



Official Gazette

City of Spokane, Washington

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

Volume 110

APRIL 8, 2020

Issue 15



MAYOR AND CITY COUNCIL

MAYOR NADINE WOODWARD

COUNCIL PRESIDENT BREEAN BEGGS

COUNCIL MEMBERS:

KATE BURKE (DISTRICT 1)

MICHAEL CATHCART (DISTRICT 1)

LORI KINNEAR (DISTRICT 2)

CANDACE MUMM (DISTRICT 3)

KAREN STRATTON (DISTRICT 3)

BETSY WILKERSON (DISTRICT 2)

The Official Gazette

(USPS 403-480)

Published by Authority of City Charter Section 39

The Official Gazette is published weekly by the Office of the City Clerk
5th Floor, Municipal Building, Spokane, WA 99201-3342

Official Gazette Archive:
<https://my.spokanecity.org/gazettes/>

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The Official Gazette

USPS 403-480
0% Advertising
Periodical postage paid at
Spokane, WA

POSTMASTER:

Send address changes to:
Official Gazette
Office of the Spokane City Clerk
808 W. Spokane Falls Blvd.
5th Floor Municipal Bldg.
Spokane, WA 99201-3342

Subscription Rates:

Within Spokane County:
\$4.75 per year
Outside Spokane County:
\$13.75 per year

Subscription checks made

payable to:
City Treasurer

Address Change:

Official Gazette
Office of Spokane City Clerk
808 W. Spokane Falls Blvd.
5th Floor Municipal Bldg.
Spokane, WA 99201-3342

Minutes

**SPECIAL MEETING MINUTES
SPOKANE CITY COUNCIL
Thursday, April 2, 2020**

A Special Meeting of the Spokane City Council was held virtually via WebEx teleconferencing on the above date at 11:06 a.m. in the City Council Chambers, Lower Level – City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington. The purpose of the Special Meeting was for City Council to consider Emergency Ordinance C35904 and hold its regularly scheduled Study Session.

The public was able to listen to the meeting by calling 408-418-9388 and entering an access code when prompted, viewing the meeting live at Channel 5, or at my.spokanecity.org/citycable5/live.

During the Special Legislative Session, due to the suspension of the in-person attendance requirement, no public testimony was taken. However, there was an opportunity for written public comment to be submitted via email to CityCouncil2@SpokaneCity.org. The Study Session portion of the meeting was conducted in a study session format. Discussion was limited to appropriate officials, presenters and staff.

SPECIAL LEGISLATIVE SESSION / LEGISLATIVE AGENDA

Roll Call

On Roll Call, Council President Beggs and Council Members Burke, Cathcart, Kinnear, Mumm, Stratton, and Wilkerson were present.

Emergency Ordinance C35904

Subsequent to a full reading of Emergency Ordinance C35904 by the City Clerk, an introduction and overview of the ordinance by Mayor Nadine Woodward and Council Members Wilkerson and Stratton, Council discussion and commentary, with response by Mayor Woodward, the following action was taken:

Upon Unanimous Voice Vote, the City Council **passed Emergency Ordinance C35904** relating to program participation criteria for the U-Help utility bill payment assistance program and partnership for response to the COVID-19 pandemic; enacting a new section 13.09.100 of the Spokane Municipal Code; and declaring an emergency.

The Special Legislative Session portion of the meeting adjourned at 11:24 a.m. The City Council immediately reconvened into the Study Session portion of the meeting.

STUDY SESSION AGENDA

The City Council held discussion on the following topic:

- Council Discussion on Ongoing Operations and COVID-19 Response

Adjournment

The study session portion of the special meeting adjourned at 11:56 a.m.

MINUTES OF SPOKANE CITY COUNCIL**Monday, March 30, 2020****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.

Clerical Note

The regularly scheduled Spokane City Council 3:30 p.m. Briefing/Administrative Sessions were held virtually and streamed live online and aired on City Cable 5. The 6:00 p.m. Legislative Session was canceled. Pursuant to Governor Jay Inslee's Proclamation 20-28, dated March 24, 2020, all public meetings subject to the Open Public Meetings Act, Chapter 42.30 RCW, are to be held remotely and the in-person attendance requirement in RCW 42.30.030 has been suspended until at least through May 4, 2020. The public was encouraged to tune in to the meeting live on Channel 5, at <https://my.spokanecity.org/citycable5/live>, or by calling 408-418-9388 and entering an access code when prompted.

Announcements

Council President Beggs noted this meeting is being held as a virtual meeting per the Governor's order and so the City Council will not be holding in-person meetings for a while. He noted at 4:00 p.m. Commissioner Susie Levine from the Department of Employment and Security will provide an update on how to apply for benefits, especially under the relaxed eligibility requirements. He further noted at 3:45 p.m., the City Council will receive public testimony via the phone bridge for those who may want to testify about either the two special budget ordinances or an ordinance to amend the ordinance on council testimony. In addition, Council President Beggs indicated citizens can send comments to citycouncil2@spokanecity.org.

Roll Call

On roll call, Council President Beggs and Council Members Burke, Cathcart, Kinnear, Mumm, Stratton, and Wilkerson were present. Council Members Burke, Cathcart, Kinnear, Mumm, Stratton, and Wilkerson attended the meeting remotely by WebEx or telephone.

City Administrator Wes Crago, City Council Policy Advisor Brian McClatchey, and City Clerk Terri Pfister were also present on the dais.

Advance Agenda Review

There was no Advance Agenda Review as the regularly scheduled City Council meeting for April 6, 2020, is canceled.

ADMINISTRATIVE SESSION**Current Agenda Review**

The City Council reviewed changes to the March 30, 2020, Current Agenda.

Suspension of Council Rules

Motion by Council Member Mumm, seconded by Council Member Kinnear, **to suspend** the Council Rules; **carried unanimously**.

Legislative Agenda

Motion by Council Member Mumm, seconded by Council Member Kinnear, **to advance** entire Legislative Agenda (from 6:00 p.m.) to 3:30 p.m. (Administrative Session); **carried unanimously**.

Low Bid for Sprague Avenue Rebuild (OPR 2020-0355 / ENG 2019133)

Council President Beggs requested a motion **to defer** the Low Bid for Sprague Avenue Rebuild for six weeks, to May 11, 2020. Subsequent to remarks by City Administrator Wes Crago and additional commentary by Council President Beggs, the following action was taken:

Motion by Council Member Mumm, seconded by Council Member Stratton, **to defer** Item No. 5—Low Bid for Sprague Avenue Rebuild—to May 11, 2020; **carried unanimously**.

Later in the meeting, Council President Beggs stated he had a note from City Administrator Crago indicating staff wishes the Low Bid for Sprague Avenue Rebuild be deferred to April 13, 2020, not May 11, 2020. He then entertained a motion to change the deferral date on Item 5—Low Bid for Sprague Avenue Rebuild—on the Consent Agenda to April 13. The following action was taken:

Motion by Council Member Mumm, seconded by Council Member Wilkerson, **to so move (to change the deferral date** on Item 5—Low Bid for Sprague Avenue Rebuild—on the Consent Agenda to April 13; **carried unanimously.**

Hearing on Final Reading Ordinance C35899

Council President Beggs requested a deferral of the Hearing on Final Reading Ordinance C35899 and corresponding hearing to May 11, 2020, as it does not fit into the Governor's requirement that it either be related to COVID-19 or regular or necessary. He requested a motion to defer Final Reading Ordinance C35899 and corresponding hearing (Hearing on Final Reading Ordinance C35899 relating to Permit Fees, Heating Mechanics Licenses, Building Official Review of Proposed Amendment to 17F, Fences, Adoption of Current State Building Codes, Elevators and Dangerous Conveyances, and Application for Worker's Licenses, amending various sections of the SMC) to May 11, 2020. The following action was taken:

