



# Official Gazette

## City of Spokane, Washington

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

Volume 114

JULY 17, 2024

Issue 29



### MAYOR AND CITY COUNCIL

MAYOR LISA BROWN

COUNCIL PRESIDENT BETSY

WILKERSON

COUNCIL MEMBERS:

JONATHAN BINGLE (DISTRICT 1)

MICHAEL CATHCART (DISTRICT 1)

PAUL DILLON (DISTRICT 2)

KITTY KLITZKE (DISTRICT 3)

LILI NAVARRETE (DISTRICT 2)

ZACK ZAPPONE (DISTRICT 3)

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# Minutes

**NOTICE****MEETING MINUTES OF SPOKANE CITY COUNCIL****Monday, July 8, 2024**

The minutes for the Monday, July 8, 2024, Spokane City Council Meeting were not available for publication in this issue of the *Official Gazette*. The minutes will be published in the Wednesday, July 24, 2024, issue of the *Official Gazette*.

**MEETING MINUTES****City of Spokane****City Council Study Session****Council Chambers, City Hall (808 W Spokane Falls Blvd)****July 11, 2024****Meeting Recording:** <https://vimeo.com/98277213>**Call to Order:** 11:03 a.m.**Attendance:**

Committee Members Present: Council President Wilkerson, Council Members Zappone, Cathcart, Bingle (arrived at 11:12 a.m. and left at 12:03 p.m.), Dillon, Klitzke, and Navarrete.

Council Members Absent: none

**Agenda Items:**

- CHHS Department Contracting and General Process Overview - Dawn Kinder and Arielle Anderson
- Duties and Responsibilities Discussion - Council Members

**Executive Session:**

None

**Adjournment:**

The meeting adjourned at 12:06 p.m.

**MEETING MINUTES****City of Spokane****City Council Study Session****Council Chambers, City Hall (808 W Spokane Falls Blvd)****June 27, 2024****Meeting Recording:** <https://vimeo.com/97011080>**Call to Order:** 11:06 a.m.**Attendance:**

Committee Members Present: Council President Wilkerson, Council Members Bingle, Klitzke, Navarrete, and Zappone (arrived at 11:13 a.m.).

Council Members Absent: Council Members Cathcart and Dillon

**Agenda Items:**

- Regional Homeless Initiative Update - Commissioner Amber Waldref

- DSC Fee Study Update - Tami Palmquist, Steve MacDonald, & Consultant Staff (Jeffrey Swanson, Shivani Lal, and Evan Coughlan)

**Executive Session:**

None

**Adjournment:**

The meeting adjourned at 12:26 a.m.

# General Notices

**Notice of Seizure and Intended Forfeiture**

In a seizure conducted by the Spokane Police Department in the State of Washington for the county of Spokane.

Report No.: 2024-20067058; Date of Seizure: 4/30/2024; Seizure No.: 24-026.

The seizing agency, Spokane Police Department (SPD), to the said potentially interested party, Justin M. Ramirez, 8/10/1992:

You are hereby notified that **pursuant to RCW 69.50.505, property you own or may have an interest in has been seized by SPD** and is subject to seizure and forfeiture and **NO PROPERTY RIGHT EXISTS IN THEM.**

If you would like to make a claim because this property belongs to you and/or you are an interested party, you **MUST, within forty-five days of the date of first publication of this notice**, notify SPD in writing of your claim of ownership or right to possession to the item(s) seized. Send your written claim (certified mail preferred) to: **Forfeiture Claim, SPD Civil Enforcement Unit, 1100 West Mallon, Spokane, WA 99260.** In your letter please identify the property you are claiming and whether you wish to request a copy of the police report documenting the seizure of the property.

Your failure to notify SPD in writing of your claim no later than September 16, 2024, constitutes a default forfeiture and a loss of your right to an adjudicative hearing regarding this matter. RCW 69.50.505(4); RCW 34.05.440.

**THE FOLLOWING PROPERTY HAS BEEN SEIZED:**

Item #	Description
3	2003 BMW 325, WA CME0088
11	\$3,845.00 in U.S. Currency

Lt. Troy Teigen #329  
 Spokane Police Department  
 1100 W. Mallon Ave  
 Spokane, WA 99260  
 Date of First Publication: July 17, 2024.

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**NOTICE  
 SEIZED AND ABANDONED PERSONAL PROPERTY ONLINE AUCTION  
 July 26, 2024**

This is to provide notification that there will be an online auction of Spokane Police Department and Spokane County Sheriff's Office seized and abandoned personal property. The online auction will be held July 26, 2024 and available items will be sold through J. Stout Auctions, at the following link: <https://www.jstoutauction.com/spokane-washington-location/> To view a complete list of auction items, visit the Spokane Police Department Property Evidence Facility's website at the following link: <https://my.spokanecity.org/police/information/evidence-facility/>.

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# 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. C36532

An ordinance relating to the City's Code of Ethics; adopting a new Chapter 01.04B of the Spokane Municipal Code and repealing Chapter 01.04A of the Spokane Municipal Code.

WHEREAS, the City's Code of Ethics serves as the framework for establishing the rules of ethical conduct while setting forth a process to ensure that elected officials, City officers and employees are compliant with these rules, and that complaints about unethical conduct are appropriately addressed; and

WHEREAS, the City Council first adopted a Code of Ethics and created an Ethics Committee when it formally enacted a new chapter 1.04 to title 1 of the Spokane Municipal Code in 2006 under ORD C33785, creating a process for complaints against elected or appointed officials to be sent to the Ethics Committee for investigation and resolution; and

WHEREAS, revisions to the Code of Ethics were made under ORD C33911 in 2006 and ORD C35148 in 2014; and

WHEREAS, the City Council finds that additional changes are necessary to ensure that all complaints alleging violations of the City's Code of Ethics are investigated thoroughly and professionally, and that all relevant evidence is compiled prior to the matter being brought before the Ethics Commission for a hearing;

NOW, THEREFORE,

The City of Spokane does ordain:

**Section 1.** That there is adopted a new Chapter 01.04B of the Spokane Municipal Code to read as follows:

### Chapter 01.04B Code of Ethics

#### PART 1 - GENERAL PROVISIONS

Section 01.04B.010 Purpose  
 Section 01.04B.020 Definitions  
 Section 01.04B.030 Applicability  
 Section 01.04B.040 Limitation Period  
 Section 01.04B.050 Ethics Violations – Prohibited Conduct

#### PART 2 – ETHICS COMMISSION

Section 01.04B.060 Jurisdiction of the Ethics Commission  
 Section 01.04B.070 Duties and Powers  
 Section 01.04B.080 Composition of the Ethics Commission  
 Section 01.04B.090 Restrictions on Ethics Commission Members  
 Section 01.04B.100 Proper Conduct and Avoiding Impropriety  
 Section 01.04B.110 Training  
 Section 01.04B.120 Vacancy and Removal  
 Section 01.04B.130 Advisory Opinion

#### PART 3 – ETHICS COMPLAINTS

Section 01.04B.140 Initiating an Ethics Complaint  
 Section 01.04B.150 Preliminary Review of Complaint  
 Section 01.04B.160 Investigation of Complaint  
 Section 01.04B.170 Post-Investigation Procedures

## PART 4 – HEARING AND ADJUDICATION

Section 01.04B.180 Commencement of Proceedings  
Section 01.04B.190 Hearing Procedures  
Section 01.04B.200 Dismissal of a Complaint  
Section 01.04B.210 Penalties  
Section 01.04B.220 Recall of Elected Official for Violation of Code of Ethics

## PART 5 – APPEAL

Section 01.04B.230 Notice of Appeal  
Section 01.04B.240 Record of Proceedings and Exhibits Transmitted to Hearing Examiner  
Section 01.04B.250 Procedures for Review on Appeal  
Section 01.04B.260 Ruling by Hearing Examiner

## PART 1 - GENERAL PROVISIONS

## Section 01.04B.010 Purpose

- A. It is the policy of the City of Spokane to demand the highest standard of ethical conduct from all of its employees and City officers, whether elected, appointed or hired. All are required to demonstrate honesty, integrity, responsibility and fairness in carrying out their public duties and may never use public resources or their position for personal gain. The Ethics Commission functions to ensure that this policy, as codified in this Chapter, is enforced and that the standards set forth herein are reinforced through training and other initiatives.
- B. It is the intent of the City Council that this chapter be reasonably construed to accomplish its purpose of protecting the public against decisions or conduct that are affected by undue influence, conflicts of interest or any other violation of this Code of Ethics. This Code of Ethics is supplemental to state law, including, but not limited to, chapter 42.20 RCW – Misconduct of Public Officers, chapter 42.23 RCW – Code of Ethics for Municipal Officers – Contract Interests, and chapter 42.36 RCW – Appearance of Fairness Doctrine.

## Section 01.04B.020 Definitions

The following words and phrases as used in this chapter, unless the context clearly indicates otherwise, shall have the following meanings:

- A. “Agency” means any City board, commission, bureau, committee, department, institution, division or tribunal in City government.
- B. “Assist” means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to or otherwise provide assistance to another person, believing that the action is of help, aid, advice or assistance of the person with intent so to assist such person.
- C. “Beneficial interest” has the meaning ascribed to it under the Washington case law. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.
- D. “Business” means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, consultant, holding company, joint stock company, receivership, trust or any legal entity organized for profit.
- E. “City” means the City of Spokane, Washington.
- F. “City action” means any action on the part of an agency, including, but not limited to:
  1. a decision, determination, finding, ruling or order; and
  2. a grant, payment, award, license, contract, transaction, sanction or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling or order.
- G. “City officer” means every individual elected, appointed, hired or otherwise selected to an office or position with the City, or any subdivision, agency, committee or board thereof, whether such individual is paid or unpaid.

