEBSITE. THE SESSIONS ARE REPLAYED ON CHANNEL FIVE ON THURSDAYS AT 6:00 P.M. AND FRIDAYS AT 10:00 A.M.

ADDRESSING THE COUNCIL

- 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.
- Each person speaking at the public microphone shall verbally identify themselves by name, city of residency and, if appropriate, representative capacity.
- 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. (If you are submitting letters or documents to the Council Members, please provide a minimum of ten copies via the City Clerk. The City Clerk is responsible for officially filing and distributing your submittal.)
- 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 including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults will be permitted. To prevent disruption of council meetings and visual obstruction of proceedings, members of the audience shall remain seated during council meetings.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.
- When addressing the Council, members of the public shall direct all remarks to the Council President, and shall confine their remarks to the matters that are specifically before the Council at that time or, if speaking during Open Forum, shall confine their remarks to affairs of the city.
- City staff may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they follow the steps outlined in the City Council Rules of Procedure.

SPEAKING TIME LIMITS: Unless the time limit is adjusted by a majority vote of the Council, each person addressing the Council shall be limited to a two-minute speaking time during Open Forum and a three-minute speaking time for other matters. 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. Note: No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council, including veto overrides.

CITY COUNCIL AGENDA: The City Council Advance and Current Agendas may be obtained prior to Council Meetings by accessing the City's website at <https://my.spokanecity.org/citycouncil/documents/>.

BRIEFING SESSION

(3:30 p.m.)

(Council Chambers Lower Level of City Hall)
(No Public Testimony Taken)

ROLL CALL OF COUNCIL

INTERVIEWS OF NOMINEES TO BOARDS AND COMMISSIONS

COUNCIL OR STAFF REPORTS OF MATTERS OF INTEREST

ADVANCE AGENDA REVIEW (Staff or Council Member briefings and discussion)

APPROVAL BY MOTION OF THE ADVANCE AGENDA

CURRENT AGENDA REVIEW (Presentation of any new background information and discussion of any adjustments)

EXECUTIVE SESSION

(Closed Session of Council)

(Executive Session may be held or reconvened during the 6:00 p.m. Legislative Session)

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

PLEDGE OF ALLEGIANCE

WORDS OF INSPIRATION AND SPECIAL INTRODUCTIONS

ROLL CALL OF COUNCIL

PROCLAMATIONS AND SALUTATIONS

REPORTS FROM COMMUNITY ORGANIZATIONS

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

APPOINTMENTS

RECOMMENDATION

Climate Resilience and Sustainability Board: One Confirm CPR 2024-0030
Appointment – Kit Parker

CONSENT AGENDA

The consent agenda consists of purchases and contracts for supplies and services provided to the city, as well as other agreements that arise (such as settlement or union agreements), and weekly claims and payments of previously approved obligations and biweekly payroll claims against the city. Any agreement over \$50,000 must be approved by the city council. Typically, the funding to pay for these agreements has already been approved by the city council through the annual budget ordinance, or through a separate special budget ordinance. If the contract requires a new allocation of funds, that fact usually will be indicated in the summary of the contract in the consent agenda.

Unless a council member requests that an item be considered separately, the council approves the consent agenda as a whole in a single vote. Note: The consent agenda is no longer read in full by the city clerk. The public is welcome to testify on matters listed in the consent agenda, but individual testimony is limited to three minutes for the entire consent agenda.

REPORTS, CONTRACTS AND CLAIMS

RECOMMENDATION

- | | | |
|--|------------------------------------|---------------|
| 1. Acceptance of Grant Award from Washington State Department of Commerce for Organized Retail Theft Pilot Program from November 1, 2024, through June 30, 2025—\$90,000. (Council Sponsors: Council President Wilkerson and Council Members Dillon and Cathcart)
Mike McNab | Approve | OPR 2024-1073 |
| 2. Report of the Mayor of pending: | Approve &
Authorize
Payments | |
| a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2024, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | | CPR 2024-0002 |
| b. Payroll claims of previously approved obligations through _____, 2024: \$_____. | | CPR 2024-0003 |

- 3. a. City Council Meeting Minutes: _____, Approve All CPR 2024-0013
2024.
 - b. City Council Standing Committee Meeting
Minutes: _____, 2024.
-

LEGISLATIVE AGENDA

NO SPECIAL BUDGET ORDINANCES

NO EMERGENCY ORDINANCES

NO RESOLUTIONS

FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

- ORD C36625 Relating to the Accounting and Grants Department; amending Section 03.01A.215 of the Spokane Municipal Code. (Council Sponsors: Council President Wilkerson and Council Members Cathcart and Zappone)
Matt Boston
- ORD C36627 Relating to the Small Works Roster; amending SMC section 07.06.165; and repealing SMC section 07.06.167. (Council Sponsors: Council President Wilkerson and Council Members Cathcart and Zappone)
Jason Nechanicky
- ORD C36628 Relating to Spokane City Council meetings and amending sections 02.005.010, 02.01.010 and 02.01.030 of the Spokane Municipal Code, and repealing Section 02.01.020 of the Spokane Municipal Code. (Council Sponsors: Council President Wilkerson and Council Members Cathcart and Zappone)
Chris Wright

NO FIRST READING ORDINANCES

NO SPECIAL CONSIDERATIONS

NO HEARINGS

OPEN FORUM

At the conclusion of legislative business, the Council shall recess briefly and then hold an open public comment period for up to 20 (twenty) speakers, unless a majority of council members vote otherwise. Each speaker is limited to no more than two minutes. In order to participate in Open Forum, you must sign up beginning at 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the virtual testimony form linked in the meeting packet (<https://my.spokanecity.org/citycouncil/documents/>) or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. The virtual sign-up form can also be found here: <https://forms.gle/Vd7n381x3seaL1NW6>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Speakers must sign themselves in using a name. The individuals assigned to the twenty (20) spaces available will be chosen at random, with preference given to individuals who have not spoken at open forum during that calendar month. Instructions for virtual participation are provided on the form when you sign up. The Open Forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City other than items appearing on the Current or Advance Agendas, pending hearing items, and 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.

Motion to Approve Advance Agenda for December 16, 2024 (per Council Rule 2.1.B)

ADJOURNMENT

The December 16, 2024, Regular Legislative Session of the City Council will be held and is adjourned to January 6, 2025.

