



Official Gazette

City of Spokane, Washington

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

Volume 103

OCTOBER 23, 2013

Issue 43



MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

MICHAEL A. ALLEN (DISTRICT 2)

MIKE FAGAN (DISTRICT 1)

NANCY McLAUGHLIN (DISTRICT 3)

STEVE SALVATORI (DISTRICT 3)

JON SNYDER (DISTRICT 2)

AMBER WALDREF (DISTRICT 1)

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Minutes

MINUTES OF SPOKANE CITY COUNCIL**Monday, October 14, 2013****BRIEFING SESSION**

The Briefing Session of the Spokane City Council held on the above date was called to order at 3:30 p.m. in the Council Chambers in the Lower Level of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington.

Roll Call

On roll call, Council President Stuckart and Council Members Fagan, McLaughlin, Snyder, and Waldref were present. Council Member Salvatori arrived at 3:35 p.m. Council Member Allen was absent.

Also present on the dais was City Administrator Theresa Sanders, Assistant City Attorney Mike Piccolo, and City Clerk Terri Pfister.

Advance Agenda Review

Council received input from staff on the October 21, 2013, Advance Agenda items.

Resolution 2013-0077 Expressing Support for Proposition No. 1

Upon review of Resolution 2013-0077—expressing support for Proposition No. 1 entitled “Levy to Protect Fairchild Air Force Base,” adopted under Spokane Board of County Commissioners Resolution No. 13-0692 and to be considered by the voters at the November 5, 2013, General Election—Council President Stuckart introduced County Commissioner Al French who provided an overview of Proposition No. 1 and responded to Council inquiries.

Action to Approve October 21, 2013, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the October 21, 2013, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

Motion by Council Member McLaughlin, seconded by Council Member Waldref, **to approve** the Advance Agenda for October 21, 2013; **carried unanimously. Councilman Member Allen absent.**

ADMINISTRATIVE SESSION**Current Agenda Review**

Council considered the October 14, 2013, Current Agenda.

CONSENT AGENDA

Upon motion of Council Member McLaughlin, seconded by Council Member Fagan, Council unanimously (Council Member Allen absent) approved Staff Recommendations for the following:

Change Order No. 4 to contract with Shamrock Paving, Inc. (Spokane, WA) for Rockwood Boulevard from Cowley Street to Southeast Boulevard & Upper Terrace Road from Rockwood Boulevard to 17th Avenue—increase of \$104,557 and no working days. Total cost-to-date—\$2,339,565.76. (PRO 2013-0007 / ENG 2010125)

Change Order No. 1 to contract with Bacon Concrete, Inc. (Spokane, WA) for 2012 Traffic Calming Projects—increase of \$26,480 and no working days. Total cost-to-date—\$250,403.50. (PRO 2013-0023 / ENG 2013043 / ENG 2013044 / ENG 2013045)

Interlocal Agreement with Spokane County for 2013 Historic Preservation—\$5,000 revenue. (OPR 2013-0721)

Contract with Spokane County Sheriff's Office to fulfill the Washington Auto Theft Prevention Authority Grant objectives beginning July 1, 2013, and ending June 30, 2015—\$139,216. (OPR 2013-0722)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through, October 7, 2013, total \$8,212,412.38 (Warrant Nos. 477364-477894; ACH Payment Nos. 11826-11933), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$8,073,707.30.

Executive Session/Council Recess

The City Council adjourned at 4:23 p.m. No Executive Session was held. The City Council reconvened at 6:00 p.m. for the Regular Legislative Session, with Council President Stuckart and Council Members Fagan, McLaughlin, Salvatori, Snyder, and Waldref present. Council Member Allen was absent. Assistant City Attorney Mike Piccolo and City Clerk Terri Pfister were also present.

LEGISLATIVE SESSION

Words of Inspiration

There were no Words of Inspiration.

Pledge of Allegiance

The Pledge of Allegiance was led by Council President Stuckart.

Roll Call

On roll call, Council President Stuckart and Council Members Fagan, McLaughlin, Salvatori, Snyder, and Waldref were present. Council Member Allen was absent.

COUNCIL SALUTATION

Council President Stuckart read a Council Salutation and presented it to Citizen George McGrath in honor of his birthday, October 14, 2013, and for his many years of civic service and for publicly expounding his views to the sheer delight of Channel 5 viewers and the community he so loves. Council Member Snyder then led the Council and audience in singing Happy Birthday to Mr. McGrath.

There were no **Appointments**.

There were no **City Administration Reports**.

COUNCIL COMMITTEE REPORTS

Finance Committee

Council President Stuckart reported on the Finance Committee meeting held last week (October 9). Minutes of the Finance Committee meetings are filed with the City Clerk's Office and are available for review following approval of the Finance Committee.

Public Works Committee

Council Member Salvatori reported on the Public Works Committee meeting held earlier today (October 14). Minutes of the Public Works Committee are filed with the City Clerk's Office and are available for review following approval of the Public Works Committee.

OPEN FORUM

Mr. Rick Bocook commented on the "World Homeless Day" event he attended at Spokane Community Colleges last Thursday and he spoke about the transient shelter ordinance. In addition, he spoke regarding Police response.

Mr. Gabrielle Elliott reminded the community about ongoing meditations for peace, unity, and love under will weekdays at the Unity Spiritual Center with Pastor Dave. He also spoke regarding a book he read called the "Brave New World."

Mr. Michael Poulin referenced the barista discussion and the question of what makes for a welcoming city. He stated he got some answers on his recent trip to Madrid, Spain. He noted the grooves in the walkways at the Airport and noted they were for blind people. In addition, he spoke regarding the number of big comfortable well crafted benches everywhere you look. In addition, he commented on police oversight.

Mr. Jason Wheaton with Greenstone Corporation addressed the recent television ad and radio campaign and yesterday's *Spokesman-Review* article that inferred Greenstone is in support of that campaign. He noted he personally believes the campaign is misleading and divisive and noted that Greenstone does not endorse the recent radio and television campaign. He asked that those involved reassess the ad campaign with the hope that our political standards will remain honest and productive. He further commented that Spokane is a great place to live and our politics need to reflect those values.

Mr. George McGrath noted ballots are dropping this week, and he encouraged citizens to vote. He asked citizens to not have a turn out which is absolutely insulting to the freedoms that citizens enjoy here in Spokane, Washington.

LEGISLATIVE AGENDA

There were no **Emergency Budget Ordinances**.

EMERGENCY ORDINANCES

Subsequent to the opportunity for public testimony and Council comment, with no individuals requesting to speak, the following Emergency Ordinance passed upon Unanimous Roll Call Vote of Council (Council Member Allen absent):

ORD C35044 Of the City of Spokane, Washington, relating to local improvement districts; establishing Consolidated Local Improvement District No. 222 and a consolidated local improvement district bond redemption fund; fixing the amount, form, date, interest rate and maturity of the Consolidated Local Improvement District No. 222 Installment Note; providing for the purchase of that Note by the City from funds on deposit in the Spokane Investment Pool; fixing the interest rate on local improvement district assessment installments; and declaring an emergency.

There were no **Resolutions**.

There were no **Final Reading Ordinances**.

There were no **First Reading Ordinances**.

There were no **Special Considerations**.

There were no **Hearings**.

No individuals requested to speak during the **second Open Forum**.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 6:18 p.m.

Planning Community Economic Development

October 7, 2013

Meeting Minutes: Meeting called to order at 11:00 am

Attendance:

- PCED Members present: Council President Ben Stuckart, Council Members: Mike Fagan, Nancy McLaughlin, Jon Snyder and Amber Waldref
- Guest present: Dallas Hawkins – Citizen Streets Advisory Committee Chairperson & Kim Ferraro - West Central Community Center
- Staff present: Jan Quintrall, Scott Chesney, Mark Serbousek, Mike Werner, Ken Pelton, Lloyd Brewer, Kyle Twohig, Eldon Brown, Mike Taylor, Debra Robole, Julie Happy, Inga Note, Rae-Lyn Barden, Rick Romero, Andrew Worlock, Gary Nelson, Brandon Blankenagel

Approval of Minutes: Council Member McLaughlin moved approval of September 16, 2013 minutes; M/S Council Member Snyder; passed unanimously.

Council Update:

1. Building Dreams – Bright Futures for Our Kids – Council Members Salvatori, Allen & Fagan is deferred to the November 4th PCED meeting.

Staff Update:

1. Asset Management Update – Mike Werner provided the Hunting Park Plaza overview; a brief overview of Asset Management's surplus property plan; updated facility management with improved cleaning supplies, working towards building improvements for conference rooms and will coordinate with the City Council for Council Chamber.
2. Development Incentive Policy – Scott Chesney presented a policy matrix based on previously discussed criteria. Staff will continue to improve upon development codes. Explore and utilize funding for targeted locations and look at a possible overlay in the Comprehensive Plan. This is the starting point for future discussion to be held. City Council requesting a Study Session the end of November/first of December to further discussion of this topic.
3. East Central Parking Overlay: Scott Chesney provided a map to display the area and update the Council on the Plan Commission workshop that is scheduled on October 23rd, hearing date to be determined.
4. Southwest Downtown Development – Scott Chesney reported on the Larry H. Miller Campus/Southwest Downtown project currently under construction. Council Members were briefed on key elements, including the pedestrian pathway to accommodate connectivity in the area. A Traffic Study will be provided to the Council
5. Change Orders – Kyle Twohig briefed Council on a change order to add sidewalks on Freya from Ferrall to 13th, as part of the 2012 Traffic Calming projects. The Rockwood Boulevard change order is for installation of a storm water system and for replacement of a segment of sanitary sewer; funding source at 100% is from Wastewater Management Capital.
6. CSAC – Dallas Hawkins presented the 2013 Spring/Summer Semi Annual report, including the recommendation to City Council of four GAP projects from surplus Ten-Year Street Bond Program funds.
 - Addison – Columbia to 525 feet north of Dalke
 - Calispel – Wellesley to Queen
 - Mission (eastbound) – Hamilton to Perry
 - Lincoln/Monroe – 7th to 17th
7. Renewal of Annual Blanket Order for Deicer – Mark Serbousek submitted a briefing paper; no formal presentation as there weren't any questions from City Council.

8. Utility Property Surplus Resolution - Dave Steele briefed the Council on the sale of property at 18211 South Mallon Road; which was an alternate unused ash disposal site. The other surplus site is identified as 4600 East Valley Springs Road; this property will facilitate the improvement of the public ROW as part of a private development.
9. Transition of Code Enforcement Duties – Heather Trautman reported on the request to suspend the rules to set hearing on a proposed ordinance for Code Enforcement’s integration of ROW; sidewalk, and setback enforcement. City Council’s preference is to have a study session opportunity for further discussion.

Action Items:

No items were identified

Adjournment:

Next meeting will be October 21, 2013

CIVIL SERVICE COMMISSION MEETING

October 15, 2013

Mary Doran, Chair, called the regular meeting to order at 9:30 a.m. All Commission members were present.

Agenda Item I.

Approval of Minutes:

Ms. Doran introduced the Minutes from the regular meeting of September 17, 2013, for approval. Hearing no changes or corrections to the minutes, Ms. Doran stated that the minutes would stand approved as prepared.

Agenda Item II.

Staff Activities:

Glenn Kibbey, Chief Examiner, stated that September had been another busy month for staff with several job announcements issued, a number of examinations administered, and several surveys in process. The Chief Examiner introduced Ken Hoekema, Exam & Class Analyst I, to the Commission and stated that he was quickly learning his responsibilities in exam development and that great things are expected of him. Commission members welcomed Mr. Hoekema to the staff.

The following statistics were reported for September, 2013:

Announcements issued	5	Classifications under review	0
Examinations	13	Classifications reviewed	2
Requisitions received	25	Classifications revised	1
Requisitions certified	26	Classifications New/Deleted	0/0
Requisitions pending	0	Title Changes	0
Requisitions cancelled	2	Surveys completed/cancelled/pending	1/0/8

Average days from departmental initiation to receipt of requisitions in Civil Service = 8.7

Average days from requisition receipt to certification = 0.0

Percentage of Requisitions Certified within 24 hours of receipt = 100%

The Chief Examiner reported additional details regarding examinations administered, and changes to the qualifications for Engineering Technician II (Office) that had concurrence of management and labor. The report was concluded with no questions from the Commission members.

Agenda Item III.

Civil Service Rule Review Committee Recommendations:

The Chief Examiner provided the background of the recommendations that had been developed by the Civil Service Rule Review Committee during multiple meeting over the course of nearly a year, and that the vast majority of the recommendations resulted from unanimous votes. He stated his belief that only one or two proposals did not have the support of the committee. Mr. Kibbey invited committee members in attendance to comment. Joe Cavanaugh, President of Local 270, addressed the Commission, stated his belief that the review went well, with only one proposal made that

was somewhat contentious. He stated that committee members had good conversations regarding the proposals, and that he was in concurrence with the proposed changes. Heather Lowe, Human Resources Director, addressed the Commission, echoed the comments made by Mr. Cavanaugh, and stated that the most difficult part of the review was getting everyone's agenda cleared for the meetings. She stated that the committee had meaningful conversation regarding proposals for rule changes, as well as standard day-to-day practice in working with labor and management. Ms. Lowe thanked the Commission and invited them to ask any questions.

Ms. Doran asked if there were any questions, further comments, or a motion.

Jim DeWalt stated that he'd just like to thank all those who participated. He stated that he had the chance to review the results; that it sounded like it was an appropriate process; and, a job well done.

Phyllis Gabel moved to adopt the rules as recommended and presented to the Commission. Ms. Beckett seconded the motion. Ms. Doran asked for any discussion; and, hearing none, called for the vote. The motion carried unanimously. Mr. Kibbey thanked the Commission and stated his opinion that it probably been the smoothest rule review process since he's been involved with them. He also stated his appreciation for all of the input from labor and management. Ms. Doran also thanked everyone who participated in the process.

Agenda Item IV.

Draft Civil Service Business Plan and Budget for 2014:

The Chief Examiner noted that this item is on the agenda strictly as a discussion of the draft documents in order to get input on any changes the Commission would like to see, and determine whether the Commission wants to have the administration or labor review the documents prior to placing them on the agenda for adoption in November. Ms. Gabel thanked the Chief Examiner for recalling that Jan Quintrall, Business and Developer Services Director had asked to review the documents last year. Mr. Kibbey stated that he'd met with Ms. Quintrall earlier as well, and that she had indicated that she would review the current documents, but he hadn't received any feedback from her. Mr. Kibbey stated that he'd be happy to send the current draft documents to Ms. Quintrall as well. Ms. Doran stated that would be a good idea.

Mr. Kibbey also noted that a recent budget run had resulted in a slight reduction to the draft total budget amount for 2014. He stated that the total budget amount now represented 0.507% of the total classified payroll from 2012, just slightly above the minimum level within the City Charter mandated range, and in keeping with the goal of fiscally conservative budgeting.

Agenda Item V.

Other Business:

The Chief Examiner noted that during the briefing, Commission members had asked about the study of the Civil Service system being conducted by Business/Developer Services Director Jan Quintrall, and City Council President Ben Stuckart; and, possibly inviting them to make a presentation to the Commission. Mr. Kibbey asked for direction from the Commission. Ms. Doran stated that she would be interested from hearing from them. Ms. Beckett asked if the study had been concluded. Mr. Kibbey responded that he hadn't heard anything since he met with them for approximately a half-hour in April. Mr. Kibbey stated that he found the lack of contact somewhat surprising as he believed that there would be input from a number of individuals, and that something would have come back for review. Mr. Kibbey noted that he had also made a request to management representatives on the Civil Service Rule Review Committee to advise Ms. Quintrall and Mr. Stuckart that the process was nearing completion, and to make any recommendations in a timely manner so that they could be considered during the process.