Motion by Council Member Mumm, seconded by Council Member Cathcart, **to so move (to defer** Final Reading Ordinance C35899 to May 11, 2020); **carried unanimously.**

Emergency Ordinance C35903

Council President Beggs commented there are two versions of Emergency Ordinance C35903 relating to public testimony during city council meetings. Depending on which version the Council selects to consider, he noted that Council Member Cathcart requested the opportunity to amend the word "shall" to "may" so that it can be flexible. City Council Policy Advisor Brian McClatchey noted the one in the Council's packet is the ordinance before City Council today and the two that were sent around earlier today are possible substitute versions. At the request of Council President Beggs, Mr. McClatchey provided an overview of the two versions. Discussion was held as to Council's preference as to which version of the ordinance to consider. Council President Beggs invited a motion to place the version that is in the City Council's packet on the agenda tonight with the word "may" substituted for the word "shall" in the added text. The following action was taken subsequent to additional Council commentary:

Motion by Council Member Cathcart, seconded by Council Member Kinnear, **to so move (to place** the version that is in the City Council's packet on the legislative agenda tonight with the word "may" substituted for the word "shall" in the additional text); **carried unanimously.**

(Clerical Note: Following the above actions, the City Council then considered its Legislative Agenda items prior to consideration of Consent Agenda items.)

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCES

Special Budget Ordinance C35900 (Council Sponsor: Council President Beggs)

Subsequent to an opportunity for public testimony via telephone, with no individuals calling in to request to speak, and the opportunity for Council commentary, the following action was taken:

Upon Unanimous Voice Vote in the affirmative, the City Council **passed Special Budget Ordinance C35900** amending Ordinance No. C35857 passed by the City Council December 16, 2019, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2020, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2020, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

City Council

FROM: Total Cost of Compensation, \$1,475;

TO: Senior Executive Assistant to the City Council (from Range 27 Step 6 to Range 30 Step 6), same amount.

(This action allows budgeting to adjust salary ranges following a review of incumbent's responsibilities and job descriptions.)

Special Budget Ordinance C35902 (Council Sponsor: Council President Beggs)

Subsequent to an opportunity for public testimony via telephone, with no individuals calling in to request to speak, and the opportunity for Council commentary, the following action was taken:

Upon Unanimous Voice Vote in the affirmative, the City Council **passed Special Budget Ordinance C35902** amending Ordinance No. C35857 passed by the City Council December 16, 2019, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2020, making appropriations to the various funds of the City of Spokane government for the fiscal year ending

December 31, 2020, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

City Council

FROM: Reserve for Total Cost of Compensation, \$107,300;

TO: Various Accounts, same amount.

(This action corrects the budget code to allocate funds approved in 2019 for the Director of Communications without increasing the overall Council budget.)

EMERGENCY ORDINANCES

Emergency Ordinance C35903 (Council Sponsor: Council President Beggs)

Subsequent to a full reading of Emergency Ordinance C35903 by the City Clerk, an opportunity for public testimony via telephone, with no individuals calling in to request to speak, and Council commentary, the following action was taken:

Upon Unanimous Voice Vote in the affirmative, the City Council **passed Emergency Ordinance C35903** relating to public testimony during city council meetings; amending SMC section 2.01.030 and declaring an emergency.

Council President Beggs stated that with the passage of Ordinance C35903 that probably means in the future weeks while the (Governor's) declaration is there (in place) that the City Council won't have public testimony, but the phone bridge will still be available every meeting for someone that can't watch it online or by TV 5.

Report from Department of Employment and Security

Commissioner Suzi LeVine of the Department of Employment and Security appeared virtually and shared information from her agency. She provided overall a sense of the volume of what the Department of Employment and Security is seeing, how they are helping individuals, what they are doing to mitigate addressing that demand, and also what the new federal legislation will do for increasing the benefits across the state. Council inquiry and discussion was held, with response by Ms. LeVine.

CONSENT AGENDA

Upon Unanimous Voice Vote (in the affirmative), the City Council approved Staff Recommendations for the following items:

Value Blanket with Specialty Asphalt for NUVO GAP using State Contract No. 01211—not to exceed \$80,000. (OPR 2020-0354)

Community Minded Enterprises Cable Channel Amendment No. 13 for PEG fees reimbursement to CME—\$69,900. (OPR 2006-0976)

Annual Licensing Fees and Maintenance Extension with NBS (Temecula, CA) for D-FAST 3 Local Improvement Districts System for the Treasury Services Department—\$12,028. (OPR 2011-0330)

Contract with Infor Public Sector, Inc. (Chicago, IL) to license, use, and provide annual Computer Aided Dispatch systems maintenance for the proprietary EnRoute Emergency Systems Software from May 1, 2020, to April 30, 2021—\$70,799.97. (OPR 2014-0212)

Contract with Nicholls Kovich Engineering, PLLC, (Spokane Valley, WA) for the design of the Hatch Bridge Deck Replacement—\$89,887.54. An administrative reserve of \$8,988.75, which is 10% of the contract price, will be set aside. (OPR 2020-0356 / PRO 2018085)

Contract with Johnson Controls Fire Protection LP (Spokane, WA), to upgrade two fire panels and a beam detector—\$53,079. An administrative reserve of \$5,311, which is 10% of the contract price, will be set aside. (OPR 2020-0357)

Contract with F.A. Bartlett Tree Experts Company (Spokane Valley, WA) for city-wide on-call arborist services—estimated expenditure \$100,000. (OPR 2020-0359)

Report of the Mayor of pending:

- a. Claims and payments of previously approved obligations, including those of Parks and Library, through March 20, 2020, total \$4,261,915.57 (Check Nos. 570037 through 570167, ACH Payment Nos. 76427 through 76650),

with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$3,260,773.46.

- b. Payroll claims of previously approved obligations through March 21, 2020: \$7,163,586.51. (Check Nos. 556453 through 556552)

City Council Meeting Minutes: March 16 and March 19, 2020.

Library Opening—Decompression Area

City Administrator Wes Crago commented on caring for the homeless population and having good social distancing and opening space in the library, including converting bathroom space to showers. He stated they've been referred to as decompression areas where we can expand the distance between shelter space and the need at least initially for over a hundred beds. He stated City staff has identified several other areas for decompression as needed and staff will continue to work on that and report to that through Council.

Closing Remarks

Council President Beggs noted there will be a City Council study session this Thursday at 11:00 a.m. but the Council Committee meeting and Council meeting for April 6, 2020, is canceled. He also stated the City Council study session for April 9 is still scheduled and the next formal Council meetings will be a 1:15 p.m. Committee meeting on April 13 and 3:30 p.m. Briefing Session on April 13.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 4:19 p.m. No Executive Session was held.

MINUTES OF SPOKANE CITY COUNCIL

Monday, March 23, 2020

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 Beggs and Council Members Cathcart, Mumm, Stratton, and Wilkerson were present. Council Members Burke and Kinnear were present via WebEx.

City Administrator Wes Crago, City Council Policy Advisor Brian McClatchey, and City Clerk Terri Pfister were also present on the dais.

Advance Agenda Review

The City Council received an overview from staff on the March 30, 2020, Advance Agenda items.

Action to Approve March 30, 2020, Advance Agenda

Following staff reports and Council inquiry and discussion regarding the March 30, 2020, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.B):

Motion by Council Member Stratton, seconded by Council Member Wilkerson, **to approve** the Advance Agenda for Monday, March 30, 2020; **carried unanimously.**

ADMINISTRATIVE SESSION

Current Agenda Review

The City Council reviewed changes to the March 23, 2020, Current Agenda.