Note: The City Council's regularly scheduled meetings for December 23 and December 30, 2024, are canceled in recognition of the Christmas and New Year's Holidays.

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 Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mlowmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact Risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.



NOTES

**Agenda Sheet for City Council:****Committee:** **Date:** N/A**Committee Agenda type:****Date Rec'd**

12/3/2024

Clerk's File #

CPR 2024-0030

Cross Ref #**Project #****Council Meeting Date:** 12/16/2024**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

Boards and Commissions

Council Sponsor(s)**Agenda Item Name**

APPOINTMENT OF KIT PARKER TO THE CLIMATE RESILIENCE AND

Agenda Wording

Mayor Brown has appointed Kit Parker to the Climate Resilience and Sustainability Board for a term of December 16, 2024 - December 16, 2026.

Summary (Background)

Mission Statement/Purpose: The purpose of the Climate Resilience and Sustainability Board is to provide advice and recommendations to the Mayor, City Council, and community on the actions necessary to achieve the community's sustainability and climate goals consistent with the City's Comprehensive Plan, Sustainability Action Plan, environmental stewardship policies of the City as adopted by the City Council, and within the requirements and parameters set forth in state law.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact

Approved in Current Year Budget? N/A

Total Cost

\$

Current Year Cost

\$

Subsequent Year(s) Cost

\$

Narrative**Amount****Budget Account**

Select

\$

#

Select

\$

#

Select

\$

#

Select

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Committee Agenda Sheet

Select Committee Name

Committee Date	December 16, 2024
Submitting Department	Mayor's Office
Contact Name	Adam McDaniel
Contact Email & Phone	amcdaniel@spokanecity.org 625-6779
Council Sponsor(s)	Please enter the name of the Council Sponsor(s)
Select Agenda Item Type	<input type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Appointment of Kit Parker to the Climate Resilience and Sustainability Board
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>Mayor Brown has appointed Kit Parker to the Climate Resilience and Sustainability Board for a term of December 16, 2024 – December 16, 2026.</p> <p>Mission Statement/Purpose: The purpose of the Climate Resilience and Sustainability Board is to provide advice and recommendations to the Mayor, City Council, and community on the actions necessary to achieve the community's sustainability and climate goals consistent with the City's Comprehensive Plan, Sustainability Action Plan, environmental stewardship policies of the City as adopted by the City Council, and within the requirements and parameters set forth in state law.</p> <p>Membership: The Climate Resilience and Sustainability Board membership consists of diverse and broad representation including but not limited to:</p> <ol style="list-style-type: none"> 1. members of impacted communities facing disproportionate environmental and health disparities; 2. individuals with expertise in public health, emergency management, climate planning, or sustainability and resiliency initiatives; 3. business leaders and entrepreneurs with experience implementing sustainability and resiliency initiatives; and 4. students of secondary and postsecondary education institutions within the city of Spokane.
<p>Fiscal Impact</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Total Cost: Click or tap here to enter text.</p> <p> Current year cost:</p> <p> Subsequent year(s) cost:</p> <p>Narrative: Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue</p> <p>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Specify funding source: Select Funding Source*</p> <p>Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.</p>	

Expense Occurrence One-time Recurring N/A

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

Operations Impacts (If N/A, please give a brief description as to why)

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?

This appointment aligns with the requirements of SMC 04.41.020



Agenda Sheet for City Council:

Committee: Public Safety **Date:** 12/02/2024

Committee Agenda type: Consent

Date Rec'd

11/25/2024

Clerk's File #

OPR 2024-1073

Cross Ref #

Project #

Council Meeting Date: 12/16/2024

Submitting Dept

POLICE

Bid #

Contact Name/Phone

MIKE MCNAB 4115

Requisition #

Contact E-Mail

MMCNAB@SPOKANEPOLICE.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

PDILLON MCATHCART BWILKERSON

Agenda Item Name

1620 - ORGANIZED RETAIL CRIME GRANT AWARD

Agenda Wording

Spokane Police Department was awarded and is requesting acceptance of a new grant award from the WA State Department of Commerce for the Organized Retail Theft pilot program.

Summary (Background)

This funding will be used specifically for law enforcement to coordinate effective responses to organized retail crime with a focus on diversion-oriented programs and restitution in Spokane County. SPD will be allocated \$90,000 to conduct special emphasis patrols on regular and/or overtime. This grant has a period of performance of November 1, 2024 to June 30, 2025.

Lease? NO

Grant related? YES

Public Works? NO

Fiscal Impact

Approved in Current Year Budget? NO

Total Cost \$ 90,000.00

Current Year Cost \$ 90,000.00

Subsequent Year(s) Cost \$ 0

Narrative

Reimbursement grant of SPD costs and activity under this project scope of work. WA State Dept of Commerce pilot program grant funding for regular/overtime costs of SPD emphasis on retail crime.

Amount

Budget Account

Revenue \$ 90,000.00

1620-91833-99999-33442-99999

Expense \$ 90,000.00

1620-91833-21250-VARIOUS

Select \$

#

Select \$

#

\$

#

\$

#



Continuation of Wording, Summary, Approvals, and Distribution

Agenda Wording

Summary (Background)

Approvals

<u>Dept Head</u>	MCNAB, MICHAEL
<u>Division Director</u>	MCNAB, MICHAEL
<u>Accounting Manager</u>	SCHMITT, KEVIN
<u>Legal</u>	SCHOEDEL, ELIZABETH
<u>For the Mayor</u>	SCOTT, ALEXANDER

Additional Approvals

<u>PS EXEC REVIEW</u>	YATES, MAGGIE
<u>ACCOUNTING -</u>	MURRAY, MICHELLE

Distribution List

Dan Floyd dan@htcrelay.com	SPDFinance@spokanecity.org
Brian Eckersley beckersley@spokanepolice.org	Rob Boothe rboothe@spokanepolice.org
Tracie Meidl tmeidl@spokanepolice.org	