- H. "Compensation" means anything of economic value, however designated, that is paid, loaned, granted or transferred, or to be paid, loaned, granted or transferred for, or in consideration of, personal services to any person.
- I. "Confidential information" means:
1. Specific information, rather than generalized knowledge, that is not available to the general public on request; or
  2. Information made confidential by law including but not limited to taxpayer information, RCW 82.32.330; information regarding organized crime, RCW 43.43.856; criminal history information, Chapter 10.97 RCW; medical records, Chapter 70.02 RCW; and juvenile records, Chapter RCW 13.50 RCW; or
  3. Information that is initially disclosed or discussed in executive session, and which is not available to the general public on request; however
  4. Confidential information does not include information authorized by the mayor or a majority vote of the council to be disclosed.
- J. "Contract" or "grant" means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement or a sales agreement.
- K. "De Minimis" means a violation of lesser significance, or a violation more technical than substantial.
- L. "Dishonesty" means behavior that intends to deceive or cheat people; untruthfulness; untrustworthiness. It is not possible to be negligently "dishonest."
- M. "Ethics Commission" means the commission established under Part 2 of this Chapter or the former commission established under Chapter 1.04A of the Spokane Municipal Code.
- N. "Employee" means any person holding a regularly compensated position of employment with the City but does not include elected officers and persons who serve without compensation on City boards and commissions.
- O. "Exempt employee" shall mean those City employees not represented by a recognized labor union and identified by both the City administration and the applicable labor unions as exempt confidential employees.
- P. "False and frivolous complaint" means a complaint with no basis in fact or law.
- Q. "Family member" means:
1. a spouse or domestic partner; or
  2. any dependent parent, parent-in-law, child or son-in-law or daughter-in-law; or
  3. any parent, parent-in-law, child, son-in-law, daughter-in-law, sibling, uncle, aunt, cousin, niece or nephew residing in the household of the City officer or employee.
- R. "Gift" means anything of economic value or tangible worth for which no consideration is given. "Gift" does not include:
1. items from family members or friends where it is clear that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;
  2. items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;
  3. items exchanged among officials and employees or a social event hosted or sponsored by a City officer or City employee for coworkers;
  4. payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging and subsistence expenses incurred the day before through the day after the event;
  5. items a City officer or City employee is authorized by law to accept;

6. payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging and subsistence expenses incurred the day before through the day after the event;
  7. items returned by the recipient to the donor within thirty days of receipt or donated to a charitable organization within thirty days of receipt;
  8. campaign contributions reported under chapter 42.17 RCW;
  9. discounts available to an individual as a member of an employee group, occupation or similar broad-based group;
  10. awards, prizes, scholarships or other items provided in recognition of academic or scientific achievement;
  11. attendance of a City officer or employee at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of City business or where official attendance by the officer or employee as a City representative is appropriate;
  12. an award publicly presented in recognition of public service; or
  13. any item of nominal value which cannot reasonably be presumed to influence the vote, action or judgment of the City officer or employee, or be considered as part of a reward for action or inaction. An item of nominal value shall include incidental items associated with the professional conduct or courtesies of a City officer or employee's duty including the acceptance during the conduct of official business of such items as refreshments, note pads, pens, pins and books.
- S. "Head of agency" means the chief executive officer of an agency. For a city department established pursuant to the SMC, the agency head means the department head. In the case of an agency headed by a commission, board, committee or other body consisting of more than one natural person, agency head means the person or board authorized under the SMC or the City Charter to appoint agency employees and regulate their conduct.
- T. "Honorarium" means money or thing of value offered to a City officer or City employee for a speech, appearance, article or similar item or activity in connection with the City officer's or City employee's official role.
- U. "Household member" means any person having a close relationship with and residing in the same household of the City officer or employee, and having agreed to be jointly responsible for basic living expenses.
- V. "Jurisdiction," for purposes of SMC 1.04B.060, means that the Commission has authority to hear and decide an ethics complaint pursuant to this chapter.
- W. "Mitigating circumstances" means factors for the Commission's determination that might explain a violation, in whole or in part, or make the violation more understandable and/or less subject to condemnation.
- X. "Moral turpitude" is conduct that violates commonly accepted standards of good morals, honesty, and justice; the application of this standard depends upon the collective conscience and judgment of the members of the Commission.
- Y. "Person" means any individual, partnership, association, firm, institution or corporation, business or other entity, however constituted, organized or designated.
- Z. "Personal interest" means direct or indirect pecuniary or material benefit accruing to a City officer or employee as a result of legislation or a contract or transaction which is or may be the subject of an official act or action by or with the City, except for such contracts or transactions which confer similar benefits to all other persons and/or property similarly situated. For the purpose of this chapter, a City officer or employee is deemed to have a personal interest in the affairs of:
1. any person who is a City officer or employee's family member or household member, as defined in this chapter;
  2. any business entity in which the City officer or employee is an officer, director or employee;
  3. any business entity in which the stock of, or legal or beneficial ownership of, in excess of five percent of the total stock or total legal and beneficial ownership, is controlled or owned directly or indirectly by the City officer or employee;

4. any person or business entity with whom a contractual relationship exists with the City officer or employee; provided, that a contractual obligation of less than five hundred dollars, or a commercially reasonable loan made in the ordinary course of business or a contract for a commercial retail sale shall not be deemed to create an interest in violation of this chapter.

AA. "Regulatory agency" means any City board, commission, department or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.

BB. "Represented employee" shall mean a City employee represented by a recognized labor union.

CC. "Responsibility" in connection with a transaction involving the City, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove or otherwise direct City action in respect of such transaction. The term includes any authority under City procurement policies or procedures to authorize the award of contracts or the acquisition of products or services on behalf of the City.

DD. "Staff Director" means the employee appointed by the City Attorney to, in addition to other responsibilities, assist the Ethics Commission in its duties.

EE. "Stipulation" means agreement.

#### Section 01.04B.030 Applicability

The Code of Ethics shall be applicable to all elected or appointed officers, all exempt confidential employees and all represented employees whose labor unions have entered into a collective bargaining agreement providing that compliance with the Code of Ethics is a condition of employment. The Code of Ethics shall not be applicable to represented employees whose labor unions have not entered into a collective bargaining agreement providing that compliance with the Code of Ethics is a condition of employment.

#### Section 01.04B.040 Limitation Period for Filing Complaints

Any complaints brought under this chapter must be commenced within three years from the date of the violation. However, if it is shown that the violation was not discovered because of concealment by the person who allegedly committed the violation, then the action must be commenced within three years from the date the violation was discovered or reasonably should have been discovered by any person with direct or indirect supervisory responsibilities over the person who allegedly committed the violation.

#### Section 01.04B.050 Ethics Violations – Prohibited Conduct

The following shall constitute a violation of this Code of Ethics:

##### A. General Prohibition Against Conflicts of Interest.

In order to avoid becoming involved or implicated in a conflict of interest or impropriety, or an appearance of conflict of interest or impropriety, no current City officer or employee shall have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that might be seen as conflicting with the City officer or employee's proper discharge of his or her official duties, the conduct of official City business or as adverse to the interests of the City. Performance of a legally required duty by a City officer or employee shall not be considered a violation of the Code of Ethics.

1. Any employee who becomes aware that he or she might have a potential conflict of interest that arises in the course of his or her official duties shall notify in writing his or her supervisor or appointing authority of the potential conflict. Elected officials shall report potential conflicts of interest to the City Attorney.
2. Upon receipt of such a notification, the supervisor or appointing authority shall take action to resolve the potential conflict of interest within a reasonable time, which may include, but is not limited to, designating an alternative employee to perform the duty that is involved in the potential conflict. The supervisor or appointing authority shall document the disposition of the potential conflict in writing in files maintained by the appointing authority. The supervisor or appointing authority may request an advisory opinion from the Ethics Commission before addressing and resolving of the potential conflict.
3. Upon receipt of such a notification from an elected official, the City Attorney shall recommend action to resolve the potential conflict of interest, which may include a request for an advisory opinion from the Ethics Commission.



**B. Personal Interests in Contracts Prohibited.**

No City officer or employee shall participate in his or her capacity as a City officer or employee in the making of a contract in which he or she has a personal interest, direct or indirect, or performs in regard to such a contract some function requiring the exercise of discretion on behalf of the City. Provided, this prohibition shall not apply where the City officer or employee has only a remote interest in the contract, and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract, and thereafter the governing body authorizes, approves or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the City officer(s) having the remote interest as defined below.

**C. Remote Interest.**

For purposes of this section, a "remote interest" means:

1. that of a non-salaried non-compensated officer of a nonprofit corporation;
2. that of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
3. that of a landlord or tenant of a contracting party;
4. that of a holder of less than one percent of the shares of a corporation, limited liability company or other entity which is a contracting party.

**D. Personal Influence in Contract Selection Prohibited.**

No City officer or employee shall influence the City's selection of, or its conduct of business with, a corporation, person or firm having or proposing to do business with the City if the City officer or employee has a personal interest in or with the corporation, person or firm, unless such interest is a remote interest and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract, as defined in the preceding section. Provided, however, that no City officer or employee may receive anything of value from the City as a result of any contract to which the City shall be a party except for the City officer or employee's salary or lawful compensation.