Utility Construction Agreement UTB 1388 with Washington State Department of Transportation (OPR 2020-0342)

Motion by Council Member Stratton seconded by Council Member Wilkerson, **to accept** revised version (of the Utility Construction Agreement UTB 1388 with Washington State Department of Transportation); **carried unanimously.**

Suspension of Council Rules

Motion by Council Member Mumm, seconded by Council Member Stratton, **to suspend** the Council Rules; **carried unanimously.**

Emergency Grant Funds from the Washington State Department of Commerce (OPR 2020-0353)

Motion by Council Member Wilkerson, seconded by Council Member Stratton, **to add** Item No. 9—emergency grant funds from the Washington State Department of Commerce to respond to the COVID-19 outbreak and approval to subgrant the funds to eligible community partners—**carried unanimously**.

CONSENT AGENDA

Motion by Council Member Mumm, seconded by Council Member Stratton, to approve approved Staff Recommendations for the following items; carried unanimously:

Annual Value Blanket order, with option for annual renewal up to five years, with Oxarc, Inc. (Spokane, WA) for Draeger portable gas detection equipment—not to exceed \$90,000 (incl. tax). (OPR 2020-0340 / BID 5243-20)

Renewal of Contract with Delta Business Services (Coeur d'Alene, ID) for development and implementation of a public works safety program—not to exceed \$50,000 (incl. tax). (OPR 2017-0261 / BID 4344-17)

Amendment No. 10 to the Original Agreement with KSPS for additional funding—\$70,053. (OPR 2007-0767)

Two-year Contract with Helfrich Brothers Boiler Works, Inc. (Lawrence, MA) for boilermaker services and superheater pendant replacements at the Waste to Energy Facility from April 1, 2020, through March 31, 2022—\$3,100,000 (incl. tax). (OPR 2020-0341 / PWITB 5238-20)

Utility Construction Agreement UTB 1388 with Washington State Department of Transportation for modification of existing City utility facilities to accommodate a planned roundabout to be constructed by WSDOT—\$45,207. (OPR 2020-0342)

Agreement with Pioneer Human Services for Carlyle Permanent Supportive Housing as recommended during the five-year funding cycle on April 24, 2019—\$200,000. (OPR 2020-0343)

Report of the Mayor of pending:

Claims and payments of previously approved obligations, including those of Parks and Library, through March 13, 2020, total \$8,673,631.88 (Check Nos. 569809 through 570036, ACH Payment Nos. 76067 through 76426), with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$7,686,851.19.

City Council Meeting Minutes: March 9, 2020.

Accept emergency grant funds from the Washington State Department of Commerce to respond to the COVID-19 outbreak and approval to subgrant the funds to eligible community partners—\$1,474,636. (Relates to Special Budget Ordinance ORD C35901) (OPR 2020-0353)

Current Agenda Review (Continued)

The City Council continued its review of changes to the March 23, 2020, Current Agenda.

Special Budget Ordinance C35898

Motion by Council Member Mumm, seconded by Council Member Wilkerson, **to accept** revised version of Special Budget Ordinance C35898 (creating a budget for the Housing Action Plan Grant received from the Department of Commerce); **carried unanimously**.

Special Budget Ordinance C35901

Motion by Council Member Stratton, seconded by Council Member Wilkerson, **to add** Special Budget Ordinance C35901 (allowing for funding for emergency housing necessary to respond to the COVID-19 outbreak); **carried unanimously**.

COVID-19 Update / Mayor's Amended Executive Declaration of Civil Emergency

City Administrator Wes Crago commented on the City's response to COVID-19 and immediate needs of the community. He then read into the record the Mayor's Amended Executive Declaration of Civil Emergency.

Resolution 2020-0020

Motion by Council Member Stratton, seconded by Council Member Cathcart, **to add** Resolution 2020-0020 (ratifying the first amendment to the Mayor's declaration of a civil emergency or disaster) to today's Legislative Agenda; **carried unanimously**.

March 23, 2020, Legislative Session

Motion by Council Member Mumm, seconded by Council Member Stratton, **to move** the entire Legislative Session to this Session (3:30 p.m. Administrative Session); **carried unanimously**.

LEGISLATIVE SESSION

The Legislative Agenda items were considered during the 3:30 p.m. Administrative Session. See Council action above under "March 23, 2020, Legislative Session." The regularly scheduled 6:00 p.m. Legislative Session was canceled.

There were no **Boards and Commission Appointments**.

There was no **City Administration Report**.

There were no **Council Committee Reports**.

Open Forum was not held.

LEGISLATIVE AGENDA**SPECIAL BUDGET ORDINANCES****Special Budget Ordinance C35898 (Council Sponsor: Council President Beggs)**

Subsequent to an opportunity for public testimony via telephone, with no individuals calling in to request to speak, and the opportunity for Council commentary, with none provided, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Special Budget Ordinance C35898 (as revised)** amending Ordinance No. C35857 passed by the City Council December 16, 2019, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2020, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2020, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Miscellaneous Grants – Housing Action Plan
FROM: Department of Commerce, \$100,000;
TO: Contractual Services, same amount.

(This action creates a budget for the Housing Action Plan Grant received from the Department of Commerce)

Special Budget Ordinance C35901 (Council Sponsor: Council President Beggs) (Relates to OPR 2020-0353 under Consent Agenda)

Following a full reading of Ordinance C35901 by the City Clerk, a brief overview by Council President Beggs, and an opportunity for public testimony (via telephone), with no individuals calling in to request to speak, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **passed Special Budget Ordinance C35901** amending Ordinance No. C35857 passed by the City Council December 16, 2019, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2020, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2020, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Human Services Grant Fund
FROM: Department of Commerce, \$1,474,636,
TO: Various Departments, same amount

(This action allows for funding for emergency housing necessary to respond to the COVID-19 outbreak.)

There were no **Emergency Ordinances**.

RESOLUTIONS**Resolution 2020-0018 (Council Sponsors: Council Members Cathcart and Mumm)**

Subsequent to an overview of Resolution 2020-0018 by Teri Stripes of Planning and Development, an opportunity for public testimony via telephone, with no individuals calling into to request to speak, and Council and staff commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2020-0018** approving a development agreement between the City and Esmeralda Commerce Park, LLC, relating to certain public infrastructure costs.

Resolution 2020-0020

Following a full reading of Resolution 2020-0020 by the City Clerk; an overview of the resolution by Council President Beggs; an opportunity for public testimony via telephone, with no individuals calling into to request to speak; and Council commentary, the following action was taken:

Upon Unanimous Roll Call Vote, the City Council **adopted Resolution 2020-0020** ratifying the first amendment to the Mayor's declaration of civil emergency or disaster.

There were no **Final Reading Ordinances**.

FIRST READING ORDINANCES

The following Ordinance was read for the first time, with further action deferred:

ORD C35889 Relating to Permit Fees, Heating Mechanics Licenses, Building Official Review of Proposed Amendments to 17F, Fences, Adoption of Current State Building Codes, Elevators and Dangerous Conveyances, and Application for Worker's Licenses amending SMC 08.02.031, 10.29.030, 11.19.720, 17C.110.230, 17F.030.010, 17F.040.010, 17F.050.010, 17F.060.040, 17F.060.060, 17F.080.010; 17F.090.010, 17F.100.010, and 17G.010.200. (Council Sponsor: Council Member Kinnear)

There were no **Special Considerations**.

There were no **Hearings**.

Second Open Forum was not held.

ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 9:51 p.m. No Executive Session was held.