Committee Agenda Sheet

Public Safety & Community Health Committee

Committee Date	December 2 nd , 2024
Submitting Department	Police
Contact Name	Michael McNab
Contact Email & Phone	mmcnab@spokanepolice.org 625-4115
Council Sponsor(s)	Councilmembers Dillion, Cathcart & CP Wilkerson
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Organized Retail Crime Grant Award
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>SPD was awarded and is requesting acceptance of new grant award from the WA State Department of Commerce for the Organized Retail Theft pilot program.</p> <p>This funding will be used specifically for law enforcement to coordinate effective responses to organized retail crime with a focus on diversion-oriented programs and restitution in Spokane County.</p> <p>SPD will be allocated \$90,000 to conduct special emphasis patrols on regular and/or overtime.</p> <p>This grant has a period of performance of November 1 , 2024 to June 30, 2025.</p>
<p>Fiscal Impact</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Total Cost: <u>\$90,000</u></p> <p style="padding-left: 20px;">Current year cost: \$ 90,000</p> <p style="padding-left: 20px;">Subsequent year(s) cost: \$0</p> <p>Narrative: <u>Reimbursement grant of SPD costs and activity under this project scope of work.</u></p> <p>Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A</p> <p>Specify funding source: Grant</p> <p>Is this funding source sustainable for future years, months, etc? <u>WA State Dept of Commerce pilot program grant funding for regular/overtime costs of SPD emphasis on retail crime.</u></p> <p>Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities?	

While the contacts/arrests will be reactive, based on who commits the criminal activity, the diversion portion of the grant will provide alternatives to incarceration. Diversion programs can be beneficial to 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?

Data on the effectiveness and disparities of the program will be collected and reported by SPD and Spokane County Prosecutor's Office to WAORCA, the grant recipient, and given to WA Department of Commerce, in accordance with the grant requirements.

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

Data on the effectiveness of the program will be collected and reported by WAORCA, the grant recipient, and given to WA Department of Commerce, in accordance with the grant requirements.

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 grant proposal aligns with current City Policies, the Comprehensive Plan, Sustainability Action Plan, Neighborhood Master Plans, and Council Resolutions. It will improve SPD's budget line, as it adds funding to allow Police operations to continue in an effective manner, while providing necessary diversion, with the goal of making Spokane a safer place to live and thrive.

**PILOT PROGRAM CONTRACT BETWEEN THE
Washington Organized Retail Crime Association AND Spokane Police Department**

THIS CONTRACT is made and entered into by and between the Washington Organized Retail Crime Association, hereinafter referred to as "WAORCA," and Spokane Police Department, hereinafter referred to as "SUB-RECIPIENT."

NOW THEREFORE, in consideration of the authority provided WAORCA terms, conditions, covenants, and performance contained herein, or attached and incorporated and made a part hereof, the parties mutually agree as follows:

1. PURPOSE OF THE CONTRACT:

The purpose of this Contract is to provide funding, provided by the Washington State Department of Commerce for the Organized Retail Theft pilot program: **Spokane County Pilot Program**, specifically to provide funding for the law enforcement agencies in the City of Spokane to conduct straight time or overtime enforcement activities (retail theft emphasis blitz and patrols) as outlined in the Project Overview and Scope of Work (SOW). The Law Enforcement Liaison (LEL) shall coordinate the SOW with the SUB-RECIPIENT with the goal of coordinating effective responses to organized retail crime. By signing this contract, the SUB-RECIPIENT can seek reimbursement for straight time or overtime for approved law enforcement activity expenses incurred as a participant in the **Spokane County Pilot Program** grant project.

2. PERIOD OF PERFORMANCE

The period of performance of this Contract shall commence upon the date of execution by both parties, but not earlier than November 1, 2024, and remain in effect until June 30, 2025, unless terminated sooner, as provided herein.

3. SCOPE OF WORK

3.1 Purpose

Create a local pilot program to coordinate effective responses to organized retail crime with a focus on diversion-oriented programs and restitution in Spokane County. WAORCA will facilitate and manage meetings, goals, execution of SOW, and data collection for the local pilot program. The Spokane County Oversight Committee members include retail stores, law enforcement, Spokane County Felony Diversion Program, and a dedicated prosecutor.

In selecting the Spokane County, WAORCA considered the diversity in the types of impacted businesses to ensure a variety of businesses are incorporated into the pilot program area. WAORCA measured support from local government organizations and the willingness to partner with other community interests to enhance responses to crimes.

3.2 Project Goals

WAORCA has identified Spokane County and its listed Oversight Committee with the purpose of achieving the following goals:

- Increase reporting of organized retail crime instances.
- Increase law enforcement responses to reported organized retail crime instances.
- Identify or hire a designated prosecutor focused on organized retail crime in Spokane County.
- Enhance the coordination between retail stores, law enforcement, and diversion programs with the designated prosecutor,
- Coordinate and track offenders that are eligible and referred to diversion-oriented programs, and
- Focus prosecution on known high utilizers when the local team has determined diversion-oriented programs and restitution are not options.

For each of the goals, WAORCA will work with the Spokane County Oversight Committee to establish measurable metrics to understand the benefits or changes in outcomes from the previously stated goals. In addition, committee members will establish best practices learned from the community activities that can be used or avoided in other organized retail crime prevention efforts.

3.3 Specific Measurables

will include:

- Number of Organized Retail Crime reports generated in Spokane County Pilot Program Area.
- Number of Law Enforcement responses generated in Spokane County Pilot Program Area.
- Number of people eligible for diversion-oriented programs in Spokane County Pilot Program Area.
- Number of people offered diversion in Spokane County Pilot Program Area.
- Number of diversions initiated in Spokane County Pilot Program Area.
- Subjective list of ORC prevention and diversion oriented focused best practices.

3.4 Compensation

The cost of accomplishing the work described in the SOW will not be reimbursed greater than budget dollar total from amounts listed below. WAORCA will reimburse for personnel straight time or overtime expenses. Health insurance, or any other benefits not listed, are not eligible for reimbursement.

The SUB-RECIPIENT will provide law enforcement officers with appropriate equipment (e.g., vehicles, radars, portable breath testers, etc.) to participate in the emphasis patrols and blitzes.

Funding alterations are permitted as follows: Upon contract by the WAORCA and all other parties impacted by a proposed budget alteration, the budget category amounts may be increased or decreased without amending this contract, so long as the total grant award amount does not increase.

These funds are intended to pay for the hourly straight time or overtime costs of commissioned staff pursuing the activities described in the statement of work. These funds may not be used for any other purpose, for example any work required to maintain a law enforcement commission including recertification training like firearm qualification. By signing this contract, SUB-RECIPIENT agrees to supply all necessary equipment and vehicles needed to accomplish the work in the scope of work. WAORCA is not responsible for any equipment that is lost, stolen, or destroyed in the execution of the scope of work.