Ms. Beckett asked legal counsel Mike Piccolo if the study was an idea from the City Council, and if the Council is involved, or whether it was just an idea from the two individuals. Mr. Piccolo replied that he believed the study was the idea of the two individuals, and that the City Council had not taken any formal action whatsoever for this type of review. Ms. Gabel stated her belief that it would be a good idea to find out where the process is, and invite them to make a presentation. Mr. Kibbey responded that he would be happy to invite Mr. Stuckart and Ms. Quintrall to present information during an upcoming meeting.

Ms. Doran stated that she would like to have an executive session for approximately ten minutes to discuss the process and timeline for evaluating the performance of the Chief Examiner. The Commission entered executive session at 9:45 a.m., and returned to regular session at 10:01 a.m. Hearing no further business to come before the Commission, Ms. Doran adjourned the meeting at 10:01 a.m.

Attachment to October 15, 2013 Civil Service Commission Minutes**MERIT SYSTEM RULES
OF THE
CIVIL SERVICE COMMISSION
CITY OF SPOKANE****State of Washington****As Adopted October 15, 2013,****COMMISSIONERS
Mary Doran
Cheryl Beckett
Phyllis Gabel
Jim DeWalt
Craig Hult****CIVIL SERVICE RULES
RULE I
GENERAL**

Reference: Charter, Sec. 52 (b), (c), (f), Sec. 53 (j), (k), (l), Sec. 55 and Sec. 56.

Section 1. PURPOSE: The general purpose of these rules is to establish uniform methods of practice and procedure for the administration of the Civil Service program as provided in the Charter of the City of Spokane. The intent of the Charter is interpreted to require that the City of Spokane and its employees shall have reasonable assurance that employment matters will be dealt with on a uniform, equitable basis so that the citizens of Spokane may derive the benefits and advantages which can be expected to result from a competent staff of employees. Merit principles of competition and fitness shall govern in the procedures for selection, employment, promotion and retention.

Section 2. APPLICATION: These Rules shall apply to all positions and offices in the City service except:

1. Offices to which election is made by the people.
2. Appointive members of Boards and Commissions.
3. Appointive officers as specified by the Charter.
4. Temporary/Seasonal positions.
5. Such other positions as may hereafter be excluded by law or the Commission.

Section 3. MEETINGS: All regular meetings and hearings of the Commission shall be open to the public; however, ~~on the request of an employee or an authorized bargaining unit representative, the Commission shall hear any matter conducted~~ in accordance with the Washington State Open Public Meetings Act, chapter 42.30 RCW 42.30.110. Notice and agenda shall be published at least 10 days prior to such meeting or hearing. One regular meeting shall be held each calendar month on the third Tuesday thereof, in the City Council Chambers at 9:30 a.m., with a staff briefing to be conducted immediately preceding the regular meeting. Special meetings of the Commission may be called at any time by the Chair, or by a majority of the members. Three members of the Commission shall constitute a quorum. A simple majority of the quorum is necessary to take action other than action by the Commission under Rule XI, which shall require at least three affirmative votes. Each Commission member is expected to notify the Chief Examiner prior to a scheduled meeting if that member will not be able to attend the meeting. Such notice will serve to establish such absence as excused. All attendance at meetings shall be recorded in the Minutes of the meeting and unexcused absences of appointed members will be reported to the Mayor.

Section 4. ORDER OF BUSINESS: Robert's "Rules of Order," except as otherwise herein provided, shall guide the Commission in its proceedings.

Section 5. STAFF: The staff of the Commission shall consist of a Chief Examiner and such assistants and employees as may be required. The Chief Examiner shall perform such duties and maintain such records as the Commission and the City Charter may require and shall act as Secretary for the Commission and keep minutes of its proceedings. Under the direction of the Chief Examiner the staff shall be empowered to act for and in the name of the Commission in the conduct of daily routine business.

Section 6. EQUAL EMPLOYMENT OPPORTUNITY: The City of Spokane is an equal opportunity employer. All persons who meet the established qualification standards will be considered equally for employment or promotion. No person shall be discriminated for or against in employment, promotion, retention or any other personnel action ~~because of political, religious or organizational affiliation, race, creed, color, national origin, age, marital status, familial status, sex, sexual orientation, honorably discharged veteran or military status, the presence of any sensory, physical or mental disability, the use of a service animal by a person with disabilities, or any other non-merit factor~~ on the basis of any protected class recognized by State or Federal law or City policy, except where a bona fide occupational qualification exists. Every employee in the classified service of the City shall have the right to appeal such discriminatory acts in accordance with provisions of the City Charter and Rules of the Commission. The Civil Service Commission shall notify the Human Resources Office of any such appeals upon their receipt.

Section 7. RULES: Any additions or amendments to these rules must be in writing and filed with the Secretary of the Commission at least 10 days prior to action thereon, shall be acted upon only at a regular meeting of the Commission and shall not become effective until 10 days after publication thereof in the Official Gazette of the City of Spokane. All rules shall be reviewed by a committee composed of an equal number of employee group representatives and management representatives appointed by the Secretary-Chief Examiner on a periodic basis not to exceed five years. The Rule Review Committee shall be representative of the work force. Rule changes proposed by the Committee shall be forwarded to the Civil Service Commission for their consideration. At the request of either labor or management, three employee representatives and three management representatives from the Rules Review Committee shall meet and review administrative decisions made by the Chief Examiner. The review shall be to determine the impact of these decisions on the rules.

~~**Section 8. PERSONNEL PROGRAM:** The Commission and the Mayor in joint consultation and as provided by the Charter shall have the authority to adopt such rules, principles and procedures as may be necessary for the adoption of an effective personnel program. Any future changes or amendments to such rules shall be developed by the Mayor and the Commission acting jointly and subject to applicable collective bargaining laws.~~

Section 89. SEVERABILITY: If any section or part of any section of these rules is held by any Court to be invalid or unconstitutional, the same shall not invalidate or impair the validity, force and effect of any other section or part thereof.

RULE II DEFINITIONS

1. **APPLICANT** - A person who applies to take an examination for appointment to a classified position in the City service.
2. **APPOINTEE** - A person who has been appointed or employed.
3. **APPOINTING OFFICER** - The head of a department or other officer authorized in writing by the Mayor, who appoints subordinates in a department or office.
4. **APPOINTIVE OFFICER** - One exempted from classified service by the provisions of the City Charter.
5. **APPOINTMENT** - The placement of an eligible in a position in the City service under the City Civil Service Rules.
6. **CANDIDATE** - An applicant who has been admitted to an examination.
7. **CERTIFICATION** - The act of notification to an appointing authority by the Commission as to which persons are officially eligible to be considered for appointment to a vacant position.
8. **CHARTER** - The Charter of the City of Spokane.
9. **CITY SENIORITY** - The length of time an employee has worked for the City in a classified position.
10. **CLASSIFICATION PLAN** - The process of identifying the duties and responsibilities of classified positions and the placement of these positions at their correct relative levels of responsibility.
11. **CLASSIFICATION REVIEW** - A periodic study of a job description classification specification to determine if changes or modifications are warranted.

- 12. CLASSIFICATION SENIORITY** - The length of time an employee has been regularly appointed to and has performed the duties of present classification; ~~providing, that seniority for employees blanketed into positions in accordance with Charter provisions shall be credited from date of appointment to the position.~~
- 13. CLASSIFICATION SPECIFICATION** - A consolidation of all job descriptions which are the same or similar in degree of responsibility or of complexity or require the same skill, knowledge or experience to perform, and from which is determined the basic levels required to perform satisfactorily the work of any one of such positions.
- 14. CLASSIFICATION TITLE** - An assigned descriptive designation for the duties performed in a related group of jobs.
- 15. CLASSIFIED OFFICER OR EMPLOYEE** - Any person filling a position in the classified service whose appointment has been approved by the Commission and for which compensation is paid by the City.
- 16. CLASSIFIED SERVICE** - Those regular positions, not specifically exempted by the Charter, which have been determined to be under the rules and regulations of the Civil Service Commission.
- 17. COMMISSION** - The Civil Service Commission of the City of Spokane. As used in these rules the term Commission is interpreted to include its staff for all routine administrative matters.
- 18. COUNCIL** - The City Council of the City of Spokane.
- 19. DEMOTION** - The reduction of an employee from a higher classification to a lower classification.
- 20. DEPARTMENT** - A major and separate administrative segment of the City organization, the head of which gains operational authority from the Charter or Ordinance and is responsible directly to the Mayor, or those designated to act in the Mayor's behalf.
- 21. DEPARTMENTAL SENIORITY** - The length of time an employee has worked in a department.
- ~~**22. DIVISION** - A major organizational segment of a Department, the head of which is responsible directly to the Department Head.~~
- ~~**223. DISABILITY** - A physical (which includes sensory) or mental impairment that substantially limits one or more of an individual's major life activities, or a record of such an impairment, or being regarded as having such an impairment. Any impairment meeting the definition of "disability" under State or Federal law or City policy.~~
- 234. ELIGIBLE LIST** - A list consisting of names of those persons who have successfully completed an examination, who are placed thereon in descending order according to their final rating, and who will be considered for appointment to a vacant position.
- 245. EXAMINING PHYSICIAN** - The medical doctor or physician ~~employed~~ designated by the City to examine applicants or employees.
- 256. JOB DESCRIPTION** - A detailed listing of the duties, tasks or operations and responsibilities undertaken and performed by an individual in the execution of the job.
- 267. JOB SURVEY** - An in-depth study to determine the proper classification of a certain position.
- 278. LAID-OFF LIST** - A list of employees in the classified service of the City who have been removed from active service and from the City payroll because of lack of work or funds, abolishment of the job, or position, or for other good cause.
- 289. LEAVE OF ABSENCE** - Leave granted to an employee other than regular sick or annual vacation leave.
- 2930. MAYOR** - The elected Chief Administrative Officer of the City of Spokane.
- 304. MUTUAL PASSOVER** - When the appointing officer and the eligible are in agreement that the best interests of the City would be met by appointing someone lower on the list.
- 312. OPEN ELIGIBLE LIST** - A list of applicants other than promotional who have qualified for employment by examination under the City Civil Service Rules.

- 323. ORIGINAL ENTRY PROBATIONARY PERIOD** - A trial period for employees in an original entry classification not to exceed one year, during which the probationer's performance will be evaluated by management. Probationary employees may be discharged without appeal rights to the Civil Service Commission.
- 334. OUT OF CLASSIFICATION** - Performing work not reflected in the job description for the current classification held by an employee.
- 345. PASSED OVER** - To select for appointment a person at a lower place on the eligible list.
- 356. PERMANENT EMPLOYEE** - An employee who has been duly employed under the City Civil Service Rules and has satisfactorily served the original entry probationary period.
- 37. PERSONNEL PROGRAM** - ~~That part of personnel management in the City service, the administration of which shall be the immediate responsibility of the Human Resources Director.~~
- 368. PROJECT EMPLOYEE** - An employee hired to perform a specific project or work, which is non-recurring in nature or is created by an unforeseen event which will not exceed two calendar years from the date of hire without review by the Civil Service Commission.
- 379. PROMOTION** - The movement of an employee from a lower classification to a higher classification.
- 3840. PROMOTIONAL ELIGIBLE LIST** - A list of employees who have qualified for promotion by examination under the City Civil Service Rules.
- 3941. PROMOTIONAL PROBATIONARY PERIOD** - A trial period for promoted employees, not to exceed six months, during which the probationer may be returned to a position in his/her former classification without appeal rights to the Civil Service Commission.
- 402. PROVISIONAL APPOINTMENT** - An interim appointment to a classified position pending the establishment of an eligible list.
- 413. PROVISIONAL EMPLOYEE** - An employee assigned to fill a regular classified position pending the establishment of an eligibility eligible list.
- 424. REASONABLE ACCOMMODATION** - Modification required by State or Federal law or City policy for a qualified individual with a disability. ~~The Washington Law Against Discrimination (WLAD) and the Americans with Disabilities Act (ADA) require that an employer must reasonably accommodate a known disability of a qualified individual with a disability (satisfies the requisite skill, experience, education, and other job-related requirements of the position, and can perform the essential functions with or without a reasonable accommodation) unless the accommodations would result in undue hardship to the employer. Reasonable accommodation means:~~
- ~~(i) Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; or~~
 - ~~(ii) Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or~~
 - ~~(iii) Modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.~~
- Examples of reasonable accommodation may include, but are not limited to:
- ~~(i) Making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and~~
 - ~~(ii) Job restructuring; part-time or modified work schedules; reassignment to a vacant position; acquisition or modifications of equipment or devices; appropriate adjustment or modifications of examinations, training materials, or policies; the provision of qualified readers or interpreters; and other similar accommodations for individuals with disabilities.~~
- 436. SURVEY** - To observe and define the duties, activities and responsibilities of a job or position.
- 445. TEMPORARY/SEASONAL EMPLOYEE** - An employee used to fill a position on a temporary/seasonal basis not to exceed 960 hours in a twelve month period from their date of hire, unless an extension has been granted through proper channels. Questions of classified work shall be surveyed by Civil Service Staff.

47. TEMPORARY POSITION - A position which shall not exceed thirty days.

458. TRAINEE/APPRENTICE - An employee assigned to an in-service training or apprentice position.

469. TRANSFER - Movement of an employee from a classified service position to another in the same classification or to a related classification when no promotion or demotion is involved.

4750. WORKING DAYS - As used in these Rules, the term working days is construed to mean Monday through Friday, except holidays.

RULE III CLASSIFICATION

Reference: Charter, Sec. 52 (e), and Sec. 53 (a), (c).

Section 1. GENERAL: The Commission shall develop and administer a classification plan for all classified positions as provided by the Charter, utilizing approved job descriptions in the development of classification specifications. Each position shall be assigned a classification title and no appointment to any such classification shall be made except as provided by these rules.

Section 2. CLASSIFICATION REVIEWS: Generally, classification reviews will be conducted for each classification within the classified service every two years. During the Classification review, the minimum qualifications shall be reviewed and agreed upon by labor and management. At any time, either labor or management has the right to submit changes in minimum qualifications. Should labor and management agree with the minimum qualifications, such changes shall be made and reported presented to the Commission for adoption. If labor and management cannot come to an agreement, the recommendations of each party shall be submitted to the Commission for their review; the Commission's decision shall then be adopted.

Section 3. JOB SURVEYS: A department head, employee, or an authorized employee representative, may request a special survey of a specific job. Specifications common to a group of positions requiring similar duties and responsibilities shall thereafter be compiled.

Section 4. TITLES: Classification titles for each position in the classified service shall be as nearly as possible descriptive of the general duties attached thereto, and shall be the same for all offices and places requiring the same service, regardless of the location of the employment. Such classification titles shall be used to designate employees' positions or jobs in all official communications, reports, payrolls and records of the City.

Section 5. RANKING: ~~The Commission shall determine the relative ranking of all classifications through identification and evaluation of the various factors involved in performance of duty.~~

Section 56. RECLASSIFICATION:

(a) A reclassification request may be made in writing by an appointing officer, a department head, employee or an authorized employee representative by filing the request with the Commission, or the Commission may on its own, direct that a survey be conducted. Upon receipt of request, the Commission, prior to initiation of the survey, will notify the appointing officer, department head, Human Resources Director, affected employee and, if represented, the appropriate employee bargaining representative. If the Survey shows that the duties or responsibilities of a position have substantially changed to the extent that the preponderance of the work is no longer representative of the assigned classification, the position shall be reclassified by order of the Commission, subject to budget approval by the City Council. If an employee or the City wish to appeal a Civil Service staff determination that a job should or should not be reclassified, an appeal must be filed with the Commission within ten (10) working days of notification of the determination. The appealing party has the burden to show that the determination is incorrect.