Public Safety & Community Health Committee
Meeting Minutes – March 2, 2020

Call to Order: 1:15 PM

Attendance:

PSCHC Members Present: PSCHC Chair CM Kinnear; CP Beggs (arrived at 1:16pm); CM Stratton; CM Cathcart; CM Wilkerson; CM Mumm (arrived at 1:29pm); CM Burke

Staff/Others Present: City Administrator Wes Crago, SPD Chief Meidl, Assistant Chief Lundgren, Major Kevin King, Major Eric Olsen, Captain Dave Singley, SFD Assistant Chief Atwood, Police Ombudsman Logue, Mike Ormsby, Paul Warfield, Eric Finch, Mike Lopez, Patrick Striker, Erik Poulsen, Jason Ruffing, Carly Cortright, Kristen Gable, Karin Janssen, Andrew Rowles, David Steele, Jeff Humphrey, Kristen Gable, Tim Sigler, Paul Kropp, Michelle Hughes, Paul Ingiosi, Adam Shanks, Jake Hensley

Approval of February 3, 2020 minutes: Motion to approve by CP Cathcart; M/S by CM Wilkerson. The committee approved the minutes from the February 3, 2020 PSCHC meeting unanimously.

CONSENT AGENDA ITEMS

Monthly Reports:

1. OPO Monthly Update – January 2020
2. Sit & Lie Enforcement Update (SPD)
3. Photo Red Update (SPD)
4. March Strategic Initiatives Report (SPD)

Consent Agenda Portion:

1. JAG 19-Sub Agreement with Spokane County Briefing Paper (SPD)
2. Contract for on-site and Off-Site “As-Needed” Pump Repairs at the WTE Briefing Paper (Public Works Division - Solid Waste Disposal)
3. Extension of Contract for Groundwater Monitoring and Reporting at the Northside and Southside Landfills Briefing Paper (Public Works Division;- Solid Waste Disposal)
4. Annual CAD Maintenance Agreement with Infor EnRoute Briefing Paper (SFD)
5. Surplus Donation of (1) 1992 Spartan Motors Fire Apparatus VIN #4S7BT9F05NC004996 Briefing Paper and Resolution (SFD)
6. Surplus Donation of (1) 1992 Spartan Motors Fire Apparatus VIN #4S7BT9F07NC004997 Briefing Paper and Resolution (SFD)
7. Purchase of Dump Truck (Public Works Division - Fleet Services)
8. Purchase of Pup Trailer (Public Works Division - Fleet Services)
9. MOU with Frontier Behavioral Health for Mental Health Team Services (SPD)
10. SBO for Fleet Replacement Funds to Support Purchase of Hybrid K8 Pursuit Vehicles for SPD in 2020 (SPD)
11. Resolution to Refer (Centennial Trail – Summit Gap – Boone to Pettet) to the Design Review Board (Council)

STRATEGIC PLANNING SESSION

Strategic Priority: Integrated 911/Dispatch

NONE

Strategic Priority: Integrated Response

NONE

Strategic Priority: Criminal Justice Reform

NONE

Strategic Priority: City-Wide Clean & Safe

NONE

DISCUSSION ITEMS

Staff Requests:

Boards and Commissions Interviews (5 minutes)

The interviewee were not in attendance at the beginning of the meeting. While waiting for the interviewee to arrive, CM Kinnear asked City Administrator Crago to explain a little about the City’s response to COVID-19. Mr. Crago said they are renewing response plans to most effectively respond to the crisis. The Mayor is receiving a daily briefing and Brian Coddington is the point staff person monitoring the outbreak. CM Kinnear requested there be an internal project page where citizens can go for information. Mr. Crago confirmed that this page is in the works. CM Stratton asked if there is an office of emergency management. CP Beggs said the City has stayed within the regional plan. Mike Lopez from SFD is also monitoring the status of the virus and disseminating information through its networks. SFD is working with AMR to respond appropriately. CM Stratton asked if City Cable 5 could do a piece on response. CM Kinnear asked if consent item 10 could be added to the next Finance & Administration agenda for a broader discussion. CM Mumm agreed to this idea. CM Kinnear offered a final opportunity for the candidate to interview, but they were not in the room.

For-Hire Ordinance 2019 Report – Jake Hensley (10 minutes)

Jake Hensley gave a recap of the fee changes when the For-Hire Ordinance went into effect. One major change is that there is a 10% surcharge for any ride that originates in Spokane. Mr. Hensley noted that the ordinance went into effect in January 2019. As far as revenue goes, there has been about a 1000% increase. There have been issues with volume and staffing in October and November of last year. CM Mumm asked about the enforcement mechanism. Brian McClatchey said that ultimately if they’re not in compliance for operating within the City, they would be subject to the consequences, but was unsure about specific mechanisms for enforcement. Mr. Hensley reported on minor issues in the ordinance as well as staff recommendations. CM Wilkerson asked if they are able to get these licenses online. Mr. Hensley said currently they are only able to get them in person.

Council Requests:**Downtown Precinct Property Lease Discussion – CM Kinnear (15 minutes)**

CM Kinnear asked if any Council Members had questions about the lease for the new downtown precinct. CM Kinnear noted that there is underground parking and that the City is partnering with STA for additional parking. David Steele noted that the original tenant improvements allocated were \$30 per square foot, but the property owner has agreed to amortize the additional cost for improvements at 0% interest over the life of the lease. CM Kinnear asked if they will have room for 35 staff and if there would be enough locker space for all those officers. Chief Meidl said yes, it will provide plenty of space. CM Burke asked what the objectives were to move the location. CM Kinnear noted there will be higher visibility and that it will facilitate a community policing model. CM Burke asked what outcomes were anticipated. CM Kinnear noted that it's increasing safety and perception of safety downtown. CM Burke noted that the perception of safety of those experiencing homelessness and the marginalized is also important and said she hasn't seen any data on the projected outcomes. CM Wilkerson echoed CM Burke's concerns. She noted that she hopes that the new policing model of inclusiveness will start to break down some citizens' concerns. CM Stratton noted that the founding premise of community policing is having officers in the neighborhoods building relationships with individuals. CM Stratton noted that the model is successful and if we can get police officers talking not only to business owners but to those experiencing homelessness, the model can be successful. She noted that it might be useful to have a person or entity connecting officers with the vulnerable downtown. CM Cathcart said that he is pushing to have this model enacted at the neighborhood level because positive encounters create increased trust. CM Burke opened it up to her colleagues to provide data on the effectiveness of a community policing model and how it actually creates safer neighborhoods. CM Stratton said that she will send along data from a WSU study on community policing in Spokane. CM Kinnear said that we should expect of our law enforcement to provide metrics as to how this model actually provides a holistically secure neighborhood. CP Beggs noted that Council seems very interested in how many shifts police are walking during their shifts under this new model.

Public Safety Levy Discussion – CP Beggs (15 minutes)

CP Beggs asked SPD how they are hiring additional officers based on the 2018 Public Safety Levy. Chief Meidl said they currently have 8 different levy positions open. Chief Meidl noted they have 14 officers going through the academy. He said they hope to get 15, but they are having a hard time on the national level recruiting. CP Beggs asked if it's correct that they have 9 officers currently on staff who were hired from the levy dollars and 3 civilian positions. Chief Meidl said yes, but they are having a hard time filling the civilian positions. Chief Meidl noted that because mental health positions are highly desired, they are going to try to hire one of the 3 civilian positions to be a behavioral health coordinator. CM Cathcart asked how civilian salaries are set for the civilian positions. Chief Meidl said they work with civil service. Jennifer Hammond confirmed that she has worked closely with civil service to set those salaries. CM Cathcart asked about funding for additional equipment. Chief Meidl noted that they are working on finding that funding within their current budget, but do not have an estimate on exactly how much that will be. CP Beggs asked if any of the commissioned officers who have been added because of the levy are downtown. Chief Meidl noted that the goal will be to have more officers downtown as hiring continues.