**E. Representation of Private Person at City Proceeding Prohibited.**

No City officer or employee shall appear on behalf of a private person, other than himself/herself or a family member or household member, as defined in this chapter, or except as a witness under subpoena, before any regulatory governmental agency or court of law in an action or proceeding to which the City or a City officer in an official capacity is a party, or accept a retainer or compensation that is contingent upon a specific action by the City. Representation of a private person pursuant to a legally required duty by a City officer or employee is permitted and shall not be considered a violation of the Code of Ethics.

**F. Certain Private Employment Prohibited.**

No City officer or employee shall engage in or accept private employment, or render services for, any private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties.

**G. Personal Interest in Legislation Prohibited.**

No City officer or employee may benefit either directly or indirectly from any legislation or contract to which the City shall be a party except for the lawful compensation or salary of the City officer or employee unless such interest is a remote interest where the facts and extent of such interest is disclosed. City council members' participation in the enactment of legislation shall be governed by chapter 42.23 RCW – The Code of Ethics for Municipal Officers and chapter 42.36 RCW – The Appearance of Fairness Doctrine. City council members shall not be prohibited from participating in the adoption of legislation when the council member has only a remote interest in the legislation, which has been disclosed, and the legislation is applicable to the general public and not unique to the council member.

**H. Continuing Financial Interest.**

Where a City officer, employee, or family member of a City officer or employee, has a substantial ongoing financial relationship with a corporation, firm, or person seeking a contract, or proposing to do business with the City, such City officer or employee shall not:

1. Influence or participate in the City's contract selection of or conduct business with such corporation, firm, or person; nor
2. Influence or participate in the City's contract selection of, or conduct business with, a corporation, firm, or party competing against a party that a City officer or employee has such a substantial ongoing financial relationship.
3. For purpose of this section, a substantial ongoing financial relationship is defined as: expanding beyond just a formal contractual relationship. Rather it encompasses any financial interest, direct or indirect, where a City officer, employee, or family member of a City officer or employee is involved in a client-service relationship in which:
  - a. the City officer, employee, or family member of a City officer or employee, receives a substantial portion of his or her revenue or like compensation through such relationship, whether received through his or her corporation, firm, or as an individual; or
  - b. such client-service relationship is likely to continue to provide considerable potential business or has provided substantial business in the past. This does not include prior financial relationships that are so far removed in time or rare in frequency as to be insignificant.
4. Corporations, firms or persons doing business with the City shall be advised of this provision, and shall certify, as part of any contract with the City, that they are aware of the restrictions in this policy.

I. Disclosure of Confidential Information

1. Disclosure of Confidential Information

No City officer or employee shall, except as required or reasonably believed to be required for the performance of his/her duties, disclose confidential information gained by reason of his/her official position or use such information for his/her own personal interest. "Confidential information" is all information, whether transmitted orally or in writing, that the employee has been informed, is aware, or has reason to believe is intended to be used only for city purposes, is not intended for public disclosure, or is otherwise of such a nature that it is not, at the time, a matter of public record or public knowledge.

2. Confidential information includes, but is not limited to, personal information regarding City officials and employees; private financial and other personal information provided by city taxpayers, license holders, contractors, and customers; intelligence and investigative information, including the identity of persons filing complaints; formulas, designs, drawings, and research data obtained or produced by the city and preliminary, non-final assessments, opinions, and recommendations concerning city policies and actions. Any public official who is uncertain as to whether certain information is confidential should consult the City Attorney. An employee who is uncertain as to whether certain information is confidential should consult their immediate supervisor or department head.

J. Acceptance of Compensation, Gifts, Favors, Rewards or Gratuity.

City employees shall not, directly or indirectly, solicit any gift or give or receive any gift, whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form, under the following circumstances:

1. It could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or
2. The gift was intended to serve as a reward for any official action on their part. Public officials and city employees may accept de minimis gifts such as, but not limited to, calendars, coffee mugs, flowers, candy, cookies/snacks and other similar items that are given as a customary business practice and have no material significance to the recipient, with such gifts from any one source not to exceed one hundred dollars in value in any twelve-month period. City employees should report any gift to their immediate supervisor. This section shall not apply to gifts made to the city. All such gifts shall be given to the mayor for official disposition. This prohibition shall not apply to those items which are excluded from the definition of gift in SMC 1.04A.020.

K. Fair and Equitable Treatment.

1. No City officer or employee shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use position to secure special privileges or exceptions for himself/herself or for the benefit, gain or profits of any other persons.

2. No City officer or employee shall employ or use the employment of any person under the City officer's or employee's official control or direction for the personal benefit, gain or profit of the City officer or employee or another beyond that which is available to every other person.
3. No City officer or employee shall use City-owned vehicles, equipment, materials, money or property for personal or private convenience or profit. Use is restricted to such services as are available to the public generally, for the authorized conduct of official business (not personal use), and for such purposes and under such conditions as can be reasonably expected to be approved by City policies.
4. Except as authorized by law and in the course of his or her official duties, no City officer or employee shall use the power or authority of his or her office or position with the City in a manner intended to induce or coerce any other person to provide such City employee or any other person with any compensation, gift, or other thing of value directly or indirectly.
5. City Officers and employees are encouraged to participate in the political process on their own time and outside of the workplace by working on campaigns for the election of any person to any office or for the promotion of or opposition to any ballot proposition, but shall not use or authorize the use of City facilities of resources for such purposes except as authorized by the provisions of RCW 42.17A.555.

L. False and Frivolous complaints prohibited.

No person subject to the Code of Ethics shall knowingly file a false complaint or report of a violation of this Code of Ethics. A person who files a complaint with a good faith belief that a violation of the Code of Ethics has occurred shall be protected by the City's Whistleblower Protection policy as set forth in SMC 1.04A.180.

M. Aiding others prohibited.

No City officer or employee may knowingly aid or assist any City officer or employee in the violation of any provision of this Code of Ethics.

N. Commission of Acts of Moral Turpitude or Dishonesty Prohibited.

No City officer or employee shall commit any act of moral turpitude or dishonesty relating to his or her duties or position as a City officer or employee or arising from business with the City. Conviction of a felony or a misdemeanor involving moral turpitude or dishonesty, the nature of which demonstrates lack of fitness for the position held, shall be considered conclusive evidence of a violation of this Code of Ethics. Demonstrated acts of moral turpitude or dishonesty are not limited to felony or misdemeanor criminal convictions.

O. Prohibited Conduct After Leaving City Service.

1. Disclosure of Privileged, Confidential or Proprietary Information Prohibited.

No former City officer or employee shall disclose or use any privileged, confidential or proprietary information gained because of his or her City employment.

2. Participation in City Matters Prohibited.

No former City officer or employee shall, within a period of one year after leaving City office or employment:

- a. participate in matters involving the City if, while in the course of employment with the City, the former City officer or employee was officially involved in the matter, or personally and substantially participated in the matter, or acted on the matter;
- b. represent any person as an advocate in any matter in which the former City officer or employee was involved while a City officer or employee; or
- c. participate as or with a bidder, vendor or consultant in any competitive selection process for a City contract in which he or she assisted the City in determining the project, or work to be done, or the process to be used.

3. Duty to Inform.

Whenever a City officer or employee wishes to contract with a former City officer or employee for expert or consultant services within one year of the latter's leaving City service, advance notice shall be given to and approval received from the Ethics Commission. Said approval shall be in written form and copied to the mayor at the same time that it is given to the individual making the request.

4. Exceptions.
  - a. The prohibitions of subsections (2)(a) and (2)(b) of this section shall not apply to a former City officer or employee acting on behalf of a governmental agency if the Ethics Commission has determined that the service to the agency is not adverse to the interest of the City.
  - b. Nothing in this chapter shall prohibit an official elected to serve a governmental entity other than the City of Spokane from carrying out their official duties for that government entity.
5. Corporations, firms or persons doing business with the City shall be advised of this provision, and shall certify, as part of any contract with the City, that they are aware of the restrictions in this policy. If a firm or person doing business with the City assists an employee in violating the provisions of the Code, the firm or business may be disbarred, excluded from contracting with the City for 5 years.

P. Failure to Produce Public Records

No City officer or employee shall willfully and without just cause delay or fail to produce any city records in his or her possession or control in response to a public records request filed with the city pursuant to Chapter 42.56 RCW.

1. A "city record" is a "public record" as defined by RCW 42.56.010(3).
2. "Just cause" to delay or fail to produce means:
  - a. A reasonable belief that production of the record is exempt from public disclosure pursuant to Chapter 42.56 RCW or other statute which exempts or prohibits disclosure of specific information or records; and/or
  - b. The city record is subject to legal review to determine whether it is subject to an exemption from disclosure pursuant to Chapter 42.56 RCW; and/or
  - c. The requester has been notified in writing that additional time is required to produce the city record and/or determine whether it is subject to an exemption from disclosure pursuant to Chapter 42.56 RCW.

PART 2 – ETHICS COMMISSION

Section 01.04B.060 Jurisdiction of the Ethics Commission

The Ethics Commission has jurisdiction over all complaints alleging prohibited conduct in violation of the City's Code of Ethics. The Commission is authorized to conduct public hearings and issue written decisions adjudicating all complaints under this chapter.