Transport Officers: WAORCA will reimburse SUB-RECIPIENT for transport officers for their work on this project.

3.5 Project Costs

WAORCA has awarded \$283,333.33 to the **Spokane County Pilot Program**, with \$90,000 budgeted for the purpose of funding law enforcement to the goal of coordinating effective responses to organized retail crime. By signing this contract, the SUB-RECIPIENT can seek reimbursement for approved straight time or overtime expenses incurred as a participant in this grant. Funds are expressly designated for staffing activities and may not be used for other expenses that may be incurred, such as vehicle damage, supply replacement, etc.

4. ADVANCE PAYMENTS PROHIBITED

No payments in advance of or in anticipation of goods or services to be provided under this Contract shall be made by the WAORCA.

5. CONTRACT ALTERATIONS AND AMENDMENTS

This Contract may be amended by mutual contract of the Parties in the form of a written request to amend this Contract. Such amendments shall only be binding if they are in writing and signed by personnel authorized to bind each of the Parties. Changes to the budget, SUB-RECIPIENT'S, Primary Contact, and WAORCA Program Manager can be made through email communication and signatures are not required.

6. ALL WRITINGS CONTAINED HEREIN

This Contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto.

7. ASSIGNMENT

The SUB-RECIPIENT may not assign the work to be provided under this Contract, in whole or in part, without the express prior written consent of the WAORCA, which consent shall not be unreasonably withheld. The SUB-RECIPIENT shall provide the WAORCA program manager with a copy of all third-party contracts and contracts entered into for purposes of fulfilling the SOW. Such third-party contracts and contracts must follow applicable federal, state, and local law, including but not limited to procurement law, rules, and procedures.

8. ATTORNEYS' FEES

In the event of litigation or other action brought to enforce the Contract terms, each party agrees to bear its own attorney fees and costs.

9. BILLING PROCEDURE

All invoices for reimbursement will be submitted to WAORCA via email. All communication and invoicing can be sent to Dan Floyd at dan@htcrelay.com on or before the 30th day of each month.

10. GOVERNANCE

10.1. This Contract is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Contract shall be construed to conform to those laws.

10.2. In the event of an inconsistency in the terms of this Contract, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

- 10.2.1. Applicable federal and state statutes and rules
- 10.2.2. Terms and Conditions of this Contract
- 10.2.3. Any Amendment executed under this Contract
- 10.2.4. Any SOW executed under this Contract
- 10.2.5. Any other provisions of the Contract, including materials incorporated by reference

11. INDEMNIFICATION

11.1. To the fullest extent permitted by law, the SUB-RECIPIENT shall indemnify and hold harmless the WAORCA, its officers, employees, and agents, and process and defend at its own expense any and all claims, demands, suits at law or equity, actions, penalties, losses, damages, or costs of whatsoever kind ("claims") brought against WAORCA arising out of or in connection with this Contract and/or the SUB-RECIPIENT's performance or failure to perform any aspect of the Contract.

This indemnity provision applies to all claims against WAORCA, its officers, employees, and agents arising out of, in connection with, or incident to the acts or omissions of the SUB-RECIPIENT, its officers, employees, agents, contractors, and subcontractors. Provided, however, that nothing herein shall require the SUB-RECIPIENT to indemnify and hold harmless or defend the WAORCA, its agents, employees, or officers to the extent that claims are caused by the negligent acts or omissions of the WAORCA, its officers, employees or agents; and provided further that if such claims result from the concurrent negligence of (a) the SUB-RECIPIENT, its officers, employees, agents, contractors, or subcontractors, and (b) the WAORCA, its officers, employees, or agents, or involves those actions covered by RCW 4.24.115, the indemnity provisions provided herein shall be valid and enforceable only to the extent of the negligence of the SUB- RECIPIENT, its officers, employees, agents, contractors, or subcontractors.

11.2. The SUB-RECIPIENT agrees that its obligations under this Section extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents in the performance of this contract. For this purpose, the SUBRECIPIENT, by mutual negotiation, hereby waives with respect to WAORCA only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provisions chapter 51.12 RCW.

11.3. The indemnification and hold harmless provision shall survive termination of this Contract.

12. INDEPENDENT CAPACITY

The employees or agents of each party who are engaged in the performance of this Contract shall

continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party

13. INSURANCE COVERAGE

The SUB-RECIPIENT shall comply with the provisions of Title 51 RCW, Industrial Insurance, if required by law.

14. LICENSING, ACCREDITATION, AND REGISTRATION

The SUB-RECIPIENT shall comply with all applicable local, state, and federal licensing, accreditation, and registration requirements and standards necessary for the performance of this Contract. The SUB-RECIPIENT shall complete registration with the Washington State Department of Revenue, if required, and be responsible for payment of all taxes due on payments made under this Contract.

15. RECORDS MAINTENANCE

15.1. During the term of this Contract and for six years thereafter, the SUB-RECIPIENT shall maintain books, records, documents, and other evidence that sufficiently and properly reflect all direct and All payments of payroll taxes, unemployment contributions, any other taxes, insurance, or other such expenses for the SUBRECIPIENT or its staff shall be the sole responsibility of the SUB-RECIPIENT. documents, and other material relevant to this Contract will be retained for six years after expiration.

15.2. Records and other documents, in any medium, furnished by one party to this Contract to the other party, will remain the property of the furnishing party, unless otherwise agreed. The receiving party will not disclose or make available this material to any third parties without first giving notice to the furnishing party and giving them a reasonable opportunity to respond. Each party will utilize reasonable security procedures and protections to assure that records and documents provided by the other party are not erroneously disclosed to third parties.

16. SEVERABILITY

If any provision of this Contract or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Contract which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this Contract, and to this end the provisions of this Contract are declared to be severable

17. TAXES

All payments of payroll taxes, unemployment contributions, any other taxes, insurance, or other such expenses for the SUBRECIPIENT or its staff shall be the sole responsibility of the SUB-RECIPIENT.

18. TERMINATION FOR CAUSE

If the SUB-RECIPIENT does not fulfill in a timely and proper manner its obligations under this Contract or violates any of these terms and conditions, the WAORCA will give the SUB-RECIPIENT written notice of such failure or violation and may terminate this Contract immediately. At the WAORCA's discretion, the SUB-RECIPIENT may be given 15 days to correct the violation or failure. If the SUB-RECIPIENT is given the

opportunity to correct the violation, and the violation is not corrected within the 15- day period, this Contract may be terminated at the end of that period by written notice of the WAORCA.

19. TERMINATION FOR CONVENIENCE

Except as otherwise provided in this Contract, either party may terminate this Contract, without cause or reason, with 30 days written notice to the other party. If this Contract is so terminated, the WAORCA shall be liable only for payment required under the terms of this Contract for services rendered or goods delivered prior to the effective date of termination.

20. WAIVER

A failure by either party to exercise its rights under this Contract shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Contract.

21. CERTIFICATION ON CONFLICT OF INTEREST

No employee, officer or agent of the SUB-RECIPIENT who is authorized in an official capacity to negotiate, make, accept or approve, or to take part in negotiating, making, accepting or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward.

The SUB-RECIPIENT shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to WTSC. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.

22. DESIGNATED CONTACTS

The following named individuals will serve as designated contacts for each of the parties for all communications, notices, and reimbursements regarding this Contract:

AUTHORITY TO SIGN

The undersigned acknowledge that they are authorized to execute this Contract and bind their respective agencies or entities to the obligations set forth herein.

IN WITNESS WHEREOF, the parties have executed this Contract.

Signature:

Printed Name:

Date:

WASHINGTON ORGANIZED RETAIL CRIME ASSOCIATION

Signature:

Printed Name: Robert Nelson

Title: Board Chair

Date:

Washington Organized Retail Crime Association (WAORCA) Organized Retail Crime Pilot Program Area Contract - Spokane County Pilot Program

Project Overview and Scope of Work

Purpose – Create a local pilot program to coordinate effective responses to organized retail crime with a focus on diversion-oriented programs and restitution in Spokane County. WAORCA will facilitate and manage meetings, goals, execution of SOW, and data collection for the local pilot program. The Spokane County Oversight Committee members are listed above and include retail stores, law enforcement, diversion program, and a dedicated prosecutor.

In selecting the Spokane County, WAORCA considered the diversity in the types of impacted businesses to ensure a variety of businesses are incorporated into the pilot program area. WAORCA measured support from local government organizations and the willingness to partner with other community interests to enhance responses to crimes.

Project Goals – WAORCA has identified Spokane County and its listed Oversight Committee with the purpose of achieving the following goals:

- Increase reporting of organized retail crime instances.
- Increase law enforcement responses to reported organized retail crime instances.
- Identify or hire a designated prosecutor focused on organized retail crime in Spokane County.
- Enhance the coordination between retail stores, law enforcement, and diversion programs with the designated prosecutor,
- Coordinate and track offenders that are eligible and referred to diversion-oriented programs, and
- Focus prosecution on known high utilizers when the local team has determined diversion-oriented programs and restitution are not options.

For each of the goals, WAORCA will work with the Spokane County Oversight Committee to establish measurable metrics to understand the benefits or changes in outcomes from the previously stated goals. In addition, committee members will establish best practices learned from the community activities that can be used or avoided in other organized retail crime prevention efforts.

Specific Measurables will Include:

- Number of Organized Retail Crime reports generated in Spokane County Pilot Program Area.
- Number of Law Enforcement responses generated in Spokane County Pilot Program Area.
- Number of people eligible for diversion-oriented programs in Spokane County Pilot Program Area.
- Number of people offered diversion in Spokane County Pilot Program Area.
- Number of diversions initiated in Spokane County Pilot Program Area.
- Subjective list of ORC prevention and diversion oriented focused best practices.

Estimated Spokane County Pilot Program Area Budget –

(\$90,000) – Law Enforcement Engagement: Law enforcement will use funds for special emphasis patrols which often require or necessitate overtime to avoid losing coverage for other community needs.

(\$193,333.33) – Dedicated Prosecutor(s): Funds will be used to dedicate a local prosecutor, either part-time or full-time, and working with diversion program managers, retailers, and law enforcement to create action plans.

Timeline of activities

Date	Tasks
<p>PLANNING</p> <ul style="list-style-type: none"> • August and September 2024 	<ul style="list-style-type: none"> • WAORCA will designate Spokane County as official pilot program area. • WAORCA will outline the program goals and measurables with Spokane County Oversight Committee. • WAORCA will provide meeting minutes.
<ul style="list-style-type: none"> • September 2024 	<ul style="list-style-type: none"> • Finalize development of Spokane County Oversight Committee members. • Submit specific pilot program goals and measurables to Commerce. • WAORCA will provide meeting minutes.
<ul style="list-style-type: none"> • October 2024 	<ul style="list-style-type: none"> • Finalize local pilot program goals and measurables. • Finalize local pilot program budgets with focus on diversion-oriented programs. • Draft proposed Letter of Intent with Spokane County Oversight Committee
<p>IMPLEMENTATION</p> <ul style="list-style-type: none"> • November 2024 	<ul style="list-style-type: none"> • WAORCA Oversight Committee will manage local Committees, pilot program goals and data collection. • Finalize Letter of Intent. • Launch Pilot Program. • Begin Onboarding sites within Spokane County. • Begin data collection and reporting – establish processes for reporting.
<ul style="list-style-type: none"> • December 2024 – March 2025 	<ul style="list-style-type: none"> • WAORCA will facilitate and manage Spokane County Oversight Committee. • Minimum of one monthly meeting with each site • Data collection/reporting from each site
<ul style="list-style-type: none"> • March 2025 – June 2025 	<ul style="list-style-type: none"> • Drafting of Spokane County ORC Pilot Program Report. • Minimum of one monthly meeting with each site • Data collection/reporting from each site Submit final Report June 15th, 2025



Agenda Sheet for City Council:

Committee: Finance & Administration **Date:** 11/25/2024

Committee Agenda type: Discussion

Date Rec'd 11/13/2024

Clerk's File # ORD C36625

Cross Ref #

Project #

Council Meeting Date: 12/09/2024

Submitting Dept FINANCE, TREASURY & ADMIN

Bid #

Contact Name/Phone MATT BOSTON 6820

Requisition #

Contact E-Mail MBOSTON@SPOKANECITY.ORG

Agenda Item Type First Reading Ordinance

Council Sponsor(s) MCATHCART BWILKERSON ZZAPPONE

Agenda Item Name ORDINANCE RELATING TO THE ACCOUNTING & GRANTS DEPARTMENT

Agenda Wording

This ordinance updates Spokane Municipal Code Section 03.01A.215 (Accounting and Grants) to reflect the director of the department as the Director of Accounting. [Grants duties will be performed by other staff]

Summary (Background)

This ordinance updates Spokane Municipal Code Section 03.01A.215 (Accounting and Grants) to reflect the director of the department as the Director of Accounting. [Grants duties will be performed by other staff]

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Approved in Current Year Budget? N/A

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

Narrative

Amount

Budget Account

Select \$ #

Select \$ #

Select \$ #

Select \$ #

\$ #

\$ #

Committee Agenda Sheet

Finance & Administration Committee

Committee Date	November 25, 2024
Submitting Department	Mayor's Office
Contact Name	Matt Boston
Contact Email & Phone	mboston@spokanecity.org
Council Sponsor(s)	Please enter the name of the Council Sponsor(s)
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested 5 minutes
Agenda Item Name	Ordinance
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	This ordinance updates Spokane Municipal Code Section 03.01A.215 (Accounting and Grants) to reflect the director of the department as the Director of Accounting. [Grants duties will be performed by other staff]
<p>Fiscal Impact</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Total Cost: Click or tap here to enter text.</p> <p> Current year cost: \$</p> <p> Subsequent year(s) cost:</p> <p>Narrative: Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue</p> <p>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Specify funding source: Reallocation</p> <p>Is this funding source sustainable for future years, months, etc?</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
Operations Impacts (If N/A, please give a brief description as to why)	
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	

ORDINANCE NO. C36625

An ordinance relating to the Accounting and Grants Department; amending Section 03.01A.215 of the Spokane Municipal Code.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Section 03.01A.215 of the Spokane Municipal Code is amended to read as follows:

Section 03.01A.215 Accounting and Grants

The Accounting and Grants Department is a financial administrative department responsible for preparing financial statements, maintaining the general ledger, paying bills, billing customers, payroll, inventory management, disseminating and monitoring financial policies and internal controls, financial analysis, administration of some joint governmental agencies, receipt, and technical review of grant applications and the close out of grants and financial assistance awards. The department is managed by the Director of Accounting ((and Grants)).

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 11/25/2024**Committee Agenda type:** Discussion**Date Rec'd**

11/4/2024

Clerk's File #

ORD C36627

Cross Ref #**Project #****Council Meeting Date:** 12/09/2024**Submitting Dept**

CONTRACTS & PURCHASING

Bid #**Contact Name/Phone**

JASON 232-8841

Requisition #**Contact E-Mail**

JNECHANICKY@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

MCATHCART BWILKERSON ZZAPPONE

Agenda Item Name

5500 - ORD MODIFYING SMC SECTIONS RELATING TO SMALL WORKS ROSTER

Agenda Wording

This ordinance amends sections of the SMC relating to small works roster and repeals a section of SMC to ensure compliance and alignment with State requirements.

Summary (Background)

An ordinance amending SMC sections relating to the small works roster procurement process for small works. 5268-S2.SL.pdf (wa.gov) was passed in the 2023 legislative session and went into effect July 1, 2024. This act related to equity and efficiencies in public works procurement including modifications to the small works roster requirements.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact

Approved in Current Year Budget? N/A

Total Cost

\$

Current Year Cost

\$

Subsequent Year(s) Cost

\$

Narrative**Amount****Budget Account**

Select

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

\$

#

\$

#



Continuation of Wording, Summary, Approvals, and Distribution

Agenda Wording

Summary (Background)

Approvals

Dept Head

NECHANICKY, JASON

Division Director

BOSTON, MATTHEW

Accounting Manager

BUSTOS, KIM

Legal

SCHOEDEL, ELIZABETH

For the Mayor

PICCOLO, MIKE

Additional Approvals

Distribution List

purchasing@spokanecity.org

Committee Briefing Paper

Finance & Administration Committee

Committee Date	11/25/2024
Submitting Department	Purchasing & Contracts
Contact Name	Jason Nechanicky
Contact Email & Phone	jnechanicky@spokanecity.org , 509-232-8841
Council Sponsor(s)	
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Ordinance modifying SMC sections relating to Small Works Roster
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background)	<p>*use the Fiscal Impact box below for relevant financial information</p> <p>An ordinance amending SMC sections relating to the small works roster procurement process for small works. 5268-S2.SL.pdf (wa.gov) was passed in the 2023 legislative session and went into effect July 1, 2024. This act related to equity and efficiencies in public works procurement including modifications to the small works roster requirements.</p> <p>This ordinance amends sections of the SMC relating to small works roster and repeals a section of SMC to ensure compliance and alignment with State requirements.</p>
<p>Fiscal Impact</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Total Cost: Click or tap here to enter text.</p> <p> Current year cost: N/A</p> <p> Subsequent year(s) cost: N/A</p> <p>Narrative: <u>No identifiable costs to City operations</u></p> <p>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Specify funding source: Select Funding Source*</p> <p>Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.) None</p>	
<p>Operations Impacts (If N/A, please give a brief description as to why)</p> <ul style="list-style-type: none"> • What impacts would the proposal have on historically excluded communities? None, this impacts public works small works roster processes. • 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? Not applicable. • How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution? These changes amend SMC to comply with updated legislation. 	

- 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 ensures that City statutes align with minimum requirements set by State.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

Not applicable.

ORDINANCE NO C36627

An ordinance relating to the Small Works Roster; amending SMC section 07.06.165; and repealing SMC section 07.06.167.

The City of Spokane does ordain:

Section 1. That section 07.06.165 is amended to read as follows:

Section 07.06.165 Small Works Roster

The following small public works roster procedures are established for use by the City pursuant to (~~RCW 39.04.155~~) RCW 39.04.151.