(b) Whenever a position is reclassified which involves upgrading the position, the incumbent shall be required to take the current examination for the new classification. Providing the incumbent has held the position and has been doing the work of the higher classification for at least one year prior to initiation of the survey and regardless of other promotion rules meets the minimum eligibility requirements, should the incumbent pass the examination the incumbent's name shall be certified for the position and the incumbent may be appointed thereto. Should the incumbent not have been doing the work of the higher classification for at least one year, the incumbent shall be required to compete on the same basis as other applicants; providing that when an eligible list is already in existence for the new classification, the incumbent shall have the privilege of taking the examination prior to certification or appointment to the position; providing

further, that appointments made under this subsection shall be subject to the rules governing probationary employees from the date of certification to such reclassification. No employee may receive more than one promotion within a department through the reclassification process without approval of the Civil Service Commission.

(c) When the qualifications of a classification are adjusted upward, all incumbents of that classification shall be deemed to possess such qualifications for the purpose of retaining their positions and such adjustment shall not affect their present status; however, they shall not be considered for promotion or advancement to any higher classified position for which they do not possess qualification.

(d) Should the reclassification result in downgrading, the affected employee may retain the reclassified position at the lower level or may request a transfer to another position in his/her present classification. Upon notification of the reclassification action, the employee shall have thirty (30) calendar days to request transfer. Upon a request for transfer, the affected employee shall accept transfer to the first available position at which time the reclassification shall be implemented. Failure to accept transfer to the first available position shall result in reclassification to the lower position.

Section 67. NEW POSITIONS:

(a) Whenever a new office or position is to be created in the classified service, the appropriate Department Head shall supply the Commission, ~~through the Human Resources Director,~~ with a statement of the general duties, responsibilities and other matters affecting the character and responsibilities of such position. The Commission shall thereupon investigate the proposed position and advise ~~the Council~~ as to its correct classification title. Should the new position require the creation of a new classification specification, Commission staff will develop the class specification; and, upon gaining concurrence from management and the appropriate bargaining unit(s) that the specification accurately describes the new position, the specification shall be presented to the Commission for adoption. If labor and management cannot come to an agreement, the recommendations of each party shall be submitted to the Commission for their review; the Commission's decision shall then be adopted..

(b) Any established agency or individual position, other than as provided in sub-paragraph (c) following, which subsequently comes under control and direction of the City government and is funded through the regular City budget process shall be absorbed into the Civil Service classified merit system in the following manner: The parent department, or the Mayor if there is no existing department, shall provide to the Commission a statement outlining the reasons and conditions as to how the agency or program became part of City government. The statement shall identify all existing or proposed positions. Upon approval by the Commission positions shall be identified and classified by the Civil Service staff. Incumbent employees, not otherwise covered by a superseding law, agreement, or regulation, shall be given a qualifying exam to determine their fitness for the position. Unsuccessful applicants must be terminated as soon as a regular eligible list is certified.

(c) Any grant program or special revenue sharing program shall be administered in conformance with the conditions of the program and be initially identified by the recipient department, with approval of the Commission, as seasonal, project or indefinite. A program that can qualify as ~~temporary~~/seasonal shall be so recognized and employees in such program shall not be subject to Civil Service. A project is a non-recurring program that will not exceed two calendar years and is for a specific project or set of projects. A program that can qualify as non-recurring shall be so recognized and employees in such program shall not be subject to Civil Service. All other programs and any seasonal program which lasts beyond one year duration and any non recurring program which lasts beyond two years may be recognized as indefinite and subject to Civil Service hiring procedures as though such were permanent classified positions. The staffing of all grant or special revenue sharing programs, whether identified as seasonal, project or indefinite, should be by recruitment and appointment, insofar as practicable, through Civil Service processes and existing eligible list for commensurate positions. Trainees appointed through any of the above programs shall be subject to the conditions of Rule IV, Sec. 17.

Section 78. PAYROLL CERTIFICATION: ~~Neither the head of any department nor~~ ~~The City Auditor~~ shall ~~not~~ approve or pay any salary, wage or compensation for services of any employee within the classified service of the City unless said payroll bears the certificate of the Commission or of its Chief Examiner or other authorized agent that the persons therein named have been employed in compliance with the terms of the Charter and the Civil Service Rules. The refusal to certify an individual employee shall not affect the remainder of the payroll.

Section 89. CHANGE OF STATUS: Any change in employment that may affect the status of an employee shall be reported to the Commission by the appointing officer through the Human Resources Director ~~on a form provided.~~ In all instances, except in unforeseen emergencies, the change of status report must be forwarded to the Commission as soon as circumstances will allow and prior to the effective date of such change.

RULE IV EXAMINATIONS AND ELIGIBLE LISTS

Reference: Charter, Sec. 53 (b), (c), (d), (e), (g), and Sec. 54.

Section 1. GENERAL: The Commission shall provide for free and competitive examinations open to all those who meet the eligibility requirements for all positions within the classified service. They shall provide for notice of such examination, general qualifications for applicants, practical tests and creation of eligible lists. Examinations shall be held as required, prior to the expiration date of an eligible list and at such time and place as designated by the Commission.

Section 2. NOTICE: Notice of examinations shall be published in at least one issue of the Official Gazette and shall be posted in the office of the Commission as well as in departments ~~and divisions~~, and given such other publicity as deemed necessary. Such notice shall give the date and character of the examination and shall indicate the general qualifications required of applicants. Notices shall fix the period in which applications will be received.

Section 3. FILING: Applicants shall not be admitted to any examination for a position in the classified service until they shall have filed an application under oath upon a form provided by the Commission, which shall show that the established requirements have been met. Application forms shall conform to State and Federal law. Applications must be filed before expiration of the filing period. Applications requiring clarification shall be returned to the applicant to provide supplemental information needed to complete the application found to be incomplete or incorrect will be returned for correction. A written notice designating the time and place of examination shall be mailed or served upon the applicant. Presentation of such notice at the appointed time shall entitle the applicant to enter the class for examination.

Section 4. QUALIFICATIONS: Examination notices shall contain a minimum age and such other minimum occupational qualifications established for the position by the Commission in regular meeting. Every applicant must affirm, in a manner satisfactory to the Commission, that he or she is able to perform the essential functions of the position to which appointment is sought, with or without reasonable accommodation. The Commission may refuse to examine an applicant, or, after examination, to certify an eligible, and may remove the applicant's name from an eligible list for any of the following reasons:

- (a) Prior dismissal from City employment for cause as set forth in Rule IX, Section 5.
- (b) Inability to perform the essential functions of the job, with or without reasonable accommodation.
- (c) Intentional false statement in any material fact, or deception or fraud in securing examination, certification or appointment.
- ~~(d) Current alcohol abuse or illegal use of a controlled substance.~~
- ~~(d)~~(e) Does not meet requirements as contained in examination announcement.
- ~~(e)~~(f) Any cheating on examinations or any other willful violation of the provisions of this rule.

Section 5. CHARACTER OF EXAMINATIONS:

(a) Examinations shall be practical in their character and shall relate only to those matters which will fairly test the general fitness of the persons examined to discharge the duties of the classification to which they seek to be appointed. Any appropriate method of testing may be used, such as, but not limited to: written, physical, oral, performance, or evaluation of training and experience. No questions pertaining to an individual's political, religious, or organizational affiliation, race, creed, color, national origin, age, marital status, familial status, sex, sexual orientation, physical or mental disability inclusion in any protected class recognized by State or Federal law or City policy will be allowed at any examination or proceeding unless a bona fide occupational qualification has been obtained.

~~(b) Section 8. RATING:~~ Each examination shall consist of one or more tests to which weights shall be assigned prior to the examination representing the relative value of each test to the whole. Each test shall be rated independently by the examiner. Appropriate scientific techniques and procedures shall be utilized in rating the results of examinations and in determining the final scores of the competitors. In determining the type of system for rating results on the examinations to be used, due regard shall be taken of the number of candidates and of the number of vacancies which may be expected to occur during a reasonable period of time. All applicants for the same examination shall be accorded uniform and equal treatment in all phases of the examination and rating procedure.

Section 6. CONDUCT OF EXAMINATIONS: No limitations shall be made as to the number of applicants to be received for examination. The Commission may limit the number of applicants to be examined at any one time or during any one session; however, when practicable all examinees shall be examined at the same time. Any attempt to cheat or copy from a competitor will render that person ineligible for that examination and the applicant shall be considered as having failed. Any necessary explanations will be made to all examinees equally. Examiners are forbidden to explain the meaning of any written question furnished the examinee or to make remarks or suggestions that may assist in its solution. Reasonable accommodations will be made for examinees with disabilities, ~~hearing impairments or visual impairments~~. Examinees whose basic language is other than English, will be provided interpreters to assist them in understanding the questions, if a request is made at the time of application. In no event shall such interpreters assist by suggesting answers to questions. An examinee who withdraws from an examination, after filling out the identification card and receiving either a copy of the questions or an explanation of the test to be conducted, shall be considered as having failed. A written record shall be maintained of the results of any test administered.

Section 7. TYPES OF TESTS: Examinations shall consist of any one or a combination of the following types of tests; however, examinations are not limited solely to those listed. Other practical and appropriate types which may be developed may also be used provided they conform to the general merit principles governing other tests. All tests shall be related to the classification title being examined.

(a) WRITTEN: A written test is any test which evaluates skills, knowledge, and abilities and other characteristics required for job performance, by the use of written questions. It is usually associated with mental or visual abilities. Any conversation or communication between or among examinees during the test is strictly prohibited. No material of any kind which might be of assistance in the test, except that specifically authorized, will be allowed and any such material must be surrendered to the examiner before the test commences. During the examination no examinee will be permitted to leave the room except in the case of urgent necessity and notice to an examiner, and then only when accompanied by an examiner. An exception to the foregoing shall be permitted when the test is of exceptional duration in which case a general break may be allowed at the halfway point; however, the prohibition against conversation or communications shall remain in force.

(b) PHYSICAL FITNESS: A physical fitness test is one in which the examinee demonstrates physical ability to perform given tasks. It may include but not be limited to, demonstration of strength, endurance, agility or coordination. The test may be scored and weighted in the total examination or it may be administered on a simple pass-fail basis wherein the examinee must meet an established minimum score, but such score will not be considered in the total examination. Each individual test in the battery will be explained and demonstrated to the examinees as a whole prior to commencement. Additional explanation may be given at any time. No examinee shall be permitted a second chance on any individual test unless there are unusual and extenuating circumstances, and then only if personally authorized by the Chief Examiner or a designated representative. Only authorized examiners shall record scores. Each score recorded shall be initialed by the examiner. An examiner shall stop an examinee at any time an unsafe condition is observed or when it is not safe for the examinee to continue the test. The Chief Examiner or a designated representative will determine whether the examinee may subsequently complete the test. Individual scores in the test battery shall be accumulated and averaged to obtain the final score.

(c) PERFORMANCE: A performance test may be accomplished by use of: paper and pencil, ~~by the use of machines, by the use of hand tools, or by the use of an Assessment Center~~. The test measures the degree of skill or ability demonstrated by the examinee. The test may be explained to the examinees as a whole or each may be given a written description or diagram of the task to be performed prior to commencement. In the case of an Assessment Center, labor and management shall identify prospective assessors; however, the final decision on assessors shall be made by the Chief Examiner. No assistance of any kind, other than necessary tools or material, will be allowed in the performance of the test. Unless instructed to interact during an exercise or an Assessment Center, any conversation or communication between or among examinees concerning the tasks to be performed is strictly prohibited.

(d) ORAL: An oral test is normally used to evaluate knowledge and abilities not easily tested by other means. ~~Generally its use is reserved for senior administrative classifications or for professional classifications.~~ The board shall consist of no less than two and preferably three examiners who shall be selected from among persons knowledgeable in the fields or subjects being tested. The interview and questioning process shall be structured so that one basic set of questions shall be developed and asked of all examinees. Additional questions may be asked by board members to explore subject areas more thoroughly providing each examinee is asked the same basic questions. Interviews shall be confidential and individual responses shall not be discussed outside the examination room. Group situations also may be used wherein a subject or problem is given to the examinees as a whole for discussion. The board would then evaluate each individual examinees participation in the discussion. Background information provided the board shall be confined to that which is pertinent to the class. Names of candidates shall be used in oral board examinations unless a candidate objects in advance of the examination. An evaluation form shall be prepared listing those traits to be evaluated. Each member of the board shall enter on a copy of the form, separately and independent of each other, the evaluation of the

examinee. The separate evaluations will then be totaled and averaged to obtain the final score. The consolidated evaluation form will be made available to a promotion applicant for three working days following notification of examination results for review and information. Whenever practicable the same board members shall not be used for successive examinations.

(e) Other tests, such as an evaluation of training and experience, may be devised from time to time and used for appropriate classifications. Such tests shall follow the principle of job relatedness in their applications and use. Procedures shall be developed and established for their administration and methods of scoring shall be established prior to their use.

~~**Section 8. RATING:** Each examination shall consist of one or more tests to which weights shall be assigned prior to the examination representing the relative value of each test to the whole. Each test shall be rated independently by the examiner. Appropriate scientific techniques and procedures shall be utilized in rating the results of examinations and in determining the final scores of the competitors. In determining the system for rating results on the examinations, due regard shall be taken of the number of candidates and of the number of vacancies which may be expected to occur during a reasonable period of time. All applicants for the same examination shall be accorded uniform and equal treatment in all phases of the examination and rating procedure.~~

~~**Section 98. VETERANS PREFERENCE:** Discharged veterans from the armed services of the United States Veterans shall be given additional credit in accordance with State law. Applicants seeking Veterans preference credit must provide proof of Veteran status on or before the test date. Credit shall be given only after the applicant has attained a passing rating in the examination procedure. Applicants must present not later than the test date such credentials or papers as the Commission may desire before credit is given.~~

~~**Section 10. MEDICAL AND PHYSICAL EXAMINATIONS:** The examining physician shall ascertain the ability of the applicant to perform the essential functions of the job, with or without accommodation. The result of such medical examination shall be considered only in determining the fitness of the applicant for employment and shall not be a factor in determining the applicant's ranking on an eligible list. The Commission may, however, establish tests of physical strength and condition, as provided in Section 7 of this rule.~~

Section 149. GRADING: All examination papers remain the property of the Commission and shall be retained in its files. No unnecessary delay will occur in the marking and grading of the examination papers. As soon as the grading is completed candidates will be notified whether they passed or failed and their position on the eligible list. Any applicant failing to attain a passing score in two consecutive examinations for the same classification shall not again be eligible for examination in that classification within six months from date of last examination.

Section 120. PROMOTIONAL EXAMINATIONS: Promotional examinations will be conducted under the same provisions as prescribed in this Rule, except as modified in Rule VI.

Section 131. REVIEW OF ANSWER KEY: The answer key or other documents for an open entry examination shall not be made available for review.

Section 142. POSTPONEMENT OF EXAMINATION: Whenever it may appear to the Commission, by reason of the small number of applicants for any examination, either original or promotional, that such examination has not been given sufficient publicity, or for other good and sufficient cause, the Commission may postpone said examination to a later date. All persons having applications on file for the particular examination shall be immediately notified of the postponement and shall be further notified of the new date and time at which they are to appear for such examination.

Section 153. CONTINUOUS EXAMINATIONS: Original entrance examinations for classifications in which the need continually exceeds the availability of appointees, OR for classifications which management, labor, and the Civil Service Commission agree that continuous examinations are in the best interest of the City, shall be administered as applications are received with results merged into one eligible list according to final ratings. On such examinations, a candidate who achieves a passing score on one part of an examination need not repeat that part if re-tested within a six-month period. The final grade of a candidate who repeats any part of an examination will be based on the latest test results.

Section 164. REGISTER OF ELIGIBLES LISTS:

(a) Applicants whose general rating on the examination meets or exceeds the established minimum passing rating or score shall be enrolled upon the "Eligible List," or "Register of Eligibles," in order of their general average standing. On open entry eligible lists there shall be no priority of ranking between or among persons receiving the same average rating on the examination. If the examination were for promotion, the first appointed to the position from which promotion is sought, shall have priority. There shall be no limit to the number of eligible lists on which an individual's name may appear at any one time.