Section 01.04B.070 Duties and Powers

- A. It is the duty of the Ethics Commission to serve as a tribunal for the adjudication of complaints whenever someone has alleged a violation of this chapter. For this purpose, the Commission has a duty to consider all evidence in determining whether such a violation occurred and in setting an appropriate penalty.
- B. The Ethics Commission is authorized to compel the attendance of witnesses, administer oaths, take the testimony of a person under oath, and in connection therewith, to require the production for examination of any books or papers relating to any matter before the Commission. For witnesses who refuse to attend and give testimony at a hearing, the Ethics Commission may petition the superior court for a subpoena requiring the person to appear and to produce evidence if so ordered, or to give testimony concerning the matter before the Commission. Failure to obey such order of the court may be punished by the court as contempt.
- C. The Ethics Commission is authorized to establish operating policies, procedures, forms, and rules consistent with this chapter, subject to the approval of the City Council. The Ethics Commission shall review its policies and procedure annually and shall make modifications as necessary. The Commission shall maintain a manual of such policies and procedures which shall be posted and maintained as part of the City's website.
- D. The Ethics Commission may, when circumstances make it necessary to do so, retain outside legal counsel and other experts, as needed, after solicitation of recommendations from the City Attorney (unless the need to retain outside counsel is caused by a conflict involving the City Attorney's Office).
- E. The Ethics Commission may make recommendations to the City Council for amendments to this chapter and for such other legislation affecting the subject matter of this chapter as the Ethics Commission may deem necessary or desirable.

- F. The Ethics Commission shall develop educational programs which inform agencies, public officials and city officers and employees about City, state and federal ethics laws, and the importance of ethics to the public's confidence in municipal government.
- G. The Commission shall post all advisory and adjudicative materials of the Commission, including but not limited to the advisory opinions, the initial review by the City Attorney, pleadings and party submissions, investigative reports, and decisions of the Commission, on the City's website within thirty days of receipt or issuance of the material. Upon the recommendation of the City Attorney, the Commission may redact or withhold from publication any record deemed to be legally protected from disclosure under RCW 42.56 or other applicable federal, state or local law.

#### Section 01.04B.080 Composition of the Ethics Commission

- A. The Ethics Commission shall be comprised of seven members who shall be appointed by the mayor and confirmed by the city council. The initial six members shall be appointed for a one-, two- and three-year term and may be reappointed for one additional three-year term. The seventh member who shall be appointed by members of the Ethics Commission shall serve an initial three-year term and may be reappointed for a second three-year term.
- B. Four members of the Commission shall constitute a quorum for conducting a meeting and transaction of business. A simple majority of the quorum is necessary to take action, other than action by the Commission in determining and issuing its written findings and conclusions regarding a complaint, inquiry or request for an advisory opinion, which shall require four affirmative votes of the Commission members present for the meeting.
- C. The Ethics Commission appointees shall include representatives from the following segments of the community:
  - 1. A person with a professional or academic background in the legal profession including attorneys, law professors, administrative law judges, or members of the judiciary.
  - 2. A person from local business with experience in human resources/personnel.
  - 3. A person who possesses familiarity with government and the political process.
  - 4. A person with experience in ethics.
- D. All reasonable efforts shall be used to locate individuals who satisfy the requirements in subsection (A). In the event that any one of the requirements in subsection (A) cannot reasonably be satisfied, a substitute may be appointed. The substitute shall have a background in a profession which includes a code of ethics as an element of the profession.
- E. The City Attorney shall appoint a Staff Director to the Ethics Commission. The Staff Director shall provide assistance to the Commission as necessary for the Commission to fulfill its obligations and duties.
- F. Commission members shall serve without compensation.

#### Section 01.04B.090 Restrictions on Ethics Commission Members

- A. Restrictions on Holding Office.

No member or employee of the Ethics Commission may hold any other City or County office, or be an officer of a political party.

- B. Restrictions on Employment.

No member or employee of the Ethics Commission may be a registered lobbyist or campaign consultant, or be employed by or receive gifts or other compensation from a registered lobbyist or campaign consultant. No member of the Ethics Commission may hold employment with the City or County and no employee of the Commission may hold any other employment with the City or County.

- C. Restrictions on Political Activities.

No member or employee of the Ethics Commission may participate in any campaign supporting or opposing a candidate for City elective office, a City ballot measure or a City officer running for any elective office. For the purposes of this section, participation in a campaign includes but is not limited to making contributions to or soliciting contributions from any person within the Ethics Commission's jurisdiction, publicly endorsing or urging endorsement of a candidate or ballot measure or participating in decisions by organizations to participate in a campaign.

#### D. Restrictions after Employment.

Members of the Ethics Commission are subject to the post - employment restrictions set forth in the City of Spokane Code of Ethics.

#### Section 01.04B.100 Proper Conduct and Avoiding Impropriety

Members of the Ethics Commission are to exercise the utmost care in their communications concerning matters pending before the Commission.

- A. Once the Ethics Commission has received a recommendation from an investigator that a hearing be held, members of the Ethics Commission may only discuss a complaint at a lawfully conducted meeting.
- B. Members of the Commission may not take testimony or entertain comments from any person regarding a complaint except as presented in an investigative report or in the course of a duly noticed public hearing.
- C. Members of the Ethics Commission shall avoid discussing or commenting on a complaint during the pendency of an investigation.
- D. Any Commission member who has a conflict of interest with respect to a specific complaint before the Ethics Commission, pursuant to SMC 1.04B.050, shall recuse himself or herself from hearing that complaint but shall remain a member of the Commission for future complaints.
- E. To avoid the appearance of impropriety and undue influence, no member of the Commission may communicate directly or indirectly with the investigator, any party, or any other person about any issue of fact or law regarding a complaint that has been filed, during investigation and during the pendency of proceedings before the Ethics Commission, except in the course of seeking or obtaining legal advice from the City Attorney or, in the event of a conflict, from independent legal counsel.
- F. If any person attempts to communicate with a Commission member regarding a pending complaint, the Commission member shall immediately report the communication to the Commission Chair and shall relate the substance of the communication to the full Commission on the record at the next regular meeting of the Commission.
- G. Commission deliberations on complaints are exempt from the Open Public Meetings Act, so deliberations may be conducted outside the presence of the public.

#### Section 01.04B.110 Training

- A. The Ethics Commission, with the assistance of the Staff Director, shall prepare, distribute and periodically update an employee handbook on the Code of Ethics, after obtaining the city attorney's review. In addition to the updates the Commission shall disseminate any change in policy that results from a finding of the Commission if it applies to other city employees.
- B. Every appointing authority shall give a copy or electronic version of the handbook and any updates to each employee annually and shall provide annual training to employees regarding the Code of Ethics. Each City employee or official shall read and agree in writing to the City of Spokane Code of Ethics.
- C. Information shall be provided to employees terminating city service regarding the restrictions on former city employees.

#### Section 01.04B.120 Vacancy and Removal

- A. In the event a vacancy occurs, the mayor shall appoint a qualified person to complete the remainder of the term.
  - 1. A member of the Commission may be removed only for misconduct pursuant to this chapter.
  - 2. Any member of the Ethics Commission guilty of official misconduct or convicted of a crime involving moral turpitude or dishonesty shall be removed by the city council upon recommendation by the mayor.

#### Section 01.04B.130 Advisory Opinion

- A. Upon request of any employee, the mayor or a member of the city council, or any City Officer, the Ethics Commission may also render written advisory opinions concerning the applicability of the Code to hypothetical circumstances and/or situations solely related to the persons making the request.

- B. Upon request of the mayor, or two members of the city council, the Ethics Commission may also render written advisory opinions concerning the applicability of the code to hypothetical circumstances and/or situations related to a matter of city-wide interest or policy.

### PART 3 – ETHICS COMPLAINTS

#### Section 01.04B.140 Initiating an Ethics Complaint

- A. Any person may file a complaint alleging that a current City officer or employee has engaged in prohibited conduct in violation of the City's Code of Ethics.
- B. A complaint must be in writing, on a form approved by the Ethics Commission, and it must describe the allegations with sufficient detail to enable both the Commission and the person who is the subject of the complaint to reasonably understand the nature of the complaint. The complaint must be signed, dated, and filed with the City Clerk's Office, and it must include a statement indicating that, to the best of the person's knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true.
- C. Once a complaint has been filed, copies of the complaint shall be forwarded to the City Attorney's Office for initial review.

#### Section 01.04B.150 Preliminary Review of Ethics Complaint

##### A. Preliminary Review of Complaint

Upon receipt of a complaint, the City Attorney's Office shall conduct a preliminary review to determine whether the allegations, if proven, establish a violation of the City's Code of Ethics.

1. If, upon preliminary review of the complaint, the City Attorney finds that the respondent is not subject to the Code of Ethics, the City Attorney shall within five business days provide the Ethics Commission with written notification of this finding along with a recommendation that the Commission Chair summarily dismiss the complaint pursuant to SMC 01.04B.200 (A). The complainant shall also be provided notification of this finding and recommendation. The complainant may appeal the summary dismissal of the complaint by filing an appeal with the City Clerk's Office within ten days of the date of the Chair's decision. In the event of an appeal, the Chair shall not participate in the Commission's deliberation or decision. The appeal will be determined by the remaining members of the Commission. A determination by the Commission to affirm the decision of the Chair shall be final with no further appeal rights.
2. If, upon preliminary review of the complaint, the City Attorney finds that the complaint contains an allegation which, even if true, would not constitute prohibited conduct in violation of the Code of Ethics, the City Attorney shall within five business days provide written notification to Ethics Commission of his or her opinion and recommendation that complaint be dismissed pursuant to SMC 01.04B.200 (B), and shall provide the Commission with a proposed order of dismissal. The complainant shall also be provided notification of this opinion. A decision of the Ethics Commission to dismiss a complaint based upon the recommendation of the City Attorney pursuant to this subsection may be appealed by the complainant to the Hearing Examiner by filing an appeal with the Hearing Examiner's Office within ten days of the date of the Ethics Commission's decision. The only matter before the Hearing Examiner on appeal is whether the complainant has set forth allegations, that if true, would constitute prohibited conduct in violation of the Code of Ethics.
3. If, upon preliminary review of the complaint, the City Attorney determines that the complaint alleges facts that, if proven, establish an ethics violation, the complaint shall be referred to an independent investigator to commence an investigation for purposes of determining whether there is reasonable cause to believe that a violation of the Code of Ethics has occurred.

#### Section 01.04B.160 Investigation of Complaint

- A. If an investigation is commenced, the City Attorney shall provide written notification to the complainant and to subject of the complaint, of his or her decision to refer the matter to an independent investigator for formal investigation to determine if a violation has occurred. A copy of the complaint shall be served on the subject of the complaint.
- B. Once an independent investigator has been identified, a copy of the complaint shall be forwarded to the investigator, who shall contact and conduct interviews of the complainant, the subject of the complaint, and of any individuals with knowledge of the facts pertaining to the allegations in the complaint. The investigator shall also seek to obtain and evaluate any additional evidence, such as documentary evidence, in an effort to

determine whether there is reasonable cause to believe the subject of the complaint has committed a violation of the City's Code of Ethics.

- C. Once the investigator has conducted interviews and has reviewed all other relevant evidence, he or she shall prepare an investigative report detailing his or her findings.
- D. The investigation of a complaint shall be completed, and the investigative report submitted to the Ethics Commission, within 45 calendar days of the referral for investigation. For good cause shown, the investigator appointed to conduct the investigation may request that the Ethics Commission grant an additional 30 days to complete the investigation.

#### Section 01.04B.170 Post-Investigation Procedures

- A. If the investigator finds that the evidence fails to establish that the subject of the complaint has committed prohibited conduct, the independent investigator shall prepare an investigative report with a recommendation of that the complaint be dismissed.
  - 1. Whenever an investigator makes a recommendation of dismissal, the investigative report and copies of all documents relating to the investigation shall be forwarded to the Ethics Commission for a final decision on dismissal. Copies of the investigative report and all documents related to the investigation shall be served upon the complainant and the subject of the complaint.
  - 2. Upon receipt of an investigator's investigative report and a recommendation of dismissal, the Ethics Commission may enter an order of dismissal, copies of which shall be served on the complainant and on the subject of the complaint. Such order shall be entered within ten business days.
- B. If, after investigation, the independent investigator determines that there is reasonable cause to believe the subject of the complaint has committed prohibited conduct in violation of the Code of Ethics, he or she shall prepare an investigative report detailing the evidence and stating the basis for his or her determination. The investigative report and copies of all documents relating to the investigation shall be forwarded to the Ethics Commission with a recommendation that a hearing be held. Copies of the investigative report and all documents related to the investigation shall be served upon the complainant and the subject of the complaint.
- C. Response by Subject of Complaint
  - 1. If the subject of the complaint accepts the findings of the investigative report, he or she may stipulate to the violation by submitting a letter to the Ethics Commission within ten business days indicating his or her agreement with the findings. In such instance, the matter will proceed to a hearing before the Ethics Commission for adoption of the stipulation and imposition of a penalty.
  - 2. The subject of the complaint may contest the findings of the investigative report by submitting a letter within ten business days to the Ethics Commission indicating his or her disagreement with the findings and requesting that a hearing be held to formally contest the findings.
  - 3. If the subject of the complaint contests the findings detailed within the investigative report or otherwise fails to respond within ten business days to the findings of the investigative report, the matter shall proceed to a contested hearing before the Ethics Commission.

### PART 4 – HEARING AND ADJUDICATION

#### Section 01.04B.180 Commencement of Proceedings

- A. Within 30 calendar days of receiving an investigative report recommending that hearing be held, the Ethics Commission shall conduct a formal hearing to determine whether an ethics violation has occurred as alleged in the complaint.
- B. At the hearing, the Ethics Commission may consider the findings contained within the investigative report submitted by the independent investigator and may also consider testimony taken from witnesses and any other evidence presented at the hearing.
- C. The Ethics Commission may determine that additional evidence is necessary to establish the factual record, in which case it may issue a prehearing order calling for witness testimony.



## Section 01.04B.190 Hearing Procedures

## A. Proceedings Recorded and Open to the Public

1. All hearings of the Ethics Commission shall be conducted as contested hearings under rules adopted by the Ethics Commission. All hearings shall be open to the public.
2. All hearings before the Ethics Commission shall be recorded.
3. The record of the hearings, as well as all documents submitted in regards to the complaint and the Ethics Commission's investigation, shall be subject to public disclosure under chapter 42.56 RCW.

## B. Preliminary Matters

1. The subject of a complaint may elect to be represented by legal counsel or to have a union representative represent them at the hearing.
2. Prior to the commencement of the hearing, the Commission may consider preliminary matters raised by the parties, including motions brought by either party, such as a motion to dismiss.
3. The Ethics Commission is not bound by the rules of evidence for Washington courts but may use these rules when determining the relevance of, and weight to be given to, any evidence presented. The final decision of the Ethics Commission shall rely upon evidence they deem to be reliable and trustworthy and which establishes a violation by a preponderance of the evidence.
4. Upon the agreement of the parties, the Commission may consolidate for hearing multiple complaints when the facts underlying the complaints arise out of the same transactions or occurrences.

## C. Presentation of Evidence

1. At the commencement of the hearing, the Ethics Commission shall introduce the case and take judicial notice of the investigative report and any related documents or exhibits that are referenced in the investigator's report. This report and all related documents shall become part of the record and shall be considered in the Commission's final decision.
2. The Commission shall allow the complainant and the subject of the complaint to present witnesses at the hearing to supplement the evidence detailed within, and documents attached to, the investigative report submitted by the independent investigator.
3. The Commission shall allow each party to submit additional evidence, such as affidavits and documentary evidence. The Commission shall consider issues of authenticity and reliability in deciding whether to consider, and what weight to assign to, such evidence.
4. At the conclusion of all testimony and the presentation of documentary evidence, the Commission shall give each party the opportunity to summarize the evidence in a brief closing statement.

## F. Deliberation and Decision

1. At the conclusion of closing statements, the Commission shall adjourn the proceedings and begin deliberations to determine whether or not a violation of the Code of Ethics has occurred.
2. The Commission shall issue its decision, including written findings of fact and conclusions of law, within ten business days. All such findings and conclusions and the disposition shall be reviewed by the city attorney (or independent legal counsel in the event that a conflict of interest prevents the city attorney from conducting the review) prior to their issuance.

## Section 01.04B.200 Dismissal of a Complaint

## A. Summary dismissal of a complaint by the Chair of the Ethics Commission after review by the City Attorney, pursuant to SMC 01.04B.150, shall occur in the following circumstances:

1. The respondent is not subject to the Code of Ethics

## B. Summary dismissal of a complaint by the full Ethics Commission may be based upon the following grounds:

1. The allegations, even if true, would not constitute prohibited conduct in violation of the Code of Ethics.

- C. Dismissal of a complaint by the full Ethics Commission after hearing may be based upon any of the following grounds:
1. The Ethics Commission does not find that the facts establish an ethics violation.
  2. The alleged violation is a minor or de minimis violation;
  3. The complaint or inquiry is, on its face, frivolous, groundless or brought for purposes of harassment;
  4. The matter has become moot because the person who is the subject of the complaint is no longer a City officer or employee;
  5. The appointing authority has already taken action as a result of finding a violation and the Commission finds that the action has sufficiently addressed the matter;
  6. The respondent previously requested and followed the documented advice regarding compliance with the Ethics Code provided by the legal counsel for the Ethics Commission; or
  7. The respondent was previously the subject of a prior ethics complaint based upon the same set of facts and alleging the same violation(s) of the Code of Ethics and regarding which the Ethics Commission issued a decision.
- D. The Ethics Commission shall issue a written decision setting forth the legal and/or factual basis for the dismissal, which shall be provided to the complainant and the subject of the complaint. The complainant may appeal the Commission's decision to dismiss a complaint to the City's Hearing Examiner within ten days of the date of the Commission's decision.

#### Section 01.04B.210 Penalties

- A. Upon a determination by the Ethics Commission that a violation has occurred, or upon a stipulation to a violation, the party found to be in violation may be subject to one or more of the following penalties, which may be imposed by the Ethics Commission:
1. A cease and desist order as to violations of this Code of Ethics.
  2. A recommendation to the city council that an appointed committee or commission member be removed from the board or commission.
  3. An order to pay to the City damages sustained by the City that are caused by the conduct constituting the violation.
  4. In the case of a violator who receives wages from the City, a civil penalty of up to five thousand dollars per violation or three times the economic value of anything received or sought in violation of this chapter or rules adopted under it, whichever is greater, may be imposed. Alternatively, the violator who is a member of a board or commission may be suspended for a number of days to be decided by the Ethics Commission, in lieu of fine but not in lieu of damages.
  5. In the case of an elected official, a written reprimand may be issued by the Ethics Commission if the Commission determines that while the elected official did violate the Ethics Code, there was no intent to commit the violation. The written reprimand shall set for the nature of the violation, the elected official's response and the reasons why a reprimand is appropriate. The written reprimand shall be filed with the City Clerk and placed in the City Council minutes. A written reprimand may not be issued, however, if the elected official stipulates to the decision of the Hearing Examiner, as provided in SMC 01.04B.080(C)(3).
  6. An employee of the City who commits a violation of this chapter may be subjected to disciplinary action, up to and including termination from employment; provided that such disciplinary action is consistent with civil service guidelines and any applicable collective bargaining agreement.
  7. Costs, including reasonable investigative costs, shall be included as part of the limit under subsection (A)(4) of this section. Costs may not exceed the penalty imposed. The payment owed on the penalty shall be reduced by the amount of the costs paid.
  8. As appropriate, the Ethics Commission may refer the disposition of a complaint to the City or County prosecuting attorney's office for appropriate action.
  9. Damages under this section may be enforced in the same manner as a judgment in a civil court.