Fire and Police Small and Attractive Asset Management Discussion – CM Mumm (10 minutes)

CM Mumm noted that the State Auditor said the City could have a better tracking mechanism for our small assets (things like cameras and other equipment generally under \$5,000). CM Mumm asked if the policy could be uniform across the City. Michelle Hughes noted that SPD and SFD will have to have a more specific / tailored policy. CM Mumm wanted to clarify whether the Auditor's recommendation was to improve small and attractive asset management generally in SFD or just in IT.

SPD Bodycam Footage Discussion – CM Kinnear (10 minutes)

CM Kinnear noted that the footage was disturbing, and that we need to have a frank discussion about what this footage says about SPD's culture. CM Wilkerson said she was challenged by the footage and asked how we can encourage sensitivity training through the leadership. CM Wilkerson also said she was disappointed that the Chief didn't make a statement about the nature of the culture. CM Burke noted that if the role of the police department is to keep our community safe, you need to make sure that you make everyone feel safe. CM Burke pointed to examples where officers didn't show the respect to community members that they deserved (especially to those who are marginalized or exposed). CM Stratton added that she received comments from citizens that they were waiting for a statement from the Chief. CM Mumm pointed out that the opportunity for a statement still exists. CM Mumm said that the Chief could use his female officers as a resource. She also noted that the women on City Council are willing to support SPD in doing better going forward. CP Beggs noted that it's important to hear the plan going forward on bias of all kinds, racial, gender, etc. CP Beggs noted that training on these matters are important and Council needs to hear from the top that they are not satisfied. CM Cathcart echoed that he would like to see a plan going forward – not punishing retroactively. Chief Meidl said that he wants to be logical and methodical when making statements. He noted that the Planned Parenthood environment is tense. Officers were told to turn their body cameras on immediately when they reach the site. Chief Meidl noted that there is a higher expectation for officers, even when the situation is tense. Chief Meidl noted that there were male-presenting counter protesters wearing "vagina hats" and that the comment about women being better looking was not about women directly, but an attempt at humor to diffuse the tense situation. Chief Meidl noted that it is tough to address incidents like CM Burke pointed out if SPD doesn't get demeanor complaints. CM Burke noted that the fact that this is being chalked up to locker room talk is an issue. She pointed out that the officers were objectifying women,

despite that explanation. CM Cathcart asked if the video is selectively edited. Chief Meidl confirmed that there is over 40 hours of video. Major Eric Olsen said anyone could request the complete footage. CM Cathcart said he would be interested in seeing that footage. CP Beggs noted that his concern is that, so often, the department examines incidents through a strict disciplinary lens. CP Beggs said putting aside discipline, he would like to hear that the behavior is unacceptable and that the department will set a higher standard going forward. CM Kinnear noted that a condemnation from the Chief is important. CM Wilkerson noted that she supports SPD, but also wants them to do better.

SRECS Interlocal Discussion – CM Mumm (10 minutes)

CM Mumm started the conversation by pointing out that the Council passed an ordinance that made it necessary to have market-rate rent at the SRECS facility. CM Mumm said she was surprised that the City has presented a zero-cost lease. Mike Ormsby noted that they found that the City rents from the County at a 5 times greater rate than the County rents from the City. Mr. Ormsby said that they would not charge for the SRECS facility but they would charge for the operating and maintenance cost as well as capital improvements to the facility. Mr. Ormsby noted that when the CCC facility was constructed, the County paid 2/3 of the cost for construction. CM Mumm said that all the costs are focused on the building, but pointed out that it should also include property costs. Mr. Ormsby said they would expect that each party would provide their pro-rata share on property costs. CM Mumm pointed out that the lease does have a 6 month out. CM Kinnear would like to have additional discussions on this. CP Beggs said he would like to wait to approve an agreement before other factors are figured out. CM Mumm noted that the clock is ticking on truing up what the County owes from 2019. Assistant Chief Atwood noted that he is working on that right now. CM Stratton said it might be a good idea to get a SRECS update – specifically about where the salaries and budget are coming from. CP Beggs noted that he is as frustrated as anyone else that they haven't gotten financial numbers.

State Legislative Update:

NONE

ADMINISTRATION REQUESTS:

NONE

Action Items:

NONE

Executive Session:

NONE

Adjournment:

CM Kinnear adjourned the meeting at 2:33 PM. The next PSCHC meeting will be held Monday, March 30, 2020.

Attachments/Briefing Papers:

For-Hire Ordinance 2019 Report; Downtown Precinct Property Lease; Fire and Police Small and Attractive Asset Management Presentation

Referenced attachments on file in the City Clerk's Office.

General Notices

REGULARLY SCHEDULED MEETING CANCELLATION NOTICE

The regularly scheduled meeting of the Civil Service Commission, scheduled for 9:30 a.m. on April 21, 2020, is hereby canceled.

Ordinances

These ordinances are published in this issue of the *Official Gazette* pursuant to passage by the Spokane City Council. It should be noted that these ordinances may be subject to veto by the Mayor. If an ordinance is vetoed by the Mayor, the Mayoral veto will be published in a subsequent issue of the *Official Gazette*.

ORDINANCE NO. C35900

An ordinance amending Ordinance No. C35857, passed by the City Council December 16, 2019, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2020, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2020, declaring a public emergency, and providing it shall take effect immediately upon passage under Section 16(D) of the City Charter as necessary for the immediate support of the public health, safety, and welfare of the citizens of Spokane", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2020 budget Ordinance No. C35857, as above entitled, and which passed the City Council December 16, 2019, it is necessary to make changes in the appropriations of the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

FROM:	0320-36100	City Council	
	11600-59954	Total Cost of Compensation	<u>\$1,475</u>
TO:	0320-36100	City Council	
	11600-07340	Sr Exec Assistant to the City Council (from Range 27 step 6 to Range 30 Step 6)	<u>\$1,475</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to adjust salary ranges following a review of incumbent's responsibilities and job descriptions, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council March 30, 2020
Delivered to Mayor April 6, 2020

ORDINANCE NO. C35902

An ordinance amending Ordinance No. C35857, passed by the City Council December 16, 2019, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2020, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2020, declaring a public emergency, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2020 budget Ordinance No. C35857, as above entitled, and which passed the City Council December 16, 2019, it is necessary to make changes in the appropriations of the General Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, the below funds were allocated for this position during the passage of the 2020 Budget on December 16, 2019, but need to be moved to the proper line item in order to create the new positions; and

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

The City of Spokane does ordain:

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

FROM:	0320-36100 11600-59954	City Council Reserve for Total Cost of Compensation	<u>\$107,300</u>
TO:	0320-36100 11600-07340 11600-52110 11600-52210 11600-52310 11600-52320 11600-52330 11600-52340 11600-52400 11600-51640	City Council Dir – Communications & Community Engagement (from 0 to 1 positions) Social Security Retirement Medical Insurance Dental Insurance Life Insurance Disability Insurance Industrial Insurance Deferred Compensation	\$75,000 \$5,700 \$7,500 \$16,000 \$900 \$200 \$100 \$100 \$1,800 <u>\$107,300</u>

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to create a Director of Communications and Community Engagement in the City Council Office, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

**Passed by City Council March 30, 2020
Delivered to Mayor April 6, 2020**

ORDINANCE NO. C35903

An ordinance relating to public testimony during city council meetings; amending SMC section 2.01.030 and declaring an emergency.