(b) Eligible lists shall be effective from the date of their approval by the Commission and shall continue in force for a period of two years; provided, that for justifiable cause, the Commission may, on its own initiative and in writing, declare said list void at any time after it has been in existence one full year, or extend the life of said list beyond two years; provided further, that such extension shall in no event be for more than ninety days. Should labor and management jointly submit a request for voiding an eligible list, the Commission may, after a meeting, declare the list voided.

Section 175. TRAINEE/APPRENTICE POSITIONS: The City may, upon approval of the Commission, establish in-service training or apprentice positions. Merit principles shall be followed in determining appointees who shall then be given the status of provisional appointments. Training positions normally are of short duration and used to train persons to perform entry-level jobs. Apprentice positions are for the purpose of assisting persons to obtain full-skill level in a craft or trade. Apprentice programs must be similar in scope to State approved apprentice programs. Prior to or upon completion of the appropriate program the enrolled person shall take the original entrance examination for the position concerned. If the trainee passes the examination and successfully completes the training program, the trainee's name shall be carried at the top of the appropriate open eligible list until regular appointment is made or removed as provided in Section 18 following.

Section 186. REMOVALS: The Commission shall remove the name of an eligible from the list if the eligible has:

(a) Been certified and passed over a total of five times, to include one time each by at least three different appointing authorities for appointment; however, in classes confined to one department the passovers may be made by the same appointing authority.

(b) Failed to respond to a notice of interview or appointment; however, if satisfactory reasons are presented within thirty calendar days, for such failure to respond, the Commission may reinstate the name upon the eligible list.

(c) For cause as in Section 4 of this Rule or for any of the following reasons:

- (1) Any failure to notify the Civil Service Commission of a change in name, address or telephone number.
- (2) Any failure or refusal to accept appointment or promotion without notification to the Civil Service Commission of good cause for such failure or refusal.
- (3) Any request to the Civil Service Commission to be removed from an eligible list.
- (4) Any declination to interview.

RULE V APPOINTMENT AND PROBATION

Reference: Charter, Sec. 53 (d), (f), (h), (i)

Section 1. GENERAL: No appointing officer shall select or appoint any person for or to any position within the classified service except as provided within these Rules; nor shall the Commission approve the appointment of any person except as provided by these Rules. Vacancies in the classified service shall be filled by requisition and certification as provided herein.

Section 2. REQUISITION: Whenever a position is to be filled in the classified service, the appointing officer shall make requisition to the Commission ~~through the Human Resources Director~~ upon a form provided. Appointing officers are encouraged to submit requisitions in advance of actual need so as to maintain continuity of work insofar as possible.

Section 3. CERTIFICATION: Upon receipt of a requisition the Commission will ascertain the availability for employment of personnel on the appropriate list. Certification shall be made from the eligible list current at the time a requisition is received and in the following manner.

FIRST: From the laid-off list the same number of names of persons laid off from that department ~~or division~~ as there are vacancies, in the inverse order of their lay off, for positions in the class from which they were laid off.

SECOND: From the laid-off list, names of those persons laid off outside of the department ~~or division~~, the number needed in addition to the above to equal the vacancies, by classification seniority, for positions in the class from which they were laid off.

THIRD: The highest eligible from a uniformed promotional eligible list. The three highest eligibles from a non-uniformed promotional eligible list and the three highest eligibles from that Department on that list. Certifications from promotional lists shall include the names of those on the list to whom approved leave has been granted. Selection of an eligible from the Departmental supplemental list will not give rise to an appeal from the three highest eligibles on the promotional eligible list; nor will selection of an eligible from the promotional eligible list give rise to an appeal from the three highest eligibles on the Departmental supplemental list. However, a passed over eligible from the Department supplemental list shall have the same right of appeal as a passed over eligible from the promotional eligible list.

FOURTH: From an original eligible list for appointment to the classification in which the vacancy occurs, the names, addresses, and telephone numbers of the ten highest available eligibles. On open entry eligible lists there shall be no priority of ranking between or among persons receiving the same average rating on the examination.

FIFTH: Names of those classified employees requesting reduction or transfer shall be certified in addition to the above listed eligibles in the second through fourth category. Those laid off employees who do not fall under the first or second category will be certified as transfers for positions to which they are eligible.

If less than ten names appear on an original entry eligible list only such name or names shall be certified; but, the appointing officer may reject such certification in which case the Commission shall declare the list exhausted. Another examination then will be held and ten names certified.

Names of those persons remaining on an exhausted eligible list shall be accorded the following consideration: If name has been on an original entry eligible listing or on a promotional eligible listing, the eligible shall automatically be placed at the top of the new listing, open or promotional listing respectively, with eligibility expiring in accordance with original date of eligibility.

Section 4. ACTION BY APPOINTING AUTHORITY:

(a) Upon receipt of a certification, the appointing officer shall interview and consider each eligible in the order of certification. The appointing officer may within ten working days select one of the eligibles and so notify the Commission ~~through the Human Resources Director~~ on the form provided. If for cause the name/s of all those on an original entry certification are rejected or passed over, the appointing officer shall so notify the Chief Examiner in writing. The Chief Examiner shall consider reasons presented and may authorize certification of additional original entry names. If a promotional certification is rejected the appointing officer shall include the reasons on the certification form which will be promptly forwarded to the Commission ~~through the Human Resources Director~~.

Civil Service employee files shall be used to review employee performance. Under no circumstances shall a letter of suspension older than three (3) years or a letter of reprimand older than two (2) years be considered as a basis for a Promotional Pass Over. Counseling forms shall never be considered.

No promotion certification shall be rejected except for reasonable cause and no promotional ~~candidate~~ eligible shall be passed over except for reasonable cause. Reasonable cause for passing over a promotional ~~candidate~~ eligible may include the following:

1. ~~An candidate's~~ eligible's documented substandard work performance, or
2. ~~An candidate's~~ eligible's documented prior disciplinary problems, or
3. Documented errors in an ~~candidate's~~ eligible's judgment, or
4. Any other documented performance-related reasons, or
5. Mutual Passover

(b) If selection is not made within ten working days of receipt, the certification ~~will~~ may be withdrawn and the position declared vacant, unless a written request for extension has been approved by the Commission, and not to be filled until such time as the appointing officer again shall request certification.

(c) Upon receipt of a rejected promotional certification, or a certification which passed over a promotional ~~candidate~~ eligible, the Chief Examiner shall without delay notify the eligible/s in writing. A rejected uniformed promotion eligible or a passed over non-uniformed promotion eligible shall have the right to petition the Commission within five working days from the date of said notification. The petition must be in writing and filed with the ~~Secretary~~ Chief Examiner who shall then notify the Human Resources Director. The Commission shall thereupon set a date of hearing in the same manner as provided by the Charter and Rule XI for appeals.

(d) The appointing officer may, at his/her option, select an employee certified from a promotion list who is on an approved leave of absence. An employee so selected shall, upon return to active duty, be appointed to the advance position after first showing that the established qualifications are still met. The standing on the eligible list of an employee passed over by reasons of absence on approved leave shall not be jeopardized and the employee shall retain his/her proper position during the life of the list regardless of the number of certifications made. When, upon such selection, the position continues to remain unfilled by reason of such absence, requisition shall again be made and upon certification, the appointing officer may appoint one of those so certified to fill the position in a temporary capacity until such time as the first selectee returns to duty. An employee so appointed and holding such temporary appointment at the time the next requisition is received for the same classification and in the same department shall be awarded a probation appointment and time served in the temporary appointment shall be credited towards the probation period. When the first selectee returns to duty and receives appointment the temporary appointee will be returned to the permanent classification held and position on the eligible list and such time served in a temporary capacity shall confer neither Civil Service status nor tenure in the advance position.

Section 5. SELECTION OF SENIOR ADMINISTRATIVE ASSISTANTS: Those classified positions which are identified by title and duties as being principal assistant or deputy or confidential assistant to an appointive office, or as being principal administrative officer of a major ~~division~~ function within a department, wherein the incumbent reports and is responsible directly to an appointive head and is, as a matter of practice and policy, directly involved in establishing basic policy and in controlling the administrative affairs of a major unit, shall be governed by the certification and appointment procedures outlined herein irrespective of any other certification and appointment procedures provided in these rules. These procedures shall not change the grading or rating methods as established elsewhere in these rules. The Commission shall maintain a current list of classifications to be included. All candidates who attain a passing score on the examination shall be certified for the vacancy in the order of their final rating and without regard to promotion preference. The appointing officer shall consider each eligible in order and shall select the one thought best qualified for the position. Within ten working days of receipt of the certification the appointing officer shall notify the Commission through the Human Resources Director and on the form provided the name of the person selected. Upon receipt of the notification, the Commission shall without delay advise the remaining eligibles of the selection. Such notification and failure to be selected shall not be considered as being "passed over" for the purposes of remaining eligible during the life of the list. Should selection not be made within ten working days then the provision of Section 4 (b) above shall apply.

Section 6. LAID-OFF LIST: When the name of an employee is certified from the laid-off list, the appointing officer from the department or ~~division~~ from which the employee was laid off shall have no choice in the selection. The person so certified shall be appointed within ten working days and a written report of the appointment filed with the Commission through the Human Resources Director. If for good and sufficient reason the appointment is not made within ten working days, the appointing officer shall so notify the Commission in writing through the Human Resources Director the reasons therefore. Upon acceptance, the Commission shall withdraw the certification and the position shall be declared vacant and not to be filled until the appointing officer again requests certification.

Section 7. NOTICE OF APPOINTMENT: Upon receipt of the notice of selection, Civil Service staff will verify that Civil Service Rules were followed in the selection, provide any required notifications, and forward the notice to the Human Resources Director ~~Department shall for processing the appointee and shall forward necessary forms to the Commission for all appointments.~~

Section 8. WAIVER OF CERTIFICATION: Eligibles on an eligible list may request waiver only for those reasons which would physically prevent them from reporting; such as reasonable separation notice to present employer, illness of self or family, or absence from city. Requests shall state length of time waiver to be effective; ~~provided however, waivers, whether continuous or otherwise, shall not be permitted for a period of longer than thirty calendar days.~~

Section 9. FAILURE TO RESPOND: Any eligible who fails to respond within four working days of the date of appointment will forfeit all rights to the position for which the eligible was to report, and the eligible's name shall be removed from the eligible list; provided, however, that the eligible may be reinstated in proper order upon the ~~eligibility~~ eligible list, if, within thirty calendar days from the date of the removal notice sent, the eligible presents satisfactory reasons to the Commission for failure to report. If the position for which the eligible was to report for duty has been filled because of failure to respond the eligible shall be reinstated on the eligibility list in the proper order according to final rating as it is then constituted.

Section 10. PROBATION:

(a) All original entrance appointments shall have a probationary period not to exceed one year of regular time worked which shall commence on the date of appointment to the classified position.

(b) Removals. At any time during the probationary period the appointing officer shall remove a probationer found to be unsatisfactory. Submission of unsatisfactory proficiency reports also may be cause for removal of a probationer. The appointing officer, upon removing an unsatisfactory probationer, shall notify the Commission through the ~~Human Resources Director~~ of such action on the form provided. The probationer, if on promotional probation, shall be returned to the former classification held as provided in Rule VII, Section 24b. If probation is by appointment from an original eligible list, the probationer shall be dropped from the service except as provided for transfers in Rule VIII, Section 2 (a); OR, where a classified position is vacated to accept the original entry appointment, the probationer shall be placed on the laid off list for the previously held classification.

Section 11. PROVISIONAL APPOINTMENT: Upon receipt of a requisition for persons to fill a vacancy for which no eligible list exists, the Commission may grant authority to the appointing officer to make a provisional appointment pending examination. Provisional appointments shall be made first from within those classifications in the normal line of progression; but should no eligibles be available in those classifications, then appointment may be made of any person who meets the requirements of the classification. Any such appointees may compete in examination on the same basis as any other applicants, and shall enjoy the same status as regular employees except for right of ~~tenure~~ seniority and probation. As soon as an eligible list is secured for a position filled by provisional appointment, the Commission shall certify in the regular manner provided in these rules, without further action by the appointing officer. The appointing officer shall make a regular appointment in accordance with these rules within ten working days of such certification. If no such appointment is made, the provisional appointment will be terminated at the expiration of the aforesaid ten working days, unless otherwise ordered by the Commission, and the provisional appointee returned to the former status held. Should a provisional appointee not receive a regular appointment to the position, the provisional appointee shall be returned to the former position and time so served shall be credited towards seniority in the classification to which returned.

Section 12. TEMPORARY APPOINTMENT:

(a) When services to be rendered are of a temporary character or, in the case of an emergency, for a limited period, or during an approved leave of absence of an employee who will return to the service of the City, the appointing officer shall inform the Commission, through the Human Resources Director, stating the duration of such period, the rate of compensation, the authority for employing such temporary service, and other conditions of employment, and may select for such employment one of the first ten persons on the appropriate eligible list who, after due notice of conditions, is willing to accept appointment. In case of acceptance of appointment for temporary service, the eligible so appointed shall retain all rights to certification for a permanent position as though no temporary appointment had been given.

(b) Any person who has been appointed temporarily from an eligible list, and who at the time of said appointment was the highest on the list of eligibles willing to accept said appointment under the conditions and for a period when stated, may, in case such position is made or becomes permanent, be regularly appointed in said position irrespective of the number of higher eligibles willing to accept permanent appointment. Such appointment must have the approval of the Commission, and it shall be shown to the satisfaction of the Commission, the fact that the position would become permanent was not known to the appointing officer or department at the time the temporary appointment was made, and provided further, that the eligible list from which the temporary appointment was made is the most appropriate eligible list for such permanent position. Such regular appointment shall be subject to the provisions of Section 11 above.

(c) Temporary appointment shall be for a period not to exceed thirty calendar days except as otherwise provided in writing by the Commission. Such approval must be obtained prior to the effective date of the extension and in no event shall such extension or extensions exceed thirty calendar days each.

Section 13. DISABILITY APPOINTMENT:

(a) Disability appointments in lieu of discharge or lay off may be made of persons who are disabled to the extent they cannot perform their normal duties. A vacancy must exist in the classification to which appointment is contemplated and may be to any comparable or lesser classification which the employee is capable of performing. Every effort will be made to place a disabled person in a position which they are qualified for and able to perform. Any such disability appointment shall be terminated and the employee returned to the former classification held as soon as the employee is physically capable of resuming the regular duties. The appointing officer, prior to making a disability appointment, shall obtain a statement from a doctor approved by the City that the employee is physically capable of performing the alternate duties; and the appointing officer shall obtain a similar appropriate statement before terminating the temporary assignment. Notice of the initial and subsequent actions shall be made to the Commission on the form provided, with reasons therefore. ~~A copy of the doctor's statement shall be attached in both instances.~~ The appointing officer shall also serve a copy of the notice on the employee.

(b) Any disability retiree may test for, and be considered for, any greater position if the requirements are met, the same as any active employee, during the first three years of disability retirement ~~and while still under normal retirement age~~. The appropriate Pension Board shall be notified of any disability retiree who has made application for promotion. Prior to certification, the Civil Service staff shall obtain a determination from the appropriate Pension Board that the employee's disability will not hinder the individual from performing the duties of the new position. A promotion evaluation shall be completed at the time the employee is retired on disability and such evaluation shall be used in the selection process. Disabled retirees who are hired in a greater position and subsequently laid off shall have lay off rights as defined in Rule IX.

Section 14. STATUS OF EMPLOYEES: Notices of all appointments shall be submitted by the appointing officer through the Human Resources Director on the forms provided and reviewed for conformance to their rules by the Commission prior to the effective date of appointment; provided, that temporary appointments under emergency conditions do not require prior approval. Provisional, temporary, or temporary/seasonal appointment shall confer neither Civil Service status upon the appointee, nor any privilege of promotion or transfer to any other position in the service.