## PART 5 – APPEAL

## Section 01.04B.220 Notice of Appeal

- A. Any person who has been found to have violated this chapter and has been assessed a monetary penalty, subjected to disciplinary action, or removed from office for a violation of this chapter may file an appeal to the City's Hearing Examiner by delivering a written notice of appeal to the City Clerk's Office within ten business days of receiving a decision of the Ethics Commission finding a violation and imposing a penalty.
- B. Any person who has filed a complaint with the Ethics Commission and has subsequently received a written decision by the Ethics Commission dismissing the complaint pursuant to SMC 01.04B.200.B may file an appeal to the City's Hearing Examiner by delivering a written notice of appeal to the City Clerk's Office within ten business days of receiving a decision of the Ethics Commission regarding a written decision dismissing the complaint.
- C. The notice of appeal shall be in writing and shall include the mailing address and, if different, the street address where papers may be served on the appellant. The notice of appeal shall contain, in separate numbered paragraphs, statements of the specific findings of fact, conclusions of law, or aspects of the fine and/or cost bill on which the appellant seeks review, the basis for the appeal, and a brief statement of the relief requested. The person filing the appeal shall attach a copy of the decision being appealed.
- D. Within five business days of the filing of the notice of appeal, the City Clerk shall forward to the Ethics Commission a copy of the written notice of appeal. A copy shall also be sent to the adverse party.

## Section 01.04B.230 Record of Proceedings Transmitted to Hearing Examiner

- A. The City Clerk shall provide the Hearing Examiner with the Record of Proceedings. This shall include a complete copy of the record, a copy of the complaint, the investigative report and related records of the independent investigator, recorded proceedings and all documents and exhibits offered into evidence at the Ethics Commission hearing within ten business days of receiving a copy of the written notice of appeal.

## Section 01.04B.240 Procedures for Review on Appeal

- A. Within 60 calendar days of receiving the Record of Proceedings, the Hearing Examiner shall conduct a review of the entire record and render a written decision.
- B. The Hearing Examiner's review shall be conducted as if the case was being heard for the first time.
- C. In deciding whether there has been a violation of the Code of Ethics, the Hearing Examiner may only consider evidence that is already in the record, including the investigative report and related documents as well as the recorded proceedings of the hearing before the Ethics Commission.
- D. Any decision to reverse the Ethics Commission's decision finding of a violation must be based on the conclusion that the Commission's decision was arbitrary, capricious, or not supported by the evidence.
- E. In appeals of monetary penalties, the Hearing Examiner may allow additional testimony and may therefore convene a hearing for this limited purpose. The Hearing Examiner may modify the amount of any monetary penalty imposed by the Commission.
- F. The Commission's decision shall be deemed to have been upheld unless the Hearing Examiner reverses or modifies the Commission's decision within seventy-five days after the notice of appeal is filed.
- G. A person who receives an adverse ruling from the Hearing Examiner after appealing the decision of the Ethics Commission may seek judicial review of the ruling.

**Section 2.** That Chapter 01.04A of the Spokane Municipal Code is hereby repealed.

**Section 3.** Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

**Section 4.** Clerical Errors. Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

**Passed by City Council July 8, 2024**

**Delivered to Mayor July 12, 2024**

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**ORDINANCE NO. C36533**

An ordinance relating to Whistleblower Protection; adopting a new Chapter 01.04C of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That there is adopted a new Chapter 01.04C of the Spokane Municipal Code to read as follows:

**Chapter 01.04C Whistleblower Protection****Section 01.04C.010 General**

This subsection implements Washington State's Local Government Whistleblower Protection Act, Chapter 42.41 RCW.

**Section 01.04C.020 Departments and Divisions Affected**

This subsection shall apply to all City divisions and departments.

**Section 01.04C.030 Definitions**

A. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

B. "Improper governmental action" means any action by a local government officer or employee:

1. that is undertaken in the performance of the officer's or employee's official duties, whether or not within the scope of the employee's employment, and
2. that is in violation of any federal, state or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds. The phrase does not include any personnel or labor actions.

C. "Retaliatory action" means:

1. any adverse change in an employee's employment status or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or
2. hostile actions by another employee towards the employee that were encouraged by a supervisor or senior manager or official.

**Section 01.04C.040 Policy**

It is the policy of the City of Spokane to encourage employees to report information concerning any allegedly improper action by the City's officers or employees. It is further the policy of the City to prevent retaliation against any employee who in good faith reports such allegedly improper action. Employees who feel they have been retaliated against may appeal to the hearing examiner.

**Section 01.04C.050 Procedure**

A. Reporting Allegedly Improper Action

1. Every City employee has the right to report to the appropriate person or persons information concerning an alleged improper governmental action.
2. Any City employee who desires to report allegedly improper governmental action shall first report in writing such action to one of the following persons:
  - 1) the hearing examiner, or;
  - 2) human resources director, or;
  - 3) county prosecuting attorney.

It is the responsibility of the receiving official to forward the information on to the Whistleblower Panel comprised of a representative from the human resources department, the office of the city attorney, the city council office selected by the city council, the finance, treasury and administration department and the employee's bargaining

unit representative. A member of the Whistleblower Panel who is also the subject of a complaint shall recuse themselves from the investigation.

3. The Whistleblower Panel shall investigate the received complaint (to include the hiring of outside investigators, if needed) and make a final report to the complainant and the Human Resources Director. The Panel shall endeavor to have a final report within ninety (90) working days of convening. A copy of the report shall be provided to the Human Resources Director and the complainant upon completion. If the Panel fails to complete its report within ninety days, the Panel shall provide an explanation to the complainant for the delay and an estimated completion date.
4. Except in the case of an emergency, an employee shall NOT provide information of an improper governmental action to a person or an entity who is not a public official or person listed in subsection 6.1.2 above. An employee who fails to make a good faith attempt to follow this procedure shall not receive the protections of this subsection or the State Whistleblower Protection Act.
5. The City *shall* keep confidential the identity of the person reporting to the extent possible under law, unless the employee authorizes in writing the disclosure of his or her identity.

#### B. Retaliatory Action Forbidden

1. No City official or employee may take retaliatory action against a City employee because the employee provided information in good faith in accordance with the provisions of this subsection that an improper governmental action occurred.
2. If an employee believes she or he has been retaliated against in violation of this subsection, the employee must provide a written notice of the charge or retaliatory action to the Hearing Examiner of the City. The notice must specify the alleged retaliatory action, and the relief requested.
3. The charge must be delivered to the Hearing Examiner no later than sixty (60) calendar days after the occurrence of the alleged retaliatory action or the date the employee reasonably should have been aware that retaliation has taken place. The City will then have thirty (30) calendar days to respond to the charge and the request for relief.
4. Upon receipt of either the response by the City or after the lapse of the thirty (30) calendar days, the employee may request a hearing to determine whether a retaliatory action has occurred and to obtain appropriate relief. The request for a hearing must be made within fifteen (15) calendar days of receipt of the response by the City or the lapse of the City's thirty (30) calendar day response time. Requests must be in writing and made to the City Hearing Examiner.
5. If the claimant has met all the time requirements, the hearing examiner will hold a hearing. The burden of proof is on the employee to prove his or her claim by a preponderance of the evidence. The hearing examiner will issue a final decision consisting of findings of fact, conclusions of law, and judgment no later than forty-five (45) calendar days following the request for hearing. The hearing examiner may grant extensions of time upon the request of either party upon a showing of good cause or on his or her own motion.
6. The hearing examiner may grant the following relief, as appropriate: reinstatement, with or without back pay, and injunctive relief as may be necessary to return the employee to the position he or she held before the retaliatory action and to prevent any recurrence of retaliatory action. The hearing examiner may award costs and reasonable attorneys' fees to the prevailing party. The hearing examiner may also impose a civil penalty of up to five thousand dollars (\$5,000) payable by each person found to have retaliated against the employee and may recommend to the City that the person found to have retaliated be suspended or discharged.
7. Either party may appeal to Superior Court from an adverse determination by the hearing examiner. The hearing examiner's decision is subject to judicial review under the arbitrary and capricious standard.

#### Section 01.04C.060 Responsibilities

The human resources department shall administer this subsection.

#### Section 01.04C.070 Severability

If any section, subsection, paragraph, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter.

**Passed by City Council July 8, 2024**  
**Delivered to Mayor July 12, 2024**

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**Note: Ordinance C36534 was originally passed by City Council on July 8, 2024, however, on July 15, 2024, City Council voted to reconsider Ordinance C36534 at the July 22, 2024, City Council meeting.**

### ORDINANCE NO C36534

An ordinance titled "Gun Violence Prevention for a Safer Spokane," relating to the establishment provisions relating to firearms safety and prevention; adopting a new Chapter 10.75 to Title 10 of the Spokane Municipal Code, and repealing Section 12.05.065 of the Spokane Municipal Code.

**WHEREAS**, gun violence is a public health and public safety crisis in the United States; and

**WHEREAS**, the Gun Violence Archive defines a mass shooting as one with four or more people injured or killed, and there have been more than 135 mass shootings through May 2, 2024; and

**WHEREAS**; someone is killed by a gun every 10 hours in Washington State and gun violence is the leading cause of death for children and teens; and

**WHEREAS**, according to the Washington Alliance for Gun Responsibility, gun violence costs Washington state an average of \$11.8 billion every year and these figures include health care costs for medical bills and mental health support as well as police and criminal justice costs; and

**WHEREAS**, in 2023 in the City of Spokane, there were 16 deaths from firearms and 23 firearm injuries; and

**WHEREAS**, thus far in 2024, there have been 44 shooting incidents, 6 accidental discharges of a firearm resulting in injury, and 9 total suicide attempts using a firearm; and

**WHEREAS**, gun violence is preventable and stronger gun laws have been proven to reduce gun violence; and

**WHEREAS**, the City of Spokane establishes criminal penalties for crimes related to firearms in Chapter 10.75 of the Spokane Municipal Code, but the code lacks specific prohibitions that would enhance safety and ensure fewer incidents in areas likely to be exposed to gun violence; and

**WHEREAS**, the Spokane City Council intends to update its firearms regulations to make the community safer from gun violence;

**NOW, THEREFORE**, the City of Spokane does ordain:

**Section 1.** There is enacted a new chapter 10.75 to Title 10 of the Spokane Municipal Code to read as follows:

Chapter 10.75 Firearms and Dangerous Weapons

SMC 10.75.010 Scope and Purpose  
SMC 10.75.020 Discharge of Firearms Prohibited  
SMC 10.75.030 Possession of Firearms  
SMC 10.75.040 Disposition of Firearms  
SMC 10.75.050 Exemptions

#### **10.75.010 Scope and Purpose**

Gun violence is a public health issue. The impacts of gun violence, both direct and indirect, inflict an enormous burden on society, including suicide, homicide, and unintentional deaths, as well as nonfatal gunshot injuries, threats, and exposure to gun violence in all neighborhoods.

This chapter defines a process to implement prevention of gun violence and safety measures designed to save lives.

#### **10.75.020 Discharge of Firearms Prohibited**

Except as set forth in Section 10.75.050, it is unlawful to shoot or discharge any firearm, pistol, rifle or similar device anywhere within City limits. Violations of this section that do not result in bodily injury shall constitute a gross misdemeanor. If bodily injury results from a violation of this section, the person violating this section shall be subject to the applicable provisions of chapters 9A.32 and 9A.36 RCW.

#### **10.75.030 Possession of Firearms**

- A. It is unlawful for any person to enter any public assembly venue operated by the city or other municipal or public corporation when the person knowingly possesses or knowingly has under the person's control a weapon as defined in RCW 70.74.010 or listed in RCW 9.41.250.

- B. It is unlawful for any person to knowingly open carry a firearm or other weapon, as defined in RCW 9.41.010, any public building used in connection with meetings of the governing body of the City of Spokane. For purposes of this section, "governing body" shall have the same meaning as in RCW 42.30.020, and includes, without limitation, the Spokane City Council, or other policy or rule making body of the City of Spokane, or any committee thereof when the committee, board, or commission acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.
- C. It shall be a defense to a violation of this section if there are no posted signs at areas of ingress and egress to public buildings that provide notice of the restrictions on possession and open carry of firearms and other weapons at locations specified in this section.
- D. Nothing in this section shall apply to the lawful concealed carry of a firearm by a person who has a valid concealed pistol license.
- E. A person violating this section is guilty of a misdemeanor on the first offense. Second and subsequent violations of this section shall constitute a gross misdemeanor.
- F. This section 10.75.030 shall not apply to:
  - 1. The possession of any concealed pistol by a person licensed under RCW 9.41.070.
  - 2. Individuals exempt from the firearms restrictions under RCW 9.41.060 (1) through (3), as amended from time to time.
  - 3. Federal, state, or local law enforcement officers or personnel, or to members of the armed forces of the United States or the state of Washington, when such individuals are carrying a firearm or other weapon in conformance with their employing agency's policy, or when carrying a firearm or other weapon in the fulfillment of official duties or traveling to or from official duty.

#### **10.75.040 Disposition of Firearms**

- A. All firearms, magazines and ammunition that come into the possession of the police department after June 30, 1993, that are judicially forfeited under RCW 9.41.098 and are no longer needed for evidence, or that are forfeited due to a failure to make a claim under RCW 63.32.010 or 63.40.010 shall be disposed of by the police department as appropriate in its sole discretion in one or more of the following ways:
  - 1. Retained for use by the police department; or
  - 2. Destroyed
- B. Antique firearms and their components as defined by RCW 9.41.010, as now or hereafter amended, and firearms recognized as curios, relics, and firearms of particular historical significance by the United States Treasure Department Bureau of Alcohol, Tobacco and Firearms, are exempt from destruction and shall only be disposed of by auction or trade to commercial sellers. All proceeds from the trade or auction of antique firearms occurring under this subsection shall be retained and used by the police department.
- C. All firearms, magazines and ammunition that are illegal for any person to possess shall be destroyed and shall not be retained; provided, however, if firearms otherwise illegal to possess may be rendered legal to possess by removal or alteration of component parts, the police department may, in its discretion, effect such removal or alteration and may thereafter retain the firearm under the provisions of this section.

#### **10.75.050 Exemptions to Prohibitions on Discharge**

- A. Sections 10.75.020 and 10.75.030 of this Chapter shall not apply to any discharge occurring on a rifle or pistol firing range that has been issued a business license by the City for such purpose.
- B. Sections 10.75.020 and 10.75.030 of this Chapter shall not apply to the discharge of firearms by law enforcement officers engaged in the performance of their official powers or duties.
- C. Nothing in Sections 10.75.020 and 10.75.030 of this Chapter shall be deemed to abridge the right of the individual guaranteed by Article I, Section 24, of the State Constitution to bear arms in defense of self or others or any defenses recognized under state law.

**Section 2.** That SMC Section 12.05.065 is repealed.

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

**Section 4. Clerical Errors.** Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

**Passed by City Council July 8, 2024**

**Delivered to Mayor July 12, 2024**

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**ORDINANCE NO. C36535**

AN ORDINANCE TO ADOPT AN OVERLAY ZONE FOR PROPERTY LOCATED AT 1925 W 36<sup>TH</sup> AVENUE IN THE CITY AND COUNTY OF SPOKANE, STATE OF WASHINGTON, BY AMENDING THE OFFICIAL ZONING MAP TO SHOW A PLANNED UNIT DEVELOPMENT OVERLAY ZONE FOR SAID PROPERTY.

WHEREAS, The Hearing Examiner held a public hearing on June 29, 2022, at the request of the owner of certain property zoned RSF – Residential Single Family (converted to R1 – Residential 1 – in January 2024), and generally located between S. Inland Empire Way/W. Victoria Lane to the east and S. Marshall Road to the west at 1925 W 36<sup>TH</sup> Avenue in the City and County of Spokane, State of Washington, and on July 22, 2022, approved a Planned Unit Development Overlay Zone and a Manufactured Home Park Conditional Use Permit subject to conditions; and

WHEREAS, the designation is not a major action significantly affecting the quality of the environment; and

WHEREAS, the City Council, upon public hearing, adopts the Findings, Conclusions, and Decision of the Hearing Examiner, and further determines that this rezone furthers the accomplishment of the Land Use Element of the Comprehensive Plan, encourages orderly development of a type and at a time that enhances the neighborhood, and does not produce adverse effects on the local environment; NOW THEREFORE - - -

The City of Spokane does ordain that the Director of Planning Services be directed to change the Official Zoning Map adopted by Spokane Municipal Code Section 17A.040.020, so as to designate the property depicted in Exhibit A and legally described as:

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 25 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF SPOKANE, SPOKANE COUNTY, WASHINGTON, LYING EAST OF THE OREGON, WASHINGTON RAILWAY AND NAVIATION RAILWAY.

with a Planned Unit Development Overlay Zone.

**Passed by City Council July 8, 2024**

**Delivered to Mayor July 12, 2024**

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**ORDINANCE NO. C36536**

AN ORDINANCE TO ADOPT AN OVERLAY ZONE FOR PROPERTY LOCATED AT 4502 N HAVANA ST, 4599 E LONGFELLOW ST, AND 4522 E LONGFELLOW AVE IN THE CITY AND COUNTY OF SPOKANE, STATE OF WASHINGTON, BY AMENDING THE OFFICIAL ZONING MAP TO SHOW A PLANNED UNIT DEVELOPMENT OVERLAY ZONE FOR SAID PROPERTY.