WHEREAS, on February, 29, 2020, Washington State Governor Jay Inslee issued a proclamation declaring a State of Emergency in all counties of the state of Washington in response to the COVID-19 outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, Governor Inslee subsequently amended his proclamation to limit person to person contact through social distancing and to limit person to person contact; and

WHEREAS, on March 24, 2020, Governor Inslee issued Proclamation No. 20-28, regarding the Open Public Meeting Act (OPMA) and the Public Records Act, which waived certain requirements of the OPMA that provided for any activity that necessitated an in-person setting; and

WHEREAS, Proclamation No. 20-28 specifically prohibits any public meeting subject to the OPMA unless the meeting is not conducted in person and provides an option for the public to attend through telephone access and other electronic, internet and other means of remote access; and

WHEREAS, the Spokane Municipal Code, Section 2.01.030, provides for the right for the public to speak to matters on the City Council’s legislative, special consideration and hearing agendas; and

WHEREAS, SMC 2.01.030 does not take into account the challenges with complying with declarations of emergencies and proclamations, which impose legal obligations upon the City to amend public meeting obligations; and

WHEREAS, in order to enable the City Council to meet the requirements of declarations of emergencies and to effectively conduct public meetings during times of emergencies, SMC 2.01.030 should be amended to suspend the requirement to public speaking and testimony during council meetings conducted during the times of declared emergencies; and

WHEREAS, the City Council finds that the adoption of this ordinance is necessary for the immediate preservation of the public peace, health or safety or for the immediate support of city government and its existing public institutions; **NOW, THEREFORE**,

The City of Spokane does ordain:

Section 1. That SMC section 2.01.030 is amended to read as follows:

2.01.030 Right to Speak

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

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

Section 2. Emergency Ordinance. That an urgency and emergency condition exists in the City of Spokane which poses a danger to the health, welfare and safety of the people of Spokane and which necessitates that this ordinance be, under Section 19 (a) of the City Charter effective immediately upon passage by the affirmative vote of one more than a majority of the City Council.

**Passed by City Council March 30, 2020
Delivered to Mayor April 6, 2020**

ORDINANCE NO. C35904

An ordinance relating to program participation criteria for the U-Help utility bill payment assistance program and partnership for response to the COVID-19 pandemic; enacting a new section 13.09.100 of the Spokane Municipal Code; and declaring an emergency.

WHEREAS, on March 16, 2020, Mayor Nadine Woodward issued a Declaration of Civil Emergency or Disaster due to the COVID-19 pandemic. This declaration was ratified as amended by the Spokane City Council on March 16, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee issued a proclamation declaring a State of Emergency in all counties of the state of Washington in response to new cases of COVID-19 and has subsequently amended his proclamations to require all non-essential persons remain in their homes; and

WHEREAS, the Washington State Constitution Article 8, Section 7 permits the use of public resources for the "support of the poor or infirm"; and

WHEREAS, chapters 35.92 and 35.67 RCW authorize cities to "provide assistance to aid low-income persons in connection with services" provided by municipal utilities; and

WHEREAS, the City of Spokane operates a water system and a sewerage and solid waste disposal system pursuant to state law and its charter; and

WHEREAS, nearly seventeen percent of Spokane households reported an income below the poverty line at the time of the 2010 Census, and the City recognizes that any utility rate increase has a profound impact on these low-income customers; and

WHEREAS, as the work to slow the spread of COVID-19 continues, the City's households and businesses may be facing financial hardships, and widespread temporary closures of businesses and schools are already taking a toll; and

WHEREAS, the City of Spokane operates a U-Help utility assistance program pursuant to chapter 13.09 of the Spokane Municipal Code to provide financial assistance to qualified low-income customers who face utility shut off; and

WHEREAS, the U-Help Program establishes eligibility qualifications such as specific income requirements, receipt of a final notice of utility account delinquency, and a limit of one U-Help assistance per 12-month period; and

WHEREAS, the City of Spokane wishes to make some changes to the program to allow more customers to get assistance to mitigate the economic effects of the COVID-19 pandemic, such as by allowing assistance before a customer has received a final notice of account delinquency, and by allowing multiple opportunities for customers to get help if they need it; and

WHEREAS, the City of Spokane and Spokane Neighborhood Action Programs ("SNAP") have a new partnership designed to increase direct financial support for those who need it most, by leveraging existing financial programs to assist eligible low-income customers: Project Share for energy bills and U-Help for the City utility bills.

NOW, THEREFORE, THE CITY OF SPOKANE ORDAINS:

Section 1. That there is enacted a new section 13.09.100 of the Spokane Municipal Code to read as follows:

Section 13.09.100 Temporary Suspension of Some Qualification Criteria during COVID-19 Pandemic Response.

From the effective date of this section until September 30, 2020, applicants shall not be required to satisfy the criteria listed in SMC 13.09.030(C) or (D), to allow for greater flexibility in awarding assistance during the COVID-19 pandemic.

Section 2. Emergency Ordinance. That an urgency and emergency condition exists in the City of Spokane which poses a danger to the health, welfare and safety of the people of Spokane and which necessitates that this ordinance be, under Section 19 (a) of the City Charter, effective immediately upon passage by the affirmative vote of one more than a majority of the City Council.

Passed by City Council April 2, 2020

Delivered to Mayor April 6, 2020

Policies and Procedures

CITY OF SPOKANE ADMIN 0620-20-67
ADMINISTRATIVE POLICY AND PROCEDURE LGL 2020-0015

TITLE: FAMILIES FIRST CORONAVIRUS RESPONSE ACT
EFFECTIVE DATE: April 1, 2020
REVISION EFFECTIVE DATE: (IF APPLICABLE)

1.0 GENERAL

- 1.1 This policy provides temporary protected leave and paid leave benefits for certain absences arising from the COVID-19 outbreak in accordance with the federal Families First Coronavirus Response Act (FFCRA). The benefits available under this policy are available beginning on April 1, 2020. This policy will be administered in accordance with the FFCRA statute and forthcoming federal regulations and guidance.

The FFCRA provides for two categories of leave. The first expands existing FMLA coverage to provide up to 12 weeks of partially-paid Public Health Emergency Leave ("PHEL/FMLA") for eligible employees forced to miss work due to closure of their child's school or the unavailability of the child's childcare provider for reasons related to COVID-19. The second provides up to 10 days of Emergency Sick Leave for various reasons related to the COVID-19 outbreak. Details regarding each category of leave are provided in the sections below.

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

2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all City divisions and departments. Emergency Responders are exempt from section 5.1 Public Health Emergency Leave (PHEL/FMLA) only.

3.0 REFERENCES

H.R. 6201 – Families First Coronavirus Response Act

4.0 DEFINITIONS

Child/Children (as qualifying for emergency leave benefits): Under the FFCRA, a "son or daughter" is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis.

Emergency Paid Sick Leave: Two weeks (up to 80 hours) of paid sick leave where an employee is unable to work due to qualifying COVID-19 related reasons.

Emergency Responders: Under the FFCRA, an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals that the highest official of a state or territory, including the District of Columbia, determines is an emergency responder necessary for that state's or territory's or the District of Columbia's response to COVID-19.

Health Care Provider: For purposes of relying on advisement to qualify for paid sick leave a health care provider means a licensed doctor of medicine, nurse practitioner, or other health care provider permitted to issue a certification for purposes of the FMLA.

Public Health Emergency Leave (PHEL/FMLA): Up to ten weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where a qualified employee is unable to work or telework due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Telework: A work arrangement that allows an employee to perform work at an approved alternative worksite.