RULE VI PROMOTION

Reference: Charter, Sec. 53 (d), (f).

Section 1. CAREER FIELDS: The Commission shall establish broad career fields and lines of progression from lower to higher grades of service in all cases where the duties and responsibilities of the lower position tend to qualify for service in the higher.

Section 2. METHOD: Whenever a vacancy in the classified service exists, unless such vacancy is to be filled from the laid off list, or by transfer, as in Rule V, Sec. 3, it shall be filled by promotion from a lower classification when such lower classification contains any eligibles who have passed a promotional examination. Promotion shall be accomplished by means of a competitive examination and, except for special training and knowledge gained within a department as a prerequisite to the proper filling of a vacancy, shall be open to employees regardless of department. The Civil Service Commission, at its discretion, may provide for simultaneous open and promotional examinations with provisions for certifying promotional eligibles ~~candidates~~ first.

Section 3. NOTICE: Notice of promotional examination shall be published in at least one issue of the "Official Gazette" and shall be posted in the office of the Commission as well as in departments ~~and divisions~~. Such notice shall give the date and character of the examination and such other information as required.

Section 4. FILING: Applications for promotional examinations shall be made ~~upon a form~~ as prescribed ~~and furnished~~ by the Commission, and shall be filed ~~in the office of~~ with the Commission before expiration of the filing period.

Section 5. ELIGIBILITY:

(a) To be eligible to enter an examination for or receive promotion, an employee must satisfy the eligibility criteria, as stated in the examination announcement, by the date of the examination.

(b) Within the line of progression, if a non-probationary employee meets either the open or promotional requirements, that employee, on passing the exam, shall be placed on the promotional list.

Section 6. EXAMINATIONS:

(a) The rules governing promotional examinations shall, except as herein provided, be the same as for original entrance examinations, as stated in Rule IV. ~~Where positions require special physical fitness the Commission may cause a special investigation of eligibles to be made to determine whether they continue to meet the required physical standards.~~ Applicants for promotion examination who are on an approved extended leave due to involuntary military service, or who are sick or injured, may be administered the examination separately from other candidates if security and integrity of the examination process can be assured. It shall be the responsibility of the applicant to request such consideration at the time of application or hospitalization. In all cases the decision of the Chief Examiner as to whether a separate examination may be conducted shall be final.

(b) Examination content shall be applicable to the specific classification and shall be based upon the Civil Service classification specification. Review of the applicability of the examination to the classification requirements shall be made by a subject matter committee consisting of one Civil Service staff member, one subject matter specialist selected by the

appropriate labor organization, and one subject matter specialist selected by management. Labor and management may agree to use the same subject matter specialist. Examinations for each classification shall be reviewed periodically to insure that examinations for each classification do not substantially reflect the same questions contained in the previous examination for that classification. Prior to the administration of an exam, the labor and management subject matter specialists selected shall jointly review the exam to determine the relevancy of the questions. The labor representative or the management representative may determine that a particular question or questions may be stricken from the exam. The exam will be revised incorporating the changes. Questions shall be constructed so there is only one correct response. Any question determined to have more than one correct response shall be thrown out.

Section 7. REVIEW OF ANSWER KEY: Administration of exams will be immediately followed, prior to the candidate leaving the exam room, by a period during which candidates may write protests on questions perceived to be defective. The subject matter specialist committee that conducted the pre-test review will then review all challenges as well as all questions missed by 80 percent or more of the candidates and recommend methods of resolution of problem areas to the Chief Examiner; however, questions missed by 80 percent of the candidates will not be automatically reviewed unless there are ten or more candidates taking the examination. For three working days following grading and notification, the examinees may compare their answer sheet with the correctly keyed answer sheet to determine clerical errors.

Section 8. ELIGIBLE LISTS: Rules governing the establishment of promotional eligible lists shall be the same as provided in Rule IV for original entrance lists; except when two or more applicants have the same rating, then preference on the eligible list shall be determined by their classification seniority.

Section 9. PROMOTION EVALUATION: An evaluation of an employee's job performance shall be a subject in all promotion examinations. Promotion evaluation report systems and procedures shall be developed and enforced by the Human Resources Department. They must be approved and adopted by the Civil Service Commission in advance of their use. Any procedure submitted for approval shall include as subjects for consideration, among others, the general areas of past experience and performance, preparation for advancement, and success potential for the higher position. Its weight, not to exceed 20 percent, shall be fixed by the Commission.

Section 10. VETERANS PREFERENCE: The rule governing veteran's preference for promotions shall be provided by State law.

Section 11. REQUISITION AND CERTIFICATION: The rules governing requisitions and certifications for promotion shall be the same as provided in Rule V; except that a promotion eligible list containing one name may constitute a valid list and may be so certified; however, where a new list has been established, such name or names remaining shall be placed at the top of the new list, open or promotional list respectively, with eligibility of such names or names so placed expiring in accordance with their respective eligibility date from such previous list.

Section 12. ACTION BY APPOINTING OFFICER: The procedure for selection shall be the same as that provided in Rule V, Section 4, and in addition the appointing officer shall fill vacancies in the following order of preference:

~~**FIRST:** From the laid off register the same number of names of persons laid off from that department or division as there are vacancies, in the inverse order of their lay off, for positions in the class from which they were laid off.~~

~~**SECOND:** From the laid off register, names of those persons laid off outside of the department or division, the number needed in addition to the above to equal the vacancies, by classification seniority, for positions in the class from which they were laid off.~~

~~***THIRD:** The highest eligible from a uniformed promotional eligible list. The three highest eligibles from a non-uniformed promotional eligible list and the three highest eligibles from that Department on that list. Selection of an eligible from the Departmental supplemental list will not give rise to an appeal from the three highest eligibles on the promotional eligible list; nor will selection of an eligible from the promotional eligible list give rise to an appeal from the three highest eligibles on the Departmental supplemental list. However, a passed over eligible from the Department supplemental list shall have the same right of appeal as a passed over eligible from the promotional eligible list.~~

Section 13. NOTICE OF APPOINTMENT: The rules governing notices, waivers and declinations for promotion shall be the same as provided in Rule V.

Section 14. PROBATION: The probationary period for all promotional appointments shall be six months; however, absence from work for any reason which, when combined, totals more than five working days shall be considered as non-qualifying time and the probationary period shall be extended by the number of working days missed in excess of five

working days not to exceed a total combined period of one year. The appointing officer shall notify the Commission of any such absences through the Human Resources Director, and all applicable personnel records shall be annotated and adjusted accordingly. Other rules governing the probation procedure shall be the same as provided in Rule V.

RULE VII DEMOTION

Reference: Charter, Sec. 53 (f) and Sec. 55.

Section 1. INVOLUNTARY DEMOTION:

~~(a) The demotion of an employee from a higher to a lower grade and classification for disciplinary purposes may be made by the Mayor. Conditions under which demotions may be made and the procedure to be followed in each case are listed in the following subsection.~~

~~(b) Involuntary Demotion Procedures: For cause as defined in Rule IX, Section 5, the Mayor may demote an employee by filing with the Commission a notice of such demotion together with a statement detailing the causes and stating time, place and circumstances, a copy of which shall be served on the employee. The demoted employee shall have the right of appeal and shall be given an opportunity for a hearing as provided in Rule XI, Section 5. An employee so demoted shall lose all prior rights to the higher class. The demotion shall not displace any permanent or probationary employee unless the demoted employee has classification seniority in the class to which demoted and the displaced employee can be retained in the next lower classification given that the displaced employee meets the minimum qualifications for the lower classification, or to the class from which most recently promoted without any further displacement. The results of the action shall be confined to the department of the demoted employee. If the above conditions cannot be satisfied, the demoted employee shall be placed on the laid off list for the class to which demoted.~~

Section 2. VOLUNTARY DEMOTION:

~~(a) An employee may request reduction to a vacancy in a previously held classification, or any lower classification for which the employee may be qualified, for physical or other good reasons. The appointing officer shall obtain a written request for such action from the employee and shall indicate thereon approval prior to forwarding it and the notice of change to the Commission through the Human Resources Director. Such reduction shall be without prejudice to the employee's future status and the employee shall be entitled to credit for previous service in both classifications. No further reference to the Commission need be made prior to effecting the reduction. PROVIDED: Such reduction shall not displace any permanent or probation employee.~~

~~(b) PROBATION: Upon a showing of unsatisfactory performance during the probationary period, the appointing officer shall return a probationer to the employee's former classification as prescribed in Rule V, Section 10 (b); PROVIDED, the employee shall not displace any other employee with greater classification seniority. Should no position exist the employee shall then be given the option, of appointment to a position in the next lower classification or placement on the laid off list.~~

~~**Section 3. LACK OF WORK:** When it becomes necessary to effect a reduction in force because of lack of work or funds, the appointing authority shall accomplish such reduction in the order prescribed in Rule IX.~~

RULE VIII TRANSFER APPLICATIONS & VOLUNTARY DEMOTION

Reference: Charter, Sec. 53 (a), (c), (e), (f), (i).

~~**Section 1. GENERAL:** Transfers or changes of position voluntary demotions shall be subject to approval by the Commission and have the concurrence of the gaining department and the consent of the employee. Notice of all transfers shall be filed with the Commission prior to the effective date of such action.~~

~~(a) The A transferred employee shall forfeit departmental seniority and shall be placed in the junior position on the new department seniority list for the job classification. Classification seniority for promotional purposes shall not be affected and will be retained in the Civil Service records for the particular classification carried. PROVIDED: This Rule does not apply to promotions of certified eligibles appointed from a position in one department or division to a higher position in another department or division.~~

Section 2. TRANSFERS PERMITTED:

(a) Any permanent employee who leaves a position to accept employment by certification from an open eligible list or as a transfer shall be permanently separated from the position formerly held; provided, that any such employee shall retain the option of returning to the former position held within thirty calendar days of the new appointment. The appointing officer shall also have the option of returning such employee to the former position within thirty calendar days of the new appointment. An officer or employee who accepts certification to a higher position, the duties of which are merely temporary, shall be reinstated in the lower position without loss of seniority when such higher duty is completed.

(b) Transfer, in lieu of lay off, may be made to a position in the same classification in a different department or division, providing the employee consents to such transfer and, further, that a permanent or probational employee is not displaced.

(c) When the position held by an employee is reclassified which involves a change in grade and the employee elects to retain the present classification, the Commission shall be notified in writing and the employee will then be transferred to the first available vacancy in the employee's present classification. When such transfer is to another department or division, the employee shall forfeit departmental seniority and shall be placed in the junior position on the new departmental seniority list for the job classification. (See Rule III, Sec. 6 (c)).

(d) If the employee is requesting transfer to a different classification at the same level of compensation and he/she has taken and passed the examination for the classification to which transfer is requested, or an appropriate higher classification, within the past five years, the transfer request shall be approved and the employee shall be placed on the appropriate eligibility list.

Section 3. TRANSFERS NOT PERMITTED: Transfer shall not be permitted when the examination upon which the appointment of an employee was based was not of a character and standard to test the fitness of such employee for the position to which it is proposed to make the transfer.

Section 4 . VOLUNTARY DEMOTION:

(a) An employee may request reduction to a vacancy in a previously held classification, or any lower classification for which the employee may be qualified, for physical or other good reasons. The appointing officer shall obtain a written request for such action from the employee and shall indicate thereon approval prior to forwarding it and the notice of change to the Commission through the Human Resources Director. Such reduction shall be without prejudice to the employee's future status and the employee shall be entitled to credit for previous service in both classifications. No further reference to the Commission need be made prior to effecting the reduction. PROVIDED: Such reduction shall not displace any permanent or probation employee.

(b) PROBATION: Upon a showing of unsatisfactory performance during the probationary period, the appointing officer shall return a probationer to the employee's former classification as prescribed in Rule V, Section 10 (b): PROVIDED, the employee shall not displace any other employee with greater classification seniority. Should no position exist the employee shall then be given the option, of appointment to a position in the next lower classification or placement on the laid off list.

Section 3 5. LACK OF WORK: When it becomes necessary to effect a reduction in force because of lack of work or funds, the appointing authority shall accomplish such reduction in the order prescribed in Rule IX.

RULE IX VIII
SUSPENSION, DISCHARGE, LAY-OFF DISCIPLINARY ACTIONS

Reference: Charter, Sec. 53 (i) and Sec. 55.

Section 1. GENERAL: An employee in the classified service may be suspended, demoted, or discharged for disciplinary purposes by the Mayor. Notice thereof, together with a full statement of the reasons, shall be immediately filed with the Commission through the Human Resources Director who shall also serve a copy upon the employee to include notice of appeal rights. PROVIDED: No employee may be disciplined twice for the same act.

Section 2. APPEAL: Any employee disciplined under this Rule shall have the right of appeal under the procedures prescribed in Rule XI.

Section 3. HEARING: The Commission shall conduct hearings as provided in Rule XI. The Commission may sustain the disciplinary order or may order the employee reinstated.

Section 4. CONDITIONS: Employees may be suspended, demoted, or discharged under the following conditions:

(a) Any employee may be suspended for a period of not more than sixty days for cause and with loss of salary.

~~(b) Involuntary Demotion Procedures: For cause, as defined in Rule IX, Section 5, t~~ The Mayor may demote an employee for cause by filing with the Commission a notice of such demotion together with a statement detailing the causes and stating time, place and circumstances, a copy of which shall be served on the employee. The demoted employee shall have the right of appeal and shall be given an opportunity for a hearing as provided in Rule XI, Section 5. An employee so demoted shall lose all prior rights to the higher class. The demotion shall not displace any permanent or probationary employee unless the demoted employee has classification seniority in the class to which demoted and the displaced employee can be retained in the next lower classification given that the displaced employee meets the minimum qualifications for the lower classification, or to the class from which most recently promoted without any further displacement. The results of the action shall be confined to the department of the demoted employee. If the above conditions cannot be satisfied, the demoted employee shall be placed on the laid off list for the class to which demoted.

~~(b-c)~~ Any employee may be permanently discharged from the service for cause.

Section 5. CAUSE: Merit principles of employment shall be the primary consideration in any disciplinary action. Employees may be disciplined only for actions which would affect their ability or fitness to satisfactorily perform their assigned duties. Non-merit factors such as race, creed, color, affiliation, national origin, sex, sexual orientation, age, marital status, or the presence of any physical or mental disability may not be considered. The following conditions are compatible to the principles of merit and may be considered as cause for any classified employee to be suspended, demoted, discharged or otherwise disciplined.

(a) Has been absent from duty without approved official leave contrary to the Civil Service rules or the City personnel regulations, or has failed to report after any such leave has been officially disapproved or revoked;

(b) Has willfully or corruptly, alone or in cooperation with one or more persons, defeated, deceived or obstructed any person in respect to their right of examination; or has willfully or corruptly furnished to any person so examined any special or secret information for the purpose of either improving or injuring the prospects or chances of persons so examined, or to be examined, being examined, employed or promoted in the operation of the Civil Service and Personnel programs of the City;

(c) Is incompetent or inefficient in the performance of the duties and responsibilities of the position held;

(d) Is willfully careless or negligent of the property of the City;

(e) Any willful violation of the Charter, these Rules, any written personnel policies, written departmental rules or procedures, or of any reasonable and proper order or direction given by a supervisor, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline or resulted or might reasonably be expected to result in loss or injury to the City, or the public, or to the prisoners or wards of the City;

(f) Has been guilty of conduct unbecoming an officer or employee of the City;

(g) While on duty, if an officer or an employee has aided in any manner in soliciting or collecting money from an officer or employee of the City for any purpose prohibited by the Mayor; provided, contributions solicited for approved purposes must be voluntary and no discrimination shall be permitted against an employee engaged in such acts;

(h) Has engaged, while in uniform or on duty, in the solicitation of funds or sale of tickets for any purpose except as provided in (g) above;

(i) Has used or threatened to use or attempted to use political influence in securing promotion, leave of absence, transfer, change of grade, pay, or character of work;

(j) Political activity as follows is prohibited:

(1) While fulfilling the duties of City employment to actively engage in a political campaign for Mayor, City Council or other elective City office.