WHEREAS, The Hearing Examiner held a public hearing on November 21, 2005, at the request of the owner of certain property zoned R1 (converted from R1 – Single Family Residential Zone – to RSF – Residential Single Family – in 2006 and converted from RSF to R1 – Residential 1 – in January 2024), and generally located at east of Havana Street and North of Havana Street at 4502 N Havana St., 4599 E Longfellow Ave., and 4522 E Longfellow Ave. in the City and County of Spokane, State of Washington, and on December 14, 2005, approved a Planned Unit Development Overlay Zone and a Preliminary Long Plat for said property subject to conditions; and

WHEREAS, the designation is not a major action significantly affecting the quality of the environment; and

WHEREAS, the City Council, upon public hearing, adopts the Findings, Conclusions, and Decision of the Hearing Examiner, and further determines that this overlay zone furthers the accomplishment of the Land Use Element of the Comprehensive Plan, encourages orderly development of a type and at a time that enhances the neighborhood, and does not produce adverse effects on the local environment; NOW THEREFORE - - -



The City of Spokane does ordain that the Director of Planning Services be directed to change the Official Zoning Map adopted by Spokane Municipal Code Section 17A.040.020, so as to designate the property depicted in Exhibit A and legally described as:

THE SOUTH 629.25 FEET OF THE NORTH 1000 FEET OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 25 NOETH, RANGE 43 EAST, WILLAMETTE MERIDIAN;

TOGETHER WITH LOT 1, BLOCK 8, HILLYARD ORCHARD HEIGHTS, ACCORDING TO THE PLAT RECORDING IN VOLUME "E" OF PLATS, PAGE 82;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

21.201 ACRES

with a Planned Unit Development Overlay Zone.

**Passed by City Council July 8, 2024**  
**Delivered to Mayor July 12, 2024**

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**ORDINANCE NO. C36537**

An ordinance amending Ordinance No. C36467, passed by the City Council November 27, 2023, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2024, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2024, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2024 budget Ordinance No. C36467, as above entitled, and which passed the City Council November 27, 2023, it is necessary to make changes in the appropriations of the Water-Wastewater Fund, and the Solid Waste 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 Water-Wastewater Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase appropriation by \$1,413,103.
  - A) Of the increased appropriation, \$955,117 is provided solely for city utility tax in the Sewer Maintenance department.
  - B) Of the increased appropriation, \$337,986 is provided solely for city utility tax in the Riverside Park Reclamation Facility department.
  - C) Of the increased appropriation, \$80,000 is provided solely for city utility tax in the Water department.
  - D) Of the increased appropriation, \$40,000 is provided solely for city utility tax in the Integrated Capital Management department.

Section 2. That in the budget of the Solid Waste Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 2) Increase appropriation by \$3,348,500.
  - A) Of the increased appropriation, \$2,830,000 is to be provided solely for fleet maintenance in the Solid Waste Collection department.
  - B) Of the increased appropriation, \$362,500 is to be provided solely for city utility tax in the Solid Waste Collection department.
  - C) Of the increased appropriation, \$156,000 is to be provided solely for city utility tax in the Solid Waste Disposal department.

Section 3. 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 various Enterprise funds, 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 July 8, 2024**  
**Delivered to Mayor July 12, 2024**

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**ORDINANCE NO. C36538**

An ordinance amending Ordinance No. C36467, passed by the City Council November 27, 2023, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2024, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2024, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2024 budget Ordinance No. C36467, as above entitled, and which passed the City Council November 27, 2023, it is necessary to make changes in the appropriations of the General Fund, Fire/EMS Fund, and Traffic Calming Measures 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 Fund, the following changes be made:

- 1) Increase revenue by \$1,871,500.
  - A) Of the increased revenue, \$750,000 is provided solely for law enforcement services in the Police department for extra duty assignments.
  - B) Of the increased revenue, \$436,000 is provided solely for interfund utility tax for sewer in the Non Departmental department.
  - C) Of the increased revenue, \$362,500 is provided solely for interfund utility tax for solid waste in the Non Departmental department.
  - D) Of the increased revenue, \$156,000 is provided solely for interfund utility tax for electricity in the Non Departmental department.
  - E) Of the increased revenue, \$80,000 is provided solely for interfund utility tax for water in the Non Departmental department.
  - F) Of the increased revenue, \$47,000 is provided solely for interfund utility tax for stormwater in the Non Departmental department.
  - G) Of the increased revenue, \$40,000 is provided solely for interfund utility tax for ICM in the Non Departmental department.
- 2) Add one classified Budget Analyst position (from 3 to 4) in the Management & Budget department.
- 3) Add one exempt Internal Auditor position (from 0 to 1) in the Finance department.
- 4) Add one classified Public Records Specialist position (from 1 to 2) in the City Clerk department.
- 5) Increase appropriation by \$2,815,277.
  - A) Of the increased appropriation, \$60,000 is provided for base wages and associated employee benefits in the Management & Budget department.
  - B) Of the increased appropriation, \$86,873 is provided for base wages and associated employee benefits in the Finance department.
  - C) Of the increased appropriation, \$37,750 is provided for base wages and associated employee benefits in the City Clerk department.
  - D) Of the increased appropriation, \$750,000 is provided solely for extra duty in the Police department.
  - E) Of the increased appropriation, \$660,000 is provided solely for fleet maintenance in the Police department.
  - F) Of the increased appropriation, \$200,000 is provided solely for annexation in the Non Departmental department.
  - G) Of the increased appropriation, \$100,000 is provided solely for surveys/studies in the Police department.
  - H) Of the increased appropriation, \$60,000 is provided solely for contractual services in the Police department.
  - I) Of the increased appropriation, \$25,000 is provided solely for temp seasonal wages in the Mayor's Office.
  - J) Of the increased appropriation, \$25,000 is provided solely for temp seasonal wages in the Council Office.
  - K) Of the increased appropriation, \$12,654 is provided solely for travel in the Police Ombudsman department.
  - L) Of the increased appropriation, \$10,000 is provided solely for travel in the Mayor's Office.
  - M) Of the increased appropriation, \$300,000 is provided solely for an operating transfer out to the Fire/EMS fund in the Allocations department.
  - N) Of the increased appropriation, \$31,000 is provided solely for election services provided by Spokane County in 2024 in the Council Office.
  - O) Of the increased appropriation, \$20,000 is provided solely for legal services for review of Council external boards and commissions in the Council Office.
  - P) Of the increased appropriation, \$437,000 is provided solely for an operating transfer-out to the Traffic Calming Measures Fund in the Allocations department.

- 6) Eliminate one classified, vacant Crime Analyst (from 4 to 3) in the Police department.
- 7) Eliminate one classified, vacant Clerk III (from 4 to 3) in the Police department.
- 8) Eliminate one classified, vacant Police Lieutenant (from 18 to 17) in the Police department.
  
- 9) Decrease appropriation by \$943,923.
  - A) Of the decreased appropriation, \$317, 418 is removed from base wages and associated employee benefits in the Police department.
  - B) Of the decreased appropriation, \$500, 000 is removed from base wages in the Police department.
  - C) Of the decreased appropriation, \$97,000 is removed from mobile broadband in the Police department.
  - D) Of the decreased appropriation, \$11,800 is removed from CLE travel in the Legal department.
  - E) Of the decreased appropriation, \$1,337 is removed from base wages and associated employee benefits in the Communications department.
  - F) Of the decreased appropriation, \$1,755 is removed from base wages and associated employee benefits in the Finance department.
  - G) Of the decreased appropriation, \$1,582 is removed from base wages and associated employee benefits in the NHHS department.
  - H) Of the decreased appropriation, \$1,129 is removed from base wages and associated employee benefits in the Office of Civil Rights department.
  - I) Of the decreased appropriation, \$1,575 is removed from base wages and associated employee benefits in the Legal department.
  - J) Of the decreased appropriation, \$6,708 is removed from base wages and associated employee benefits in the Mayor's Office.
  - K) Of the decreased appropriation, \$2,037 is removed from base wages and associated employee benefits in the Police department.
  - L) Of the decreased appropriation, \$1,582 is removed from base wages and associated employee benefits in the CED department.

Section 2. That in the budget of the Fire/EMS Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$300,000.
  - A) Of the increased revenue, \$300,000 is provided solely as an operating transfer in from the General Fund.
- 2) Increase appropriation by \$300,000.
  - A) Of the increased appropriation, \$300,000 is provided solely for contractual services.
- 3) Decrease appropriation by \$1,849.
  - A) Of the decreased appropriation, \$1,849 is removed from base wages and associated employee benefits.

Section 3. That in the budget of the Traffic Calming Measures Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$437,000.
  - A) Of the increased revenue, \$437,000 is provided solely as an operating transfer in from the General Fund.
- 2) Increase appropriation by \$100,000.
  - A) Of the increased appropriation, \$100,000 is provided for the purchase of adaptive design strategies, including but not limited to temporary speed tables, bollards, wheel stops / bike lane separators, and planters.

Section 4. 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 the General Fund budget, 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 July 8, 2024**  
**Delivered to Mayor July 12, 2024**

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**ORDINANCE NO. C36539**

An ordinance amending Ordinance No. C36467, passed by the City Council November 27, 2023, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2024, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2024, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2024 budget Ordinance No. C36467, as above entitled, and which passed the City Council November 27, 2023, it is necessary to make changes in the appropriations of the Fleet Services

Fund, the Management Information Services Fund, the Reprographics Fund, and the Utility Billing Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

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

The City of Spokane does ordain:

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

- 1) Increase revenue by \$2,400,000.
  - A) Of the increased revenue, \$2,400,000 is provided solely for interfund vehicle/equipment repair.
- 2) Increase appropriation by \$2,400,000.
  - A) Of the increased appropriation, \$1,000,000 is provided solely for vehicle repair & maintenance supply.
  - B) Of the increased appropriation, \$1,200,000 is provided solely for equipment repairs & maintenance.
  - C) Of the increased appropriation, \$200,000 is provided solely for contