

**SPECIAL MEETING NOTICE / AGENDA OF THE
SPOKANE CITY COUNCIL**



SPECIAL MEETING OF THURSDAY, JUNE 6, 2024, 11:00 A.M.

A special meeting of the Spokane City Council will be held at **11:00 a.m. on Thursday, June 6, 2024**, in City Council Chambers - Lower Level, City Hall, 808 W. Spokane Falls Blvd., Spokane, Washington. The purpose of the special meeting is to hold a Special Legislative Session to consider Resolution 2024-0054. Following the Special Legislative Session, the City Council will hold its regularly scheduled study session.

Public testimony will be taken at the Special Legislative Session. Members of the public can sign up to testify beginning now until 11:00 a.m. on June 6, 2024, outside of Council Chambers or online at <https://forms.gle/Vd7n381x3seaL1NW6>.

The public is encouraged to attend in person, or to tune in at <https://my.spokanecity.org/citycable5/live> or <https://www.facebook.com/spokanecitycouncil> or by calling 1-408-418-9388; access code 2491 436 7432.

Executive Session

At any time during or after the Special Meeting, the City Council may choose to adjourn into Executive Session for the purpose of discussing privileged legal matters. This portion of the meeting would be closed to the public pursuant to RCW 42.30.110.

SPECIAL LEGISLATIVE SESSION

LEGISLATIVE AGENDA

Roll Call

RESOLUTION

(Requires Four Affirmative, Recorded Roll Call Votes)

RES 2024-0054 Ratifying the Mayor's June 4, 2024, Executive Declaration of Emergency.
(Council Sponsors: Wilkerson and Dillon)

STUDY SESSION AGENDA

1. Spokane Regional Emergency Communications (SREC) Update - Maggie Yates (15 min)
2. American Rescue Plan Act (ARPA) Conversation – Council Members and Staff (15 min)
3. Overview of Community Housing and Human Services (CHHS) Process for Bringing Contracts to Council - Dawn Kinder & CHHS Staff (45 min)


Betsy Wilkerson
Council President


Laurie Farnsworth
Deputy City Clerk

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 is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture 1.0.) 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 m_lowmaster@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.

RESOLUTION NO. 2024-0054

A Resolution relating to the Mayor's Executive Order 2024-0006 titled "EXECUTIVE ORDER FOR WRITTEN FINDINGS OF EMERGENCY TO IMPLEMENT AN INTEGRATED RESPONSE TO THE OPIOID CRISIS INCLUDING WRITTEN FINDINGS NECESSITATING THE EMERGENCY AWARD OF NECESSARY CONTRACTS AND AGREEMENTS" and dated June 4, 2024.

WHEREAS, Mayor Brown's June 4, 2024 Executive Order 2024-0006 (the "Executive Order"), recognizes the opioid crisis as a national and local public health epidemic and community safety issue; and

WHEREAS, on March 25, 2024, the City Council adopted Resolution 2024-0031, requesting the Governor of the State of Washington declare a state of emergency for the opioid and fentanyl crisis, and further seeking emergency coordination of local and state resources to address the opioid crisis, including increased funding for peer support programs, better access to Naloxone, and education around prevention, intervention and treatment; and

WHEREAS, Resolution 2024-0031 did not include any request to the Mayor for a declaration of emergency under Section 2.04.030.A, nor did it anticipate a need to dispense with regular procurement procedures, the usual legislative process for city contracts, or legislative oversight of the City's budget; and

WHEREAS, the City Council agrees with the Mayor there is a fentanyl and opioid crisis among the housed and unhoused population in Spokane, and further agrees there is a need for a coordinated response to the opioid crisis; and

WHEREAS, utilizing funding available from the Washington State Department of Commerce, the City of Spokane desires to enter immediately into a short-term lease agreement to provide a temporary stabilization center for individuals experiencing homelessness to address public health concerns related to the downtown Division Street gateway; and

WHEREAS, the City Council adopted Special Budget Ordinance No. C36510 to utilize \$1 million in opioid settlement funds for the expansion of the Spokane Fire Department's CARES program and the creation of a high utilizer and complex care initiative providing coordinated care for individuals suffering from opioid-use disorder (OUD); and

WHEREAS, utilizing opioid settlement funds appropriated by the City Council, the Mayor intends to immediately enter into a short-term agreement to stand up a High-Utilizer, Complex Care initiative to provide coordinated care and intensive case management for individuals suffering from opioid use disorder, which the Council agrees is an appropriate use of opioid settlement funds; and

WHEREAS, the City Council further agrees that many of the measures identified in the Executive Order are suitable, worthwhile and likely to contribute to combating the opioid crisis in a meaningful way; and

WHEREAS, Section 02.04.060 of the Spokane Municipal Code provides:

Declarations of civil emergencies issued by the mayor shall as soon as practicable be filed with the city clerk and presented to the city council for ratification and confirmation, modification or rejection. Orders which are rejected shall, after vote, be void. Emergency orders shall be considered in full force and effect until the city council shall act[.].

and

WHEREAS, the Executive Order was dutifully filed with the City Clerk on June 4, 2024 and is now under consideration by the City Council, which may ratify, confirm, modify or reject the Executive Order to the extent it depends on the emergency powers set forth under Section 02.04.030 of the Spokane Municipal Code; and

WHEREAS, the City Council does not believe that all of the measures identified in the Executive Order require action on an emergency basis or justify the circumvention of the usual procurement procedures under Chapter 07.06 of the Spokane Municipal Code; and

WHEREAS, the Executive Order, as currently written, would permit the Mayor to execute long-term lease agreements and provider agreements that potentially commit significant general fund dollars or funds received by the City under the American Rescue Plan Act of 2021 without City Council review and approval, and outside the usual budget oversight process;

NOW, THEREFORE, BE IT RESOLVED that the Spokane City Council:

Section 1. Based on stated foregoing emergency relating to the fentanyl and opioid crisis, and the need to provide for a coordinated response to this crisis, the Mayor and City Council may address the immediate need for opioid-related services by executing contracts pursuant to the legal authority provided in Chapter 02.04 SMC and SMC 07.06.180, to the extent permitted under this Resolution, which actions are lawful, proper, and reasonable exercises of the City of Spokane's police power, consistent with state law and the City Charter.

Section 2. The Executive Order by Mayor Brown, dated and effective June 4, 2024, is hereby ratified in part and modified in part by the City Council by this Resolution, as follows:

Section 3 of the Executive Order is modified to read:

Pursuant to SMC 7.06.180, the Mayor or her designate may make emergency procurements consistent with the provisions of Chapter 7.06, including the execution of contracts or other agreements, to the extent necessary to respond to the opioid crisis, so long as such contracts or procurements do not commit general fund dollars or funds received by the City under the American Rescue Plan Act of 2021. Any contract, award, or agreement that requires commitment or reallocation of general fund dollars shall comply with the procurement procedures in Chapter 7.06. SMC. Any contract, agreement or lease executed pursuant to this Executive Order shall be filed with the City Clerk within five (5) days of execution.

Section 4 of the Executive Order is modified to read to include the following provision at the end of the listed initiatives and interventions:

Neither the Mayor nor her delegate will enter into any agreement or contract that requires, in whole or in part, the reallocation or commitment of general fund dollars or funds received by the City under the American Rescue Plan Act of 2021. Any commitment or expense of general fund dollars, or funds received by the City under the American Rescue Plan Act of 2021, in excess of the minor contract threshold in 7.06.060 SMC, or any agreement to contact, lease or occupy any real property longer than 90 days, shall comply with the procurement procedures in Chapter 7.06. SMC. Any contract, agreement or lease executed pursuant to this Executive Order shall be filed with the City Clerk within five (5) days of execution.

Section 5 of the Executive Order is modified to read:

This Declaration shall be in force and effective on upon signature of the Mayor and shall terminate on September 1, 2024, unless terminated earlier by the Mayor.

Section 3. A copy of this resolution and Executive Order 2024-0006 shall be delivered to the Governor of the State of Washington and to the Spokane County Board of Commissioners. To the extent practicable, a copy of this Executive Order shall be made available to all news media within the City and to the public. To give the widest dissemination of this Executive Order to the public, other available means may be used as are practical.

Adopted by the City Council this ____ day of June, 2024.

City Clerk

Approved as to form:

Assistant City Attorney