(2) While fulfilling the duties of City employment to take an active part in securing or contributing monies toward the election of any candidate for elective City office.

- (3) Use of City position, office, facilities or public resources to attempt to persuade any other employee or other person to participate in or contribute to any political campaign, for Mayor, City Council, or other elective City office.

Nothing contained herein shall prohibit an employee from exercising voting rights, and expressing opinions on all political subjects, nor prohibit the officers of employee associations from soliciting dues or contributions from members of their associations.

(k) Political activity of employees of the City whose positions are financed in total or primarily by Federal grant-in-aid funds, shall also be regulated by the rules and regulations of the Federal Civil Service. A violation of such rules shall be cause for discipline under these rules.

(l) Has been convicted of a felony or a gross misdemeanor;

(m) Excessive absenteeism or habitual pattern of failure to report for duty on time without good and sufficient reason;

(n) Has committed, or has induced or has attempted to induce an officer or employee of the City, to commit an unlawful act or to act in violation of any reasonable and lawful departmental or official regulation or order, or has taken any fee, gift or other valuable thing in the course of work or in connection with it, for personal use from any citizen, when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens;

(o) Has beneficial interest, directly or indirectly, in any contract, sale, lease or purchase with or for use of the City; or accepts, directly or indirectly, any compensation, gratuity or reward from any person beneficially interested therein.

RULE IX LAY OFF

Reference: Charter, Sec. 53 (i)

Section 6. LAY OFF—1, GENERAL: Whenever it becomes necessary in any department, through lack of work or funds, abolishment of the job, or other good cause to reduce the work force in that department, or for re-employment or extended leave of absence as provided in Rule X, Section 3 and 4 (d), personnel shall be laid off or reduced in grade according to the procedures established in this Rule.

(a) Reductions in force shall be confined to the department affected; except that employees who have been promoted or transferred to their present classification directly from a classification in another department may be returned to such previously held classification in the other department. No classified employee shall be laid off or reduced in grade under these conditions while there are employees not within the classified service who are serving in the same department in the same relative job or classification. For the purpose of this rule, "classified employee" includes both permanent and probationary appointees.

(b) Classification seniority tenure shall be the primary factor in determining a reduction in force, should this tenure be the same, then, in order, shall be considered the departmental seniority and the City seniority. ~~The Commission may grant permission for lay off out of the regular order upon showing by the department head in writing through the Human Resources Director of a necessity in the interest of efficient operation of the department, after giving the employee affected an opportunity for a hearing.~~

(c) The Commission may grant permission for lay off out of the regular order upon showing by the department head in writing through the Human Resources Director of a necessity in the interest of efficient operation of the department, after giving the employee affected an opportunity for a hearing.

~~(c-d)~~ At the time of lay off, classified employees shall, at their option, be reduced or transferred, as follows:

1. Within the department: reduced to the next lower, most recently held classification; OR, to the next lower classification within the official progression line, if it was created either concurrently with or subsequently to appointment in the current classification, and where either the open or promotional requirements are met; whichever is higher, provided, any such reduction shall not displace an employee with greater seniority2. Within or outside of the department: reduction, or transfer as provided in Rule VIII, may be requested to a classification in which a vacancy exists and in which the employee either previously held status, or, for which the character and standards are similar or related to those required in the employee's present classification.

Seniority in these instances shall be determined by combining time spent in present classification and time served in classification to which reduction or transfer is contemplated, and cumulative time served in intermediate classifications within the progression line.

(d e) Any employee who has been formally charged with a felony may be laid off without pay pending court trial determination. In this instance normal lay off and reinstatement procedures will not apply; however, the appointing officer shall notify the employee and process the necessary records and forms. If the employee is found not guilty of the charge, the employee shall be immediately restored to duty and shall be entitled to all back salary, and benefits due. In other instances the Mayor shall immediately make a determination as to restoration to duty and of pay.

Section 7 2. LAY OFF PROCEDURE: The person with the least seniority in the classification within a department shall be the first laid off or reduced except that this provision shall not apply in the event lay off action is taken in connection with an extended leave of absence in accordance with Rule X, Sec. 4 (d). The appointing officer shall notify the affected employee in writing a minimum of 10 working days prior to the effective date, prepare the order of change with copies to the Commission and the Human Resources Director on a form provided and shall obtain the approval of the Commission prior to the effective date of such order.

Section 8 3. REINSTATEMENT: The names of persons laid off or reduced in accordance with Section 1 (a-d)6 (a-e), shall be placed on a laid off register, to be prepared jointly by the Commission and the Human Resources Director, with copies for both, in the inverse order of lay off; that is, the last person laid off shall be the number one person on the lay off register. Persons on the lay off register shall be given preference over all others in certification and appointment as set out in Rule V, Section 3, and Rule VI, Section 12. The names of such persons shall also be placed at the top of the Citywide promotion or open eligible list for that classification and grade in which they were employed at the time of lay off. If no eligible list exists, the names of such employees shall constitute the eligible list. In order to facilitate reinstatement, the names of such persons may also be placed on transfer lists to other classifications at the same or lower grade level to be certified as transfer requests in accordance with Rule V, Section 3, provided that the persons meet the qualifications for such other classifications. For employees who have been reduced in grade and are employed by the City, there is no limit to the duration of a laid off list; however, those hired from the laid off list after three years from the date placed thereon shall be required to serve a six-month probationary period. For employees separated from service due to layoff, there is a three-year limit to the length of time a name may be on the laid off list. All employees hired in a department other than from which they were laid off shall be required to serve a six-month probationary period.

Section 9 4. REINSTATEMENT PROCEDURE: Upon receipt of a requisition from a department or division, names will be certified from the laid off register in accordance with Rule V, Section 3, and Rule VI, Section 12. The appointing officer shall have no choice in the appointment, and shall appoint the person so certified within 10 days of the certification. If for good and sufficient reason the appointment is not made within 10 days, the appointing officer shall so notify the Commission in writing through the Human Resources Director with reasons. Upon acceptance of such notice, the Commission shall withdraw the certification and the position shall be declared vacant and not to be filled until such time as the appointing officer again requests certification.

Section 10 5. TEMPORARY INTERRUPTION: Any interruption of employment not in excess of 15 calendar days because of adverse weather conditions, shortage of materials or equipment, or for other unexpected or unusual reasons during which employees receive no pay, wages or salary, shall not be considered a lay off.

RULE X RESIGNATION, RETIREMENT, LEAVE OF ABSENCE

Reference: Charter, Sec. 53(1), Applicable State Statutes and City Ord.

Section 1. RESIGNATION: An employee in the classified service who wishes to leave City employment in good standing shall file with the appointing officer, at least two weeks before leaving, a written resignation and the effective date. Failure to comply with this procedure may be considered cause for denial of future employment with the City. The supervisor shall notify the Commission and Human Resources of such resignation as soon as received, and provide a copy of the cover letter. The appointing officer shall forward notice of such resignation to the Commission through the Human Resources Director on the prescribed form prior to the effective date thereof. A permanent employee who has resigned in good standing may, within one year, submit a written request to the Commission for re-employment in the last permanent classification held and may, ~~upon approval of the Commission,~~ be reinstated at the bottom of an open or promotional eligible list for such classification for consideration during the remaining life of said list. Re-employment in this instance shall be considered as original entrance.

Section 2. RETIREMENT: Members of the Police and Fire Departments shall be retired in accordance with their pension fund act as provided by State law. Retirement of other employees shall be as provided by State law, ordinance, the City personnel program, and rules of the City of Spokane Employees Retirement Board.

Section 3. RE-EMPLOYMENT AFTER DISABILITY RETIREMENT: A former employee retired for disability will be restored to duty in the same or similar classification held at the time of disability retirement providing certification in writing is made to the Commission by the board of the appropriate pension or retirement system, and in accordance with the applicable law or ordinance, that the employee is capable of performing the duties of that classification. Re-employment shall be in the same department or ~~division~~ from which retired. Should no vacancy exist, the person with least seniority in that classification in the same department or ~~division~~ shall be reduced to the next lower classification, or transferred, and be placed on the lay-off list as provided in Rule IX. Should the pension or retirement board certify the employee as capable of performing the duties of a lower classification, the employee shall be appointed to the first available vacancy in said lower classification.

Section 4. LEAVE OF ABSENCE:

(a) It shall be the responsibility of the Human Resources Director to advise the Commission on all leave matters which may affect the Civil Service status of any employee.

(b) Ordinary vacation and sick leave shall be accrued and granted in accordance with the provisions of the applicable ordinances, collective bargaining agreement, and the City personnel program and regulations. The granting of such leave will not affect an employee's Civil Service rights and the employee shall continue to accrue pay, leave and seniority.

(c) Special leave of absence may be granted in accordance with applicable ordinances, collective bargaining agreements, and the City personnel program in case of on-the-job injury or urgent necessity. Substantiating proof must accompany any such request for leave. Leave of absence in excess of 120 consecutive calendar days, except as otherwise provided by law, shall be without accrual of classification seniority. Leave of absence shall not be recognized by the Commission as becoming effective until approved by the employee's appointing officer and by the Human Resources Director. Any employee who departs on leave of absence prior to receiving approval of the appointing officer and the Human Resources Director may be considered to be absent without leave and subject to immediate discharge.

(d) Leave of absence extending beyond a period of 120 consecutive calendar days may result in the placement of the employee on the laid-off list. This provision shall not apply to those on active military service, educational leave, to accept an appointive position in the City, or as otherwise approved by the Commission. At the expiration of the 120 consecutive calendar day period, the appointing officer shall determine whether the employee should be placed on lay-off status and shall so notify the Commission ~~through the Human Resources Director~~. In the event of lay off the provisions of Rule IX pertaining to procedure and reinstatement shall apply.

(e) Leave of absence shall be granted only for that period of time which is necessary to accomplish the purpose of the request and the employee must report for duty immediately upon expiration of such leave, provided, an employee on active military service must apply for re-employment rights in accordance with State law. Failure to report for duty at the expiration of leave, or if a leave has been disapproved or revoked, may be considered cause for separation from the service. Upon expiration of leave of absence the employee shall, if still qualified, resume the previous position held or, if promoted, the position to which promoted under the conditions set forth in Rule V, Section 4.

(f) An indefinite leave of absence is granted by the Commission upon request of any classified employee who elects to leave the classified service to accept an appointive position. The employee shall not be deprived, due to acceptance of the appointive position, of any standing under the Civil Service Rules the employee may have had before accepting the appointive position. The employee shall retain the seniority status they had when they left the classified service, but shall not accrue any classified seniority during their leave of absence.

**RULE XI
APPEALS, CLAIMS, COMPLAINTS**

Reference: Charter, Sec. 53 (j), (k), Sec. 55, City Personnel Ord.

Section 1. GENERAL: The Commission may investigate any and all matters relating to conditions of Civil Service employment either in response to employees' complaints, their duly authorized representatives, or on its own initiative. They shall investigate and pass upon the claim of any applicant, or any person whose name appears upon an eligible list, or who has a Civil Service classification from which deprived or separated from a position to which entitled.

Section 2. INVESTIGATION: All claims or complaints shall be in writing. The Commission, if it deems it advisable, shall cause a preliminary investigation of any complaint or claim so presented. During the course of such investigation, the duly appointed officer of the Commission shall have authority to administer oaths, require the production of relevant books or records, and the attendance of any officer, employee or other person. In the event such investigation does not resolve the matter satisfactorily, a written report shall be rendered as guidance to the Commission in the conduct of a formal hearing. In case the Commission orders such a hearing, it shall set a time and place for the same and notify the parties involved and the Human Resources Director.

Section 3. CLAIM: The claim of any applicant, or any person whose name appears on an eligible list, or who has a Civil Service classification from which deprived, or separated from a position to which entitled; or the complaint of any employee or designated representative regarding conditions of Civil Service employment, may be presented to the Commission for investigation. A claim must be made in writing, and those protesting a lay off action must be filed with the Secretary not later than 10 working days following the effective date of such lay off. Should the investigation, as provided by Section 2, above, result in a hearing, then the procedure as set forth in Section 7, following, shall prevail.

Section 4. ADMINISTRATIVE COMPLAINTS: Any employee in the classified service who desires to claim exception to an administrative action of the Commission which affects the employee's status, or any appointing officer who is in disagreement with any assigned classifications under the appointing officer's jurisdiction, may present such complaint directly to the Commission. All such complaints must be in writing and filed with the Secretary within 20 working days of notification of the action by the Commission, except as otherwise provided by these rules, and except further that in the case of a departmental disagreement regarding classifications the time limit does not apply. Failure to file within the prescribed time shall be considered as acceptance of the action of the Commission and the action shall be deemed complete. Such complaint shall not be subject to the formal appeals procedure. Should the Commission grant review of a complaint, it shall do so in any manner it deems most appropriate. Any required hearing shall be under the provisions of Section 7, following.

Section 5. APPEALS: Any employee in the classified service who has been suspended, reduced in rank or discharged as provided in Rule ~~VIII-IX~~ may appeal such action to the Commission. All appeals must be in writing and filed with the Secretary within 10 working days from date of filing of such order with the Commission or from date of service of such order on the employee, whichever is later. The Secretary shall provide a copy to the Human Resources Director of any appeal so filed. Failure to file within the prescribed time shall be considered as acceptance of the action and the action shall be deemed complete.

Section 6. APPEALS PROCEDURE: Upon receipt of an appeal, the Commission shall set a date of hearing to be held not later than 10 working days after filing of the appeal or at the next regular meeting of the Commission; except in those cases of lay off involving court charges (see Rule IX Sec. 1(e) 6-(d)) in which event the Commission shall, at the request of the Mayor, delay said hearing pending disposition of the charge or charges. The Commission shall transmit its decision in writing to both parties within 10 working days after conclusion of the hearing. No member of the Commission shall permit any person to discuss the merits of an appeal with a Commission member prior to the hearing.

Section 7. HEARINGS:

(a) Hearings by the Commission shall be held in accordance with State Law and shall be conducted by a quorum of the Commission; however, prior to the beginning of a hearing, if less than the full Commission is present, the Commission shall grant one continuance at the request of either party. Both parties to the hearing shall be notified in advance of such hearing and may, at their own expense, select representatives of their choosing. The Commission may, and shall at the request of either party, issue subpoenas and subpoenas duces tecum. Any fees or expense of any kind for the appearance of witnesses shall be assumed by the party requesting the issuance of subpoenas. Testimony may be under oath administered by the Commission or its agent. Unless otherwise directed by the Chair of the Commission, the City shall proceed first with presentation of its case.

(b) The Commission shall prepare and keep an official record of the hearing which shall include testimony recorded manually or by mechanical device, and all other pleadings, documents, and exhibits. It shall not be necessary to transcribe testimony unless requested for purposes of Commission decision, re-hearing or court review. A copy of the record shall be furnished to any party to the hearing upon request therefore and payment of the reasonable costs thereof. Informal disposition may also be made by stipulation, agreed settlement, consent order or default.

(c) Hearings shall be informal and the Commission may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. The Commission shall give effect to the rules of privilege recognized by law and it may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

(d) All evidence, including but not limited to, records and documents in the possession of the Commission of which it desires to avail itself, shall be offered and made a part of the record, and no other factual information or evidence shall be considered in the determination of the case. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.

(e) Every party shall have the right of cross-examination of witnesses who testify.

(f) The Commission may take notice of judicially cognizable facts and in addition may take notice of general, technical, or scientific facts within its specialized knowledge. Parties shall be notified of the material so noticed and they shall be afforded an opportunity to contest the facts so noticed.

(g) No charges, on appeal, other than those furnished in writing as the basis for the disciplinary action shall be heard against the person so charged.

Section 8. DECISIONS:

(a) A quorum of the Commission may render a decision, provided that the decision receives at least three affirmative votes of the Commission. Decisions of the Commission on hearings shall be final and binding. Commission members who are to participate in the making of a final decision but who were not present at the reception of evidence shall review, consider and familiarize themselves with the record of the hearing.

(b) Decisions and orders arising from hearings shall be in writing and shall be accompanied by findings of fact and conclusions of law which shall also be in writing or stated in the record.

(c) An employee, when reinstated after appeal of an order of suspension, reduction in rank or discharge shall be entitled to back salary from the date of such order to the date of reinstatement and to all other employee rights and benefits which will make the employee whole.

RULE XII RECORDS AND REPORTS

Reference: Charter, Sec. 52 (c) and Sec. 53 (l).

Section 1. PERSONNEL RECORDS:

(a) The Human Resources Director shall set up procedures for and supervise the maintenance within departments of such employee records kept in the department. ~~These records can include letters of counseling, counseling forms, CDL paperwork, or other information not stored in Civil Service, as are necessary for the proper adherence to these rules, the City personnel program and applicable ordinances and laws. As a minimum to be available at all times to appointing officers and supervisors each employee personnel record shall contain the employee's name, classification, length of service, salary received, and annual vacation and sick leave accrued and used and all information regarding any leave of absence.~~ Such records shall be open to inspection by the Commission or its authorized representative.

(b) Civil Service - The Commission shall be the central repository for all classified personnel records, which shall contain, in addition to necessary personal history data: name, current address, and telephone number, completed application forms, department and sub-unit to which assigned, classification of any position occupied with inclusive dates, the appointing officer, salary received, length of service, any changes in status, any reports or correspondence which affect employment status, and other pertinent information deemed necessary to provide a complete history of the employee's service.

~~(b) Civil Service - The Commission shall maintain a personnel status record of each employee which shall contain, in addition to necessary personal history data: name, current address, and telephone number, department and sub-unit to which assigned, classification of any position occupied with inclusive dates, the appointing officer, salary received, length of service, results of examinations taken, any changes in status, and other pertinent information deemed necessary to provide a complete history of the employee's service. The Commission shall be the central repository for all classified personnel records, which shall include the completed application forms, examination records, and any reports or correspondence which affect the employment status of the individual.~~

Section 2. REPORTS:

(a) Applicant and Eligible - It shall be the sole responsibility of each applicant for examination and each person on an eligible list for appointment to promptly report to the Commission ~~the following information~~ any change in name, address, or telephone number. Failure to do so shall constitute cause for rejection of application or removal from the eligible list, as appropriate.

~~(1) Any change in name, address, or telephone number.~~

(b) Human Resources Director - ~~The Human Resources Director shall establish necessary procedures with departments to assure that a sufficient supply of Commission forms are on hand and that required reports are promptly made. The Human Resources Director and the appointing officer shall report promptly to the Commission on the appropriate forms prescribed and furnished, and in the manner as elsewhere provided,~~ the following information in regard to personnel and departmental organization.

- (1) Every appointment, transfer, promotion, demotion, reduction, lay off, suspension, reinstatement, leave of absence, return to duty and change of compensation.
- (2) Every termination from the service with the reasons therefore.
- (3) Every refusal or neglect to accept appointment by a person whose name has been certified.
- (4) Every vacancy, and every rejection of an eligible certified from a promotion eligible list with the reason therefore.
- (5) The creation or abolition of any position and the cause of such action.
- (6) Changes in departmental organization with a detailed chart of such organizational change.
- (7) Any other reports requiring the action or sanction of the Commission.

(c) Organization Charts - The appointing officer shall have prepared and shall file with the Commission through the Human Resources Director a chart accurately reflecting the current organization and functions of the entire department. Minor revisions may be reported in memo form. Major revisions shall be cause for preparation and filing of a new chart.

R E S O L U T I O N

BE IT RESOLVED BY THE CIVIL SERVICE COMMISSION that the foregoing rules be, and the same are hereby, adopted by the Civil Service Commission of the City of Spokane, and that the Chief Examiner/Secretary of the Commission certify a copy thereof to the City Clerk of the City of Spokane for publication in the Official Gazette in conformity with the provisions of the City Charter.

BE IT FURTHER RESOLVED that these Rules shall supersede all rules heretofore adopted by the Civil Service Commission.

ADOPTED, at Spokane, Washington, this 15th day of October, 2013.

Hearing Notices

**CITY OF SPOKANE
BUDGET NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to RCW 35.33.061, that the Mayor's Preliminary (Proposed) Budget of the City of Spokane for the City's ensuing Fiscal Year (January 1, 2014-December 31, 2014), has been filed in the City Clerk's Office on October 7, 2013. A copy thereof will be furnished to any taxpayer who will call at the City Clerk's Office

therefor. Copies will be made available no later than October 21, 2013. The Spokane City Clerk's Office is located on the Fifth Floor - Municipal Building, 808 W. Spokane Falls Boulevard, Spokane, WA. In addition, a copy of the Proposed Budget will be available for citizen review at the Main Branch of the City Library, 906 W. Main Avenue, Spokane, WA.

NOTICE IS HEREBY FURTHER GIVEN, pursuant to RCW 35.33.061, that the Spokane City Council will meet on or before the first Monday of December for the purpose of fixing the final budget. The Council plans to meet on the dates indicated (below) in its consideration of the 2014 Proposed Budget during its Regular Legislative Sessions to be held at 6:00 p.m. on Monday evenings in the Council Chamber, 808 W. Spokane Falls Boulevard:

NOVEMBER 4, 2013

- Hold Public Hearing on possible Revenue Sources for 2014 Budget.

NOVEMBER 11, 2013

- Begin Hearing on the Proposed 2014 Budget.

NOVEMBER 18, 2013

- Continue Hearing on the Proposed 2014 Budget.

NOVEMBER 25, 2013

- Continue Hearing on the Proposed 2014 Budget.

The City Council reserves the right to conclude the budget hearings on November 25, 2013, and/or to continue the hearings up to the 25th day prior to the beginning of the next fiscal year (RCW 35.33.071).

Any taxpayer who wishes may appear at any of these meetings and be heard for or against any part of the Budget.

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 Gita George-Hatcher at (509) 625-7083, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or ggeorge-hatcher@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. George-Hatcher at (509) 625-7083 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

Publish: October 16, 23, 30 and November 6, 2013

Ordinances

ORDINANCE NO. C35044

AN ORDINANCE of the City of Spokane, Washington, relating to local improvement districts; establishing Consolidated Local Improvement District No. 222 and a consolidated local improvement district bond redemption fund; fixing the amount, form, date, interest rate and maturity of the Consolidated Local Improvement District No. 222 Installment Note; providing for the purchase of that Note by the City from funds on deposit in the Spokane Investment Pool; fixing the interest rate on local improvement district assessment installments; and declaring an emergency.

THE CITY OF SPOKANE DOES ORDAIN:

Section 1. RECITALS.

1.1 The City Council of the City of Spokane, Washington (the "City"), heretofore has created Local Improvement Districts Nos. 2010134, 2010135, 2011082, 2009163, 2010042, and 2010165 (the "LIDs") for various purposes.

1.2 RCW 35.45.160 authorizes the establishment of consolidated local improvement districts for the purpose of issuing bonds only and provides that if the governing body of any municipality orders the creation of such consolidated local improvement district, the money received from the installment payment of the principal of and interest on assessments levied within the original local improvement districts shall be deposited in a consolidated local improvement district bond redemption fund to be used to redeem outstanding consolidated local improvement district bonds.

1.3 RCW 35.45.150 provides that in addition to issuing bonds in payment of the cost and expenses of any local improvement, a city may issue installment notes payable out of the relevant local improvement fund, and such notes are legal investments for any available surplus fund of the issuing city.

1.4 The City desires to provide a market-rate return on a portion of the funds it regularly invests while making those funds available on an interfund loan basis to finance the repayment of the installment note authorized herein; and

1.5 Pursuant to RCW 35.45.150, the City has determined to issue its Consolidated Local Improvement District No. 222 Installment Note in the aggregate principal amount not to exceed \$1,353,218.49 and finds it is in the best interest of the City that such note be purchased by the City from funds on deposit in the City Treasury's pooled cash portfolio and available for investment.

Section 2. CONSOLIDATION OF LOCAL IMPROVEMENT DISTRICTS.

For the purpose of issuing bonds only (including issuance of an installment note under RCW 35.45.150), those local improvement districts of the City established by the following ordinances, respectively, the 30-day period for making cash payment of assessments without interest in each local improvement district having expired in the case of the assessment for each local improvement district, are consolidated into a consolidated local improvement district to be known and designated a Consolidated Local Improvement District No. 222.

Local Improvement District ("LID") No.	Created by Ordinance No.	Assessment Balance After 30-day Prepayment Period
2010134	C-34999	\$ 100,665.09
2010135	C-35000	\$ 31,578.36
2011082	C-35007	\$94,906.86
2009163	C-35016	\$332,108.09
2010042	C-35017	\$126,151.24
2010165	C-34828	\$667,808.85

Section 3. NOTE FUNDS.

There is created and established in the office of the Chief Finance Officer of the City (the "Finance Officer") for Consolidated Local Improvement District No. 222 a consolidated local improvement district bond redemption fund, which shall consist of a special account within the City's previously established Special Assessment Debt Fund, and shall be known and designated as the Local Improvement Fund, CLID No. 222 Note Redemption Account (the "Note Fund"). All money presently on hand representing collections pertaining to installments of assessments and interest thereon in each of the local improvement districts listed in Section 2 shall be transferred to and deposited in the Note Fund, and all collections pertaining to assessments on the assessment rolls of those local improvement districts when hereafter received shall be deposited in the Note Fund to repay any principal outstanding of the Consolidated Local Improvement District No. 222 Note (defined hereafter).

Section 4. AUTHORIZATION AND DESCRIPTION OF THE NOTE.

The Consolidated Local Improvement District No. 222 Installment Note (the "Note") shall be issued pursuant to RCW 35.45.150 in the total principal amount not to exceed \$1,353,219.49 being the total amount on the assessment rolls of the LIDs remaining uncollected after the expiration of the respective 30-day interest-free prepayment periods for assessments on those assessment rolls. The Note shall be dated its date of delivery; shall mature on October 15, 2025; shall be in fully registered form; and shall be numbered R-4. The Note shall bear interest at the rate 4.65% per annum computed on the basis of a 360-day year of twelve 30-day months, payable annually beginning October 15, 2014.

Section 5. APPOINTMENT OF NOTE REGISTRAR, REGISTRATION AND TRANSFER OF NOTE.

5.1 The Finance Officer of the City is appointed Note Registrar for the Note. The Note shall be issued to the City of Spokane (the "Registered Owner") as payee for the benefit of the Spokane Investment Pool, only in registered form as to both principal and interest and shall be recorded on books or records maintained by the Note Registrar (the "Note Register"). The Note Register shall contain the name and mailing address of the Registered Owner. The Note may not be assigned or transferred by the Registered Owner. When the Note has been paid in full, both principal and interest, it shall be surrendered by the Registered Owner to the Note Registrar, who shall cancel the Note.

5.2 The Note Registrar shall keep, or cause to be kept, at its office, sufficient books for the registration of the Note. The Note Registrar is authorized, on behalf of the City, to authenticate and deliver the Note in accordance with the provisions of the Note and this ordinance, to serve as the City's paying agent for the Note and to carry out all of the Note Registrar's powers and duties under this ordinance. For purposes of this Note, the provisions of this ordinance shall constitute a system of registration for the City's notes and obligations. The Note Registrar shall be responsible for the representations contained in the Note Registrar's Certificate of Authentication on the Note.

Section 6. PAYMENT OF THE NOTE.

Both principal of and interest on the Note shall be payable solely out of the Note Fund, and from the Local Improvement Guaranty Fund of the City, consistent with RCW 35.45 .150 and chapter 35.54 RCW, and shall be payable in lawful money of the United States of America. Interest on the Note, and any prepaid principal thereon, shall be paid by check, draft or electronic or interfund transfer on the interest payment date to the Registered Owner at the address appearing on the Note Register. The final installment of principal and interest on the Note at maturity or prior repayment is payable at the office of the Note Registrar in Spokane, Washington, upon presentation and surrender of the Note.

Section 7. PREPAYMENT PROVISIONS.

The City reserves the right to prepay principal of the Note prior to its stated maturity on any interest payment date, at par plus accrued interest to the date fixed for prepayment, whenever there shall be sufficient money in the Note Fund to prepay the principal of the Note over and above the amount required for the payment of the interest then due on the Note. No notice of prepayment to the Registered Owner is required. Interest on the principal of the Note so prepaid shall cease to accrue on the date of such prepayment.

Section 8. FAILURE TO REDEEM THE NOTE.

If the Note is not redeemed when properly presented at its maturity or earlier prepayment date, the City shall be obligated to pay interest on the Note at the same rate provided therein from and after its maturity date until the Note, both principal and interest, is paid in full or until sufficient money for its payment in full is on deposit in the Note Fund and the Note has been called for payment by giving notice of that call to the Registered Owner.

Section 9. FORM AND EXECUTION OF THE NOTE.

9.1 The Note shall be printed, lithographed or typed on good Note paper in a form consistent with the provisions of this ordinance and state law (including RCW 35.45.150), shall be signed by the Mayor and attested by the City Clerk, either or both of whose signatures may be manual or in facsimile, and the seal of the City or a facsimile reproduction thereof shall be impressed or printed thereon.

9.2 Only the Note bearing a Certificate of Authentication in the following form, manually signed by the Note Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance:

CERTIFICATE OF AUTHENTICATION

This Note is the fully registered City of Spokane, Washington, Consolidated Local Improvement District No. 222
Installment Note described in the Note Ordinance.

 [*SPECIMEN*]

9.3 The authorized signing of the Certificate of Authentication shall be conclusive evidence that the Note so authenticated has been duly executed, authenticated and delivered and is entitled to the benefits of this ordinance.

Section 10. PURCHASE AND SALE OF THE NOTE.

The City shall purchase the Note from funds available for investment on deposit in the Spokane Investment Pool at a price of par. The proper City officials are authorized and directed to do everything necessary for the prompt delivery of the Note and for the proper application and use of the proceeds of the sale thereof.

Section 11. FIXING INTEREST RATE ON ASSESSMENTS.

The interest rate on the installments and delinquent payments of the LIDs are revised and fixed at the rate of 4.65% per annum.

Section 12. RATIFICATION.

All actions heretofore taken by the Council, the Mayor, and the City's officers and employees, with respect to the LIDs, are hereby ratified and approved.

Section 13. VALIDITY.

If any provision of this ordinance shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this ordinance and shall in no way affect the validity of the other provisions of this ordinance, of the Bonds or of the levy or collection of the taxes pledged to pay and retire the Bonds.

Section 14. DECLARATION OF EMERGENCY.

The Council hereby designates this ordinance as a public emergency ordinance and finds and declares that it is necessary for the immediate preservation and protection of public health, public safety, and public property and the public peace and immediate support of City government and its existing public institutions due to the need to meet, in a timely fashion, the needs of the residents in the LIDs for a determination of interest rates in those LIDs, and the need of the City to invest funds in the Spokane Investment Pool in an expeditious fashion.

Passed by Spokane City Council on October 14, 2013.

(Delivered to the Mayor on the 16th day of October, 2013)

Policies and Procedures

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE

ADMIN 5300-13-04 / LGL 2013-0019

EFFECTIVE DATE: January 1, 2002

REVISION EFFECTIVE DATE: October 16, 2013

TITLE: IT SOFTWARE

1.0 GENERAL

- 1.1 This policy outlines the guidelines to be followed when purchasing and/or installing new/upgraded software. This policy also applies to the updates and replacement software for legacy software already in use.

1.2 TABLE OF CONTENTS

- 1.0 GENERAL
- 2.0 DEPARTMENTS/DIVISIONS AFFECTED
- 3.0 REFERENCES
- 4.0 DEFINITIONS
- 5.0 POLICY

- 6.0 PROCEDURE
- 7.0 RESPONSIBILITIES
- 8.0 APPENDICES

2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all City divisions and departments except the Spokane Public Library and the Parks and Recreation Division.

3.0 REFERENCES

None

4.0 DEFINITIONS

4.1 "IT" means Information Technology.

5.0 POLICY

5.1 It is the policy of the City of Spokane that IT software purchases shall be coordinated and administered in a consistent manner.

6.0 PROCEDURE

6.1 Purchases.

- 6.1.1 The Information Technology (IT) Department will order and receive all software used on City of Spokane computers. Departmental needs will be identified and discussed with IT staff. If a need exists, the IT Department will assist the department in identifying the appropriate software.
- 6.1.2 Purchase of department-specific software must be coordinated with the IT Department to ensure that compatibility and security issues are addressed and software is tested. This is to allow tracking for licensing and security purposes. It is important to prevent the City of Spokane from violating software licensing agreements.

6.2 Types of Software.

- 6.2.1 Standard Software.
This includes the software used for word processing, spreadsheets, database, presentations and e-mail (Microsoft Office). Software used to connect to the Payroll, Permits, Utility Billing and other enterprise systems will also be considered standard software. This software is purchased and maintained by the IT Department for use by the City of Spokane.
- 6.2.2 Upgrading Software.
Software upgrades and testing will be initiated by the IT Department. Upgrades of standard software will occur after the IT Department tests the new version. For non-standard or specialized software, the using department, with IT Department coordination, is required to upgrade the software at its expense as soon as possible after the commercial release of the product.
- 6.2.3 Specialized Software.
This includes software purchased to meet multiple or single department needs, including but not limited to ARCGIS, AutoCAD, and other specialized purposed software. This type of software will be funded by the requesting department.
- 6.2.4 Unauthorized Software.
This includes any software not approved by the IT Department required to perform job-related tasks. This type of software will not be downloaded from the Internet or any other sources.

6.3 Storage of Software Media.

The IT Department will maintain an inventory of software media received.

6.4 Installation or Use of Software.

6.4.1 All persons using City software shall read and comply with this policy. IT staff will install all authorized software. Unauthorized software will not be installed by any City of Spokane employee.

6.4.2 The City licenses computer software from vendors and developers on all computers under its control. Vendors and developers will install software with coordination from IT staff. Unless authorized by the vendor or developer, no person shall copy any software or documentation. All software shall be registered with the IT Department for inclusion in its equipment/software inventory.

6.4.3 The City does not require, request or condone unauthorized copying or use of computer software. Authorized persons shall use City software only in accordance with the applicable license agreements. Unlicensed software may be run for the purpose of testing/evaluation if done with the knowledge and consent of the IT Director and under the terms of the software's trial period. Unlicensed, software may be removed at the discretion of the IT Department.

6.4.4 IT staff shall audit the software residing on the City computers at least annually to verify licensing agreements and ensure compliance. The results of this audit shall be forwarded to the appropriate jurisdiction. Unlicensed software, other than that legally being tested/evaluated, may be removed.

6.5 Exceptions.

Exceptions to this policy may be granted to departments with specialized requirements, but require coordination with and approval by the IT Director.

6.6 Enforcement.

Violations of this policy shall be reported to the IT Director and Legal Department.

7.0 RESPONSIBILITIES

The Information Technology Department shall administer this policy and procedure.

8.0 APPENDICES

None

APPROVED BY:

Barbara Burns September 5, 2013
Assistant City Attorney

Mike Sloon September 5, 2013
Director – Information Technology

Theresa Sanders October 1, 2013
City Administrator

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE**ADMIN 5300-13-05 / LGL 2013-0020**

EFFECTIVE DATE: January 1, 2002
REVISION EFFECTIVE DATE: October 16, 2013

TITLE: IT EQUIPMENT**1.0 GENERAL**

1.1 This policy outlines the guidelines to be followed when purchasing Information Technology (IT) equipment.

1.2 TABLE OF CONTENTS.

- 1.0 GENERAL
- 2.0 DEPARTMENTS/DIVISIONS AFFECTED
- 3.0 REFERENCES
- 4.0 DEFINITIONS
- 5.0 POLICY
- 6.0 PROCEDURE
- 7.0 RESPONSIBILITIES
- 8.0 APPENDICES

2.0 DEPARTMENT/DIVISIONS AFFECTED

This policy shall apply to all City divisions and departments except the Spokane Public Library and the Parks and Recreation Division.

3.0 REFERENCES

None

4.0 DEFINITIONS

4.1 "IT" means information technology.

4.2 IT equipment includes, but is not limited to, the following items:

- 4.2.1 "Datacenter Hardware" includes servers, networked appliances and enterprise data storage.
- 4.2.2 "Digital Cameras" include cameras that save files to SD and XD formats, flash cards, and cables used for downloadable images.
- 4.2.3 "Displays" include monitors, flat-screens and projectors used to project the image from a workstation for larger audiences.
- 4.2.4 "Input Devices" include keyboards, mice and trackballs, numeric keypads, touch screens, etc.
- 4.2.5 "Internal and External Storage Devices" include read-only devices such as CDROM and DVD devices and writeable devices such as hard drives, zip drives, CD-RW, DVD-RW and others.
- 4.2.6 "Modems" include internal and external.
- 4.2.7 "Network Hardware" includes desk phones, access points, network routers, switches and HUBs, network security devices and UPSs.
- 4.2.8 "Other" includes any device that connects to any of the above devices or allows data to be input into or extracted from the above devices (i.e. infrared devices). Additional examples include cabling (printer, network, USB), card readers and memory.

- 4.2.9 "PCMCIA2 Devices" include network cards and modems.
- 4.2.10 "Plotters" include both color and black & white, flatbed and roll type.
- 4.2.11 "Printers" include black and white and color dot-Matrix, laserjet, inkjet, multi-function printers and others.
- 4.2.12 "Smart Devices" include Tablets, Smartphones and Cell Phones.
- 4.2.13 "Speakers" include internal, external and headphones.
- 4.2.14 "Workstation" includes a monitor, PC (desktop, laptop, tablet or tower, keyboard, mouse).

5.0 POLICY

- 5.1 It is the policy of the City of Spokane that IT equipment purchases shall be coordinated and administered in a consistent manner.

6.0 PROCEDURE

6.1 Purchases.

- 6.1.1 IT equipment must be coordinated for purchase by the IT Department staff. In most cases, new equipment purchases will be delivered to the IT Department for inventory purposes prior to installation at the requesting department.

6.2 Types of Equipment.

6.2.2 IT Equipment:

Capital IT equipment (servers, network switches, pc's, etc.) is currently depreciated on a fixed schedule. Request for replacement of an existing workstation will be submitted to the IT staff by a department representative. Workstations will be scheduled for replacement if they are determined to be unsuitable for the work performed on that workstation. This determination will be made by the IT staff in coordination with the requesting department.

6.2.3 Network Equipment:

Network equipment for wired connectivity, wireless connectivity, telephones or Uninterruptable Power Supplies (UPS) must be coordinated for purchase by IT staff. Requests for purchase of network equipment and the device's initial maintenance support will be funded by the requesting department. In most instances, the request must include a business case that will be presented to the IT Director for approval. Equipment purchases will be delivered to the IT Department for inventory purposes prior to installation at the requesting department. For security purposes, any network equipment purchased outside of this policy and connected to the City's network will be disabled and may be confiscated.

6.2.4 Datacenter Equipment:

All datacenter equipment acquisitions including purchase, lease or other acquisition type require the approval of the IT Department. Datacenter equipment is depreciated based on current schedule. Equipment replacement and upgrade are the responsibility of the IT Department which follows the depreciation schedule. Datacenter equipment will be scheduled for replacement or upgrade if it is determined to no longer meet the City business needs. For security purposes, any datacenter equipment purchased outside of this policy and connected to the City's network will be disabled and may be confiscated.

6.2.5 Printers and Plotters:

Existing printers and plotters may be replaced if the unit becomes unserviceable. Additional printer/plotter purchases will be funded by the requesting department. Approval for printers and plotters must be obtained from IT staff prior to purchase. Justification will be required for requests to purchase non-standard units with IT staff approval. Unless approved by IT Director, printers and plotters will be installed as networked shared print devices.

6.2.6 Other:
 IT equipment requires approval by the IT staff prior to purchase to ensure compatibility and supportability. Justification will be required for requests to purchase non-standard items with IT Director approval.

6.3 Tracking.

6.3.1 Inventory will be maintained by IT staff using an asset tracking system. City of Spokane asset tags will be placed on items determined by IT staff to require tracking. Asset inventory tags are not to be removed.

6.3.2 Moving of IT equipment requires approval from IT staff prior to relocation.

6.4 Replacement.

A depreciation schedule is maintained for all capitalized IT equipment. Replacement from the IT replacement account will occur on that schedule unless otherwise requested by departments. In many cases, the cost of replacement equipment has decreased to the point that sufficient funds have accrued earlier than the full depreciation schedule, in which case, departments may request earlier replacement. In the case of a department requesting replacement before the equipment has been depreciated, the department will be responsible for the cost difference. In the event an item under warranty fails, the unit will be repaired as quickly as the replacement part can be obtained from the vendor. If possible, a loaner unit will be issued. In the event a workstation, printer or plotter no longer under warranty fails, it will be replaced at department expense.

6.5 Disposal.

Any IT equipment identified in this document must be returned to IT staff for disposal regardless of how the purchase was funded. IT equipment determined to be missing will be removed from the asset tracking system and will not be replaced at IT expense.

6.6 Exceptions.

Exceptions to this policy may be granted to departments with specialized requirements, but require coordination with and approval by the IT Director.

6.7 Enforcement.

Violations of this policy shall be reported to the IT Director and Legal Department.

7.0 RESPONSIBILITIES

The Information Technology Department shall administer this policy and procedure.

8.0 APPENDICES

None

APPROVED BY:

Barbara Burns September 5, 2013
 Assistant City Attorney

Mike Sloon September 5, 2013
 Director – Information Technology

Theresa Sanders October 1, 2013
 City Administrator

Job Opportunities

The City of Spokane is an Equal Employment Opportunity Employer

**JOB OPPORTUNITY
CITY OF SPOKANE
HEAVY EQUIPMENT OPERATOR SPN 622
(Solid Waste Management)
PROMOTIONAL ONLY EXAMINATION**

DATE OPEN: Monday, October 28, 2013

DATE CLOSED: Friday, November 8, 2013

SALARY: \$39,985 annual salary, payable bi-weekly, to a maximum of \$57,336

OFFICE HOURS: 8:00 a.m. to 5:00 p.m. – Monday through Friday, except holidays

DUTIES:

Performs skilled and frequently supervisory work in the operation of heavy duty specialized maintenance and construction type equipment. Performs related work as required.

PROMOTIONAL REQUIREMENTS: (All requirements must be met by date of examination.)

One year of service in Solid Waste Management as a Laborer II (SPN 502), Refuse Collector II (SPN 550) or Refuse Collector III (SPN 553). Candidates must possess a valid Driver's License and obtain a valid Class "A" Commercial Driver's License (CDL) during the probationary period.

EXAMINATION:

The examination will be conducted on the 4th floor of City Hall in the Civil Service Test Room on Thursday, November 21, 2013 at 9:00 a.m. Approximate duration of the test is 2 hours. The examination will consist of a written test and a promotional evaluation. Weights are assigned as follows: written test 80% and promotional evaluation 20%.

The written test may include such subjects as: Driving Knowledge; Equipment Operation and Maintenance; Safety; Supervision and Human Relations.

Upon request, at time of application, the City will provide alternative accessible tests to individuals with disabilities that impair manual, sensory or speaking skills needed to take the test, unless the test is intended to measure those skills.

TO APPLY:

Because this is a promotional only recruitment, it is not posted on the City's website. **To apply**, you may send an e-mail to: civilservice@spokanecity.org, no later than 5:00 p.m. on the closing date, requesting your name be added to the Promotional Examination list. **Please include:** 1) your full name, 2) present classification, 3) department and phone number, 4) driver's license number and expiration date, if required; OR go to the Civil Service office on the 4th floor of City Hall during office hours to sign up on the Promotional Examination list.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 18th day of October, 2013.

MARY DORAN
Chair

GLENN KIBBEY
Chief Examiner

Notice for Bids

Supplies, Equipment, Maintenance, etc.

CALL FOR BIDS

REBID

CENTENNIAL TRAIL GAP FROM BRIDGE AVENUE TO BOONE AVENUE ALONG WEST SIDE OF SUMMIT BLVD

Engineering Services File No. 2010092

This project consists of the construction of approximately 3275 cubic yards of excavation and embankment, 3550 square feet of segmental concrete retaining wall, 3,700 square yards of 3-inch thick HMA Cl. 3/8, PG 64-28 pavement, 475 square yards of 4-inch thick HMA Cl. 1/2, 64-28 pavement, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201-3316, will receive sealed bids until 1:00 p.m., November 4, 2013 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file in the office of the Director, Engineering Services Department. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

Copies of the Contract Documents are available at www.cityofspokaneplans.com. The Planholders list is also available at this website. Additional project information including the Engineer's estimated cost range for the project, bid results (after bid opening), as well as information about other City projects are available by following the appropriate links at the following website: www.spokaneengineering.org/bid-information.

The City of Spokane, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulation, Department of Transportation, subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin, or sex in consideration for an award.

Bids shall be submitted on the forms provided in accordance with the provisions of the Specifications. Irregular bid proposals will be rejected in accordance with the specifications.

A certified check or surety bond in the sum of five percent (5%) of the Total Project Bid must accompany the copy of the bid filed with the City Clerk. Successful bidder shall execute the Contract within TEN (10) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

The City of Spokane will normally award this Contract or reject bids within FORTY FIVE (45) calendar days after the time set for the bid opening. If the lowest responsible Bidder and the City of Spokane agree, this deadline may be extended. If they cannot agree on an extension by the 45-calendar day deadline, the City of Spokane reserves the right to Award the Contract to the next lowest responsible Bidder or reject all Bids.

The City has a new policy regarding addenda. Refer to the Notice to Prospective Bidders Regarding Bid Phase Questions. **Note regarding new specifications:** The City of Spokane is using WSDOT's 2012 Standard Specifications. Bidders should allow sufficient time to familiarize themselves with the WSDOT 2012 specifications prior to bidding the project.

Notice for Bids

Paving, Sidewalks, Sewer, etc.

FIRE DEPARTMENT FENCE HARDENING PROJECT Fire Department

BID #3974-13

Sealed bids will be opened at 1:15 p.m., MONDAY, NOVEMBER 4, 2013, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for FIRE DEPARTMENT FENCE HARDENING PROJECT for the City of Spokane Fire Department.

Detailed specifications and proposal forms are available from City Purchasing, by contacting Thea Prince purchasinghelp@spokanecity.org.

There will be a pre-bid conference on Tuesday, October 29, 2013 at 8:00 am at 1618 N. Rebecca, Spokane, WA.

Submittal Instructions:

Bid proposal forms may be submitted to the Purchasing Division **until 1:00 P.M. on the date of opening**. Proposals must be sent sufficiently ahead of time to be received by the opening date and time. City of Spokane is not responsible for proposals delivered late.

Submit three (3) copies - (1) original and two (2) copies of response to:

**Division of Purchasing
City of Spokane
4th Floor – City Hall
808 W. Spokane Falls Blvd.
Spokane WA 99201**

The right is reserved to reject any and all proposals and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the proposer when considering this contract. **Only firm proposals with signatures will be tabulated.**

Envelopes containing proposals are to be marked:

“FIRE DEPARTMENT FENCE HARDENING PROJECT, BID #3974-13, DUE 11/4/13.”

Thea Prince
Purchasing Division

October 16 & 23, 2013