- A. The City need not comply with formal sealed bidding requirements for the construction, building, renovation, remodeling, alteration, repair, or improvement of real property where the estimated total cost does not exceed (~~((three hundred thousand dollars (\$300,000), which includes the costs of labor, material, equipment, sales, or use taxes as applicable))~~) three hundred fifty thousand dollars (\$350,000) excluding state sales tax. Instead, the City may use the Small Works Roster ("SWR") procedures for Public Works projects as set forth in this section. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the SWR process.
- B. At least once each year, the City or third-party vendor shall on behalf of the City, publish in a newspaper of general circulation within the City of Spokane a notice of the existence of the SWR and solicit the names of the contractors for the SWR. The City or third-party vendor shall add responsible contractors to the SWR at any time that a contractor completes the online application provided and meets minimum state law requirements for roster listing.
- C. The City shall obtain (~~(telephone,)~~) written (~~(,)~~) or electronic quotations for Public Works contracts from contractors on the appropriate SWR to assure that a competitive price is established, and to award contracts to a contractor who meets the mandatory bidder responsibility criteria in RCW 39.04.350(1). The City may establish Supplementary Bidder Responsibility Criteria (SBRC) under RCW 39.04.350(~~((2))~~) (3) to be considered in the process of awarding a contract.
 1. A contract awarded from the SWR will not be advertised. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation.

2. Quotations ~~((may))~~ shall be invited from all appropriate contractors on the appropriate SWR that have indicated interest in performing work for the City. ~~((As an alternative, for projects expected to cost less than \$150,000, quotations may be invited from at least five (5) contractors on the appropriate SWR who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. For purposes of this section, the phrase "equitably distribute" means that the City may not favor certain contractors on the appropriate SWR over other contractors on the appropriate SWR who perform similar services.))~~

3. At the time bids are solicited, the City representative shall not inform a contractor of the terms or amount of any other contractor's bid for the same project.

4. A written record shall be made by the City representative of each contractor's bid on the project and of any conditions imposed on the bid. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by electronic request.

Section 2. That SMC section of 07.06.167 (Limited Public Works Process) is repealed.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date



Agenda Sheet for City Council:

Committee: Finance & Administration **Date:** 11/25/2024

Committee Agenda type: Discussion

Date Rec'd 11/14/2024

Clerk's File # ORD C36628

Cross Ref #

Project #

Council Meeting Date: 12/09/2024

Submitting Dept CITY COUNCIL

Bid #

Contact Name/Phone CHRIS WRIGHT 625-6210

Requisition #

Contact E-Mail CWRIGHT@SPOKANECITY.ORG

Agenda Item Type First Reading Ordinance

Council Sponsor(s) BWILKERSON ZZAPPONE

Agenda Item Name 0320- AMEND SMC PROVISIONS REGARDING COUNCIL MEETINGS

Agenda Wording

Ordinance making technical amendments to Spokane Municipal Code provisions regarding council meetings.

Summary (Background)

City Charter authorizes the City Council to adopt its own rules of procedures, and provides that the City Council set the time and place of its regular weekly meetings by ordinance. The ordinance removes specific references to standing committees, revises code provisions to allow public testimony at committee meetings, removes requirement for minimum number of Town Hall meetings, and revises code to allow public testimony at committees, and makes other technical changes.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Approved in Current Year Budget? N/A

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

Narrative

Not Applicable

Amount

Budget Account

Select \$ #

Select \$ #

Select \$ #

Select \$ #

\$ #

\$ #

Committee Briefing Paper

Finance & Administration Committee

Committee Date	Nov. 25, 2024
Submitting Department	City Council
Contact Name	Chris Wright
Contact Email & Phone	cwright@spokanecity.org 625-6210
Council Sponsor(s)	Wilkerson Zappone
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 10 mins
Agenda Item Name	Ordinance Revising SMC Provisions on Council Meetings
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	Section 9.B of the City Charter authorizes the City Council to adopt its own rules of procedures, and Section 10 provides that the City Council sets the time and place of its regular weekly meetings by ordinance. The ordinance does the following: <ul style="list-style-type: none"> Removes specific references to standing committees in SMC and leaves their creation etc. to council rules Revises SMC provisions to allow public testimony at committee meetings. Deletes an obsolete reference to council rule 4.2. Deletes a sentence that limits participation of council members in meetings that are not a “committee of the whole” changes language to ensure consistency with OPMA. Revises the SMC regarding Town Hall meetings to eliminate the minimum number each year. Repeals SMC 02.01020 (requiring agendas to be published 10 days in advance). Amends Section 02.01.030 to allow public testimony at committees.
Fiscal Impact Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Total Cost: Click or tap here to enter text. Current year cost: Unknown Subsequent year(s) cost: Unknown Narrative: Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A Specify funding source: Select Funding Source* Is this funding source sustainable for future years, months, etc? Click or tap here to enter text. Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A Other budget impacts: (revenue generating, match requirements, etc.)	

Operations Impacts (If N/A, please give a brief description as to why)

- What impacts would the proposal have on historically excluded communities?

The ordinance revises SMC to expressly allow public testimony at the committee meetings, thereby expanding public opportunity to weigh in on legislation before the council. This provision benefits all members of the public, including members of historically marginalized 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?

Council will monitor public participation in council meetings to determine whether participation is helpful, meaningful and of benefit to council legislation and decisions.

- 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?

Sections 9 and 10 of the City Charter authorize the council to establish procedures by rule and to set time, place and other aspects of council meetings by ordinance. The ordinance is also crafted to conform SMC to council practices and ensure no conflict between SMC and council rules.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

No applicable subcommittee.

ORDINANCE NO. C36228

An Ordinance relating to Spokane City Council meetings and amending sections 02.005.010, 02.01.010 and 02.01.030 of the Spokane Municipal Code, repealing Section 02.01.020 of the Spokane Municipal Code, and setting an effective date.

WHEREAS, pursuant to Section 9.B of the City Charter, the City Council is authorized to adopt its own rules of procedures; and

WHEREAS, pursuant to Section 10 of the City Charter, the City Council designates the time and place of its regular weekly meetings by ordinance; and

WHEREAS, Section 1.5 of the City Council Rules of Procedure, last adopted March 4, 2024, provides that any amendments to the council rules of procedure must be adopted pursuant to a resolution; and

WHEREAS, Chapter 02.01 SMC sets forth basic requirements for council meetings, but is obsolete given current council practices and procedures; and

WHEREAS, the City Council desires to amend the Spokane Municipal Code to reflect its current practice, to allow for public comment at committee meetings, and to make other technical changes,

NOW, THEREFORE, the City of Spokane does hereby ordain as follows:

Section 1. Section 02.005.010 of the Spokane Municipal Code is amended as follows:

Section 02.005.010 Council President and City Council

- A. As provided in the City Charter a City Council President and six City Council Members constitute the City Council, which is the legislative body of the City. The City Council President and City Council Members have no administrative authority over personnel matters except the Council President and the Council Members:
1. Appoint, evaluate and discharge the Hearing Examiner;
 2. appoint, evaluate, and discharge the City Council's full-time staff, as provided in Section 02.005.030;
 3. appoint, evaluate, and discharge the City Council's seasonal, project and interim staff, as provided in Section 02.005.030;

ORD C36228 (SPONSOR SUBSTITUTION)(11-27-24)

4. approve the appointment by the Mayor of the City Attorney, the City Clerk, and the permanent, acting, or interim administrative head in each department and division; provided:
 - a. any person appointed for the position of department head on a permanent basis shall be placed on the city council agenda by the mayor within 30 days of the appointment and considered for approval pursuant to section 24 of the city charter;
 - b. persons appointed for the job positions of interim or acting department head shall serve as such for up to 180 days, which period can be extended for up to an additional 180 days by city council resolution;
 5. appoint nominees of the Mayor to boards, commissions, and other official City agencies, unless otherwise provided;
 6. hire, supervise, evaluate, and discharge their individual legislative assistants.
- B. The Council President reviews the preparation of the agenda for City Council meetings, briefings, and study session meetings and presides at meetings of the City Council. The Council President also serves as the Mayor Pro Tem. The Council President shall serve as the primary signatory on all Council budgetary, expenditure, and appropriation matters as related to the Council Office budget; consistent with City procedures and policies.
- C. City Council agenda items shall be submitted and processed consistent with the City Council Rules of Procedure and administrative policies and procedures.
- D. The City Council shall establish standing and ad hoc committees by rule to assist in the performance of its assigned duties.
- ~~((1. The standing committees shall have a minimum of three members, one from each of the three City Council districts.~~
- ~~2. The council president may chair two of the standing committees as determined in his or her sole discretion.~~
- ~~3. All other committees, including ad hoc committees, shall select their own chair.~~

- ~~4. At no time shall a member of the City Council chair more than two standing committees at the same time.~~
 - ~~5. Ad hoc committees shall be composed with a minimum of three members appointed by the majority of the City Council.~~
 - ~~6. Standing committee membership shall be determined by the second legislative session of the City Council of each calendar year and memorialized by resolution of the City Council. Membership on each of the standing committees will be determined from those expressing an interest to serve on the committee.))~~
- E. Any City Council committee with more than three Council Members as committee members shall be considered a committee of the whole City Council. All meetings of such a committee shall be considered a ~~((special))~~ City Council meeting with the appropriate public meeting notice. No legislative action may be taken at any standing or ad hoc committee unless the committee meeting was noticed as a special meeting in compliance with the Washington Open Public Meetings Act (OPMA) and ~~((Rule 4.2 of the))~~ applicable City Council Rules of Procedure.
- F. All standing committee meetings shall be open to the public except when the committee adjourns into executive session. ~~((No public testimony will be 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, and members of the public who sign up to testify pursuant to council rules. Participation by Council Members, including deliberation and voting, shall be open to all Council Members when the standing committee is meeting as a committee of the whole and as a special Council meeting. ~~((Participation by Council Members in a standing committee that is not a committee of the whole shall be limited to just the appointed Council Members.))~~

Section 2. Section 02.01.010 of the Spokane Municipal Code is amended as follows:

Section 02.01.010 Time & Place

- A. Regular legislative meetings of the City Council shall be held at three-thirty p.m. on Monday each week in the City Council Chambers located in the lower level of City Hall at 808 West Spokane Falls Boulevard. Commencing February 1, 2025, regular legislative meetings of the City Council shall be held at three-thirty p.m. on Tuesday each week. When a Tuesday is a legal holiday according to City

ordinance, then the meeting may be held on the next succeeding day which is not a City holiday, or may be cancelled at the discretion of the Council President.

- B. The regular legislative meeting shall consist of a briefing session followed by ((an administrative session at which time action will be taken on the items on the consent agenda, followed by)) an executive session, if necessary, followed by a recess until six p.m., followed by a legislative and hearings session. When a Monday is a legal holiday according to City ordinance, then the meeting may be held on the next succeeding day which is not a City holiday. Commencing February 1, 2025, the regular legislative meeting shall consist of an agenda review session followed by an executive session, if necessary, followed by a recess until six p.m., followed by a legislative and hearings session.
- C. The City Council may hold a study session(s) intended to provide the Council with background information and briefing from the Mayor or the Mayor's designee and selected other persons regarding forthcoming agenda matters or other items as necessary, when proper notice of the meetings has been given.
- D. An executive session may be called at any time during a regular or special meeting of the City Council as provided in RCW 42.30.110.
- E. ~~((The City Council may, four times a year, hold a "town hall" meeting, which shall be cablecast on Channel 5 or online through the City of Spokane website, for the purpose of providing citizens access to the Council to address concerns of City government)).~~ The City Council may conduct a regular City Council meeting as a "town hall" meeting, which shall be cablecast on Channel 5 or online through the City of Spokane website and may be held outside of the regular meeting location at City Hall. Legislative business may be minimized or suspended during town hall meetings.

Section 3. Section 02.01.020 of the Spokane Municipal Code is repealed.

Section 4. Section 02.01.030 of the Spokane Municipal Code is amended as follows:

Section 02.01.030 Right to Speak

All meetings of the City Council are open to the public except an executive session. Members of the public shall have the right to speak to an item on the City Council's agenda for any legislative session ((,special consideration,)) or standing committee. ((or hearing agendas that are not adjudicatory hearings.)) Members of the public may attend but do not have the right to speak when the City Council is meeting in ~~((briefing))~~ agenda review, study, or other workshop sessions, ~~((standing or))~~ or when meeting as an ad hoc committee, or when acting in an adjudicative capacity. It shall be the duty of the presiding officer to determine and allot whatever time is necessary due to the number

of public participants and ~~((extend))~~ extent of the proposed participation. Public participation shall be subject to council rules on decorum and testimony.

The right to speak during a council meeting as set forth above may be suspended during a declared emergency and the City Council may proceed with action on an agenda item without public testimony.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 6. Clerical Errors. Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

Section 7. Effective Date. This ordinance shall go into effect on February 1, 2025 or the effective date set by Section 19 of the City Charter, whichever is later.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date