5.0 POLICY

5.1 Public Health Emergency Leave (PHEL/FMLA)

- a. **Eligibility:** Subject to certain exceptions described below, Employees who have worked for the City for at least 30 days are eligible for PHEL/FMLA leave. An employee need not meet the eligibility requirements for regular FMLA (12 months of employment and 1250 hours worked in the prior year) to be eligible for PHEL/FMLA. To ensure the City's ability to meet the needs of the community during the COVID-19 pandemic, Emergency Responders are not eligible for PHEL/FMLA leave.
- b. **Leave Entitlement:** An eligible employee may take up to 12 weeks of protected leave if the employee is unable to work, or telework, based on a need to care for the employee's child under age 18 because the child's school or place of care has been closed, or the child's child care provider is unavailable due to a public health emergency. A public health emergency means an emergency with respect to COVID-19 declared by a federal, state, or local authority. PHEL/FMLA may be taken intermittently only if approved by the City.
- c. PHEL/FMLA is part of an employee's regular 12 week FMLA leave entitlement. Accordingly, if an employee has already used FMLA for other purposes during the FMLA leave year, the amount of available PHEL/FMLA will be reduced by the amount of FMLA leave already taken. PHEL/FMLA leave will be available through December 31, 2020.
- d. **Partial Pay Entitlement:** The first 10 days of PHEL/FMLA will be unpaid, although employees may elect to use accrued leave or Emergency Sick Leave, if applicable, during this period. For leave beyond the first 10 days, the City will pay two-thirds of the employee's regular pay, up to a maximum of \$200 per day or \$10,000 in the aggregate. Pay is calculated based on the number of hours an employee would otherwise have been scheduled to work. For employees with variable hours, hours will be determined based on the average number of hours scheduled over the six-month period preceding the leave (including paid leave hours) or on a reasonable expectation at the time of hire as to the hours per day the employee would normally be scheduled to work. Employees may elect to supplement the PHEL/FMLA paid benefit with their accrued leave.
- e. **Notification and Verification:** Employees who need to take PHEL/FMLA leave should notify Human Resources as soon as practicable after the need for leave arises. An employee seeking PHEL/FMLA leave must submit documentation establishing a school closure or unavailability of child care (which may include a post from a school district website, email from a school or provider, etc.).
- f. This policy will be administered consistent with the City's existing Family and Medical Leave (FMLA) policy, except as modified by the FFCRA.

5.2 Emergency Sick Leave

- a. Eligibility: All employees of the City (including Emergency responders) are eligible for up to 80 hours of Emergency Sick Leave. The new law provides this Emergency Sick Leave at partial pay; however, the City has decided to enhance this benefit with pay at the employee's full rate of pay.
- b. Covered Reasons for Using Emergency Sick Leave: Employees are entitled to use Emergency Sick Leave when they are unable to work, or telework, for any of the following reasons:
 1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19. The Department of Labor has advised that a quarantine or isolation order includes quarantine, isolation, containment, shelter in place, or stay-at-home orders that cause the employee to be unable to work or telework even though his or her employer has work that the employee could perform but for the order. The City will continue to monitor federal guidance on this issue and administer this policy consistent with current guidance.
 2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.
 4. To care for an individual who is self-isolating for one of the reasons described in (1) or (2) above.
 5. To care for the employee's child under age 18 due to closure of the child's school or unavailability of the child's childcare provider due to COVID-19 precautions. A "child" is defined the same as under the FMLA; *i.e.*, a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time leave is to commence.
 6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.
- c. Paid Leave Entitlement: Full-time employees are entitled to up to 80 hours of Emergency Sick Leave. Part-time employees are entitled to the Emergency Sick Leave equal to number of hours they typically work over a two-week period. For employees with variable hours, hours will be determined based on the average number of hours scheduled over the six-month period preceding the leave (including paid leave hours) or on a reasonable expectation at the time of hire as to the hours per day the employee would normally be scheduled to work. Any Emergency Sick Leave available under this policy is in addition to accrued leave to which an employee was already entitled under existing Employer policies or labor agreements.
- d. Use of Paid Sick Leave and Sequencing with Other Leave; Intermittent Use: Employees may access Emergency Sick Leave for a covered reason before exhausting other accrued leaves. If an absence is covered by this Emergency Sick Leave policy and the PHEL/FMLA policy above, the employee may elect to use Emergency Sick Leave during the first 10 days of PHEL/FMLA in order to remain in paid status.

If an employee is using Emergency Sick Leave intermittently due to a closure of a child's school or unavailability of the childcare provider, the employee may take leave intermittently only with the City's approval. An employee may also use Emergency Sick Leave intermittently with City approval if unable to telework his/her normal schedule of hours due to a qualifying reason.

Per Department of Labor guidance, where an employee is not teleworking, intermittent use of Emergency Sick Leave is not permitted when leave is taken for reasons (1), (2), (3), (4), or (6) above. In such cases, Emergency Sick Leave must be taken in full-day increments and once leave is initiated for one of these reasons, the employee must continue to use Emergency Sick Leave until either (i) the full amount of Emergency Sick Leave has been used; or (ii) the employee no longer has a qualifying reason for taking Emergency Sick Leave. The Department of Labor has explained that this requirement is imposed because if an employee is actually or possibly sick with COVID-19, or is caring for someone who is sick or possibly sick with COVID-19, the intent of the law is to provide paid leave to prevent the spread of the virus.

- e. Carryover and Termination of Benefit: The Emergency Sick Leave Benefit expires on December 31, 2020; any unused Emergency Sick Leave will not be carried over to the next calendar year, merged into other leave banks or cashed out. Additionally, the entitlement to Emergency Sick Leave ceases beginning with the employee's next scheduled work shift immediately following the termination of the need for paid sick leave. However, to the extent an employee subsequently needed additional time off for another covered reason prior to December 31, 2020, the employee could use any remaining Emergency Sick Leave available.

- f. **Notification:** An employee who needs to take Emergency Sick Leave should notify Human Resources as soon as practicable. After the first workday (or portion thereof) that an employee takes Emergency Sick Leave, the employee must follow the notice requirements required for use of regular sick leave.
- g. **Verification:** An employee requesting Emergency Sick Leave must: specify the qualifying reason for requesting leave; state that the employee is unable to work or telework, for that specified reason; and provide the date(s) for which leave is requested. The Department of Labor also requires that the City obtain documentation supporting the leave request. Documentation may include, for example, a copy of the federal, state or local quarantine or isolation order related to COVID-19; written documentation from a health care provider advising the individual to self-quarantine due to COVID-19; or documentation from the employee's child's school or childcare provider of closure (such as website posting or email). If employees are unable to obtain documentation, they should notify Human Resources. Accommodations may be made on a case by case basis.

6.0 RESPONSIBILITIES

The Human Resources Department shall administer this policy and procedure. This policy may be amended, modified, or revised at any time given the changes in the law.

Job Opportunities

We are an equal opportunity employer and value diversity within our organization. We do not discriminate on the basis of race, religion, color, national origin, gender identity, sexual orientation, age, marital status, familial status, genetic information, veteran/military status, or disability status.

SENIOR HUMAN RESOURCES ANALYST SPN 042 OPEN/PROMOTIONAL ENTRY

DATE OPEN: Monday, April 6, 2020

DATE CLOSED: Tuesday, April 21, 2020 at 4:00 p.m.

SALARY: \$75,606.48 annual salary, payable bi-weekly, to a maximum of \$104,838.48

DESCRIPTION:

Performs a variety of complex professional and administrative work related to labor relations and the development and administration of human resources management programs.

DUTIES:

- Investigates, analyzes and develops recommendations on a wide range of employee and labor relations; serves as a resource to City supervisors and managers; monitors and analyzes laws, pending legislation, and court decisions which impact City operations.
- Coordinates and administers a variety of City-wide special projects and programs. Responsible for the ongoing maintenance and administration of the equal employment opportunity and Section 504/ADA plans. Ensures compliance with applicable laws, regulations and ordinances.
- Prepares notices and participates in pre-disciplinary hearings; advises department heads as to the appropriateness and level of disciplinary action; drafts disciplinary letters, work improvement plans and last chance agreements. Ensures consistency of disciplinary action among departments.
- Conducts investigations on matters relating to equal employment opportunity (EEO), discrimination and harassment complaints. Gathers and analyzes information, prepares reports, recommendations, and correspondence on findings.
- Participates in employee and labor relations activities, with an emphasis on the most complex personnel issues.
- Provides guidance to employees and department representatives in administering the Family Medical Leave Act (FMLA), and evaluates reasonable accommodation requests in accordance with the Americans with Disabilities Act (ADA) and the Washington Law Against Discrimination.
- Develops policies and procedures for review. Provides information and interpretations of policy and labor law to various City departments, employees, job applicants and the general public.
- Evaluates, develops, and administers employee training and development programs, such as new employee orientations, supervisory leadership and harassment training.
- Responsible for wage and salary administration. Develops salary data, analyzes and prepares such data in connection with annual salary studies for the maintenance of the compensation plan.
- Assists in the preparation and presentation of human resources related matters before the Civil Service Commission.
- Performs related work as required.

MINIMUM QUALIFICATIONS:**Open Entry Requirements:**

(Requirements must be met at the time of application/examination.)

Education: Graduation from an accredited four-year college or university with a degree in Human Resources, Public Administration, Business Administration, Industrial Relations, or a related field of study.

Experience: Five years of increasingly responsible experience in various phases of human resources administration.

License: Applicants must possess a valid driver's license or otherwise demonstrate ability to get to and from multiple work locations as required.

Substitution: A master's degree in Human Resources, Public Administration, Business Administration, Industrial Relations, or a related field of study may substitute for two years of required experience.

Promotional Requirements:

(Requirements must be met at the time of application/examination.)

Experience: Three years employment with the City as a Human Resources Analyst I/II.

EXAMINATION DETAILS:

You are required to meet the minimum qualifications above and to pass the examination for this position, in order to be eligible for hire.

- The examination consists of a Training and Experience (T&E) Evaluation, in the form of a Supplemental Questionnaire, which is used to set 100% of your final score.
- You will receive your Civil Service Eligibility List ranking after the position is closed for applications and scoring is complete.

T&E Details:

The T&E Evaluation is used to examine the relevance, level, progression, and quality of the applicant's education and training, and to elicit sufficient job-related information to evaluate the amount and quality of the applicant's previous experience, as well as any other information deemed important to performing the duties of the position.

Important: You are required to complete the T&E Supplemental Questionnaire online as a part of the application process. The instructions and questions may be previewed online in the tab marked "QUESTIONS" on the job announcement.

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.

We encourage you to apply immediately using the online application system. Submit your complete online City of Spokane employment application by 4:00 p.m. on the filing cut-off date.

NOTE: Selection of a Senior Administrative Assistant, Rule V, Section 5, Rules of the Civil Service Commission, applies.

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 11:59 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 1st day of April 2020.

MARK LINDSEY
Chair

AMBER RICHARDS
Chief Examiner

Notice for Bids

Paving, Sidewalks, Sewer, etc.

Hamilton Street Corridor Intersection Improvements, Desmet Avenue to North Foothills Drive Engineering Services File No. 2010056

This project consists of the construction of approximately six traffic control signals, 5800 linear feet of directional boring, fiber optic cable and splicing, 7 catch basins, 5170 square yards of HMA pavement repair 3 inches thick, 9080 square yards of HMA pavement 2 inches thick, 1700 linear feet of curb or curb and gutter, 1400 square yards of sidewalk, 1700 linear feet of reinforced concrete curb, and 380 square yards of traffic island, signing, pavement markings, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. April 27, 2020 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Hand delivered bids shall be delivered to the security desk on the first floor, City Hall, 808 W Spokane Falls Blvd, Spokane WA 99201-3316. The bids will be publicly opened and read at 1:15 p.m. in the Tribal Conference Room, first floor City Hall.

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.

Cash, cashier's check, 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 **FIVE (5)** 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.

Note regarding new specifications: The City of Spokane is using WSDOT's 2020 Standard Specifications. Bidders should allow sufficient time to familiarize themselves with the WSDOT 2020 Standard Specifications prior to bidding the project.

******Time is of the essence due to the length of the construction window and/or the time of year in which the project is being constructed. Please note that various award phase steps have shorter than normal time frames as detailed in section 1-03.3, 1-08.4, and 1-08.5.**

Publish: April 8, 15, and 22, 2020

**Spokane Arterial Curb Ramp Project - South
Engineering Services File No. 2018042**

This project consists of the construction of approximately **140** ADA accessible wheelchair ramps, including **5,000** linear feet curb removal and replacement, **2,800** square yards of sidewalk, pavement repair, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. April 20, 2020 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Hand delivered bids shall be delivered to the security desk on the first floor, City Hall, 808 W Spokane Falls Blvd, Spokane WA 99201-3316. The bids will be publicly opened and read at 1:15 p.m. in the Tribal Conference Room, first floor City Hall.

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: <https://my.spokanecity.org/business/bid-and-design/current-projects/>.

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.

Cash, cashier's check, 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.

Note regarding new specifications: The City of Spokane is using WSDOT's 2020 Standard Specifications. Bidders should allow sufficient time to familiarize themselves with the WSDOT 2020 Standard Specifications prior to bidding the project.

In accordance with SMC 7.06.500 and RCW 39.04.350(1), the low bidder shall complete the Supplemental Bidder Responsibility Criteria form located in Appendix C. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

Publish: April 1, 8 and 15, 2020

Notice for Bids

Supplies, Equipment, Maintenance, etc.

BROWNFIELD GRANTS AND IMPLEMENTATION SERVICES

City of Spokane

RFP #5252-20

Description: The City of Spokane is soliciting electronic Proposals for **BROWNFIELD GRANTS AND IMPLEMENTATION SERVICES**.

This project may be funded by local, state and federal tax and grant monies.

Sealed Proposals will be acknowledged at the 1:15 p.m. public bid opening on **MONDAY, APRIL 20, 2020**, in the City Hall Lobby conference room titled "Tribal", 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **BROWNFIELD GRANTS AND IMPLEMENTATION SERVICES** for the City of Spokane Planning Department.

The Request for Proposals document is available for download through the City of Spokane's "ProcureWare" online procurement system <https://spokane.procureware.com>. Registration is required to view and download this solicitation. Solicitation documents will not be mailed, e-mailed, or provided in person.

It is the responsibility of Proposers to check the City of Spokane's online procurement system identified above for Addenda or other additional information that may be posted regarding this Request for Proposals.

Questions from potential Proposers will be accepted through the 'Clarifications' tab under the associated project number in the online procurement system.

All Proposal documents shall be submitted electronically through the City of Spokane's online procurement system **no later than 1:00 p.m. on Monday, April 20, 2020**. Hard copy and/or late submittals will not be accepted. Proposals must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Proposals submitted late.

The right is reserved to reject any and all Proposals and to waive any informalities.

Connie Wahl, C.P.M., CPPB
City of Spokane Purchasing

Publish: March 18, 25 & April 1, 8 & 15, 2020

SPOKANE PUBLIC LIBRARY BOND PROJECTS CHILDREN'S AREA DESIGN SERVICES Spokane Public Library

RFQ #2020-03-002

Spokane Public Library is requesting Statement of Qualifications for Children's Area Design Services.

The Request for Qualifications document is available at the following web page:

www.spokanelibraryplanroom.com

Questions must be directed to Matt Walker, Hill International, at matthewwalker@Hillintl.com

SOQ's conforming to the RFQ requirements must be electronically submitted to Matt Walker no later than 4:00 p.m. on April 22, 2020.

Email one electronic version of your statement of qualifications to:

Matt Walker
Program Manager
Hill International, Inc.
matthewwalker@hillintl.com

Spokane Public Library reserves the right to reject any and all SOQs. SOQs failing to comply with the requirements of this Request for Qualifications may be considered non-responsive. SOQs received late may be rejected. All statement of qualifications shall remain the property of Spokane Public Library and shall not be returned.

Penny Brown
Spokane Public Library

Publish: April 1 & 8, 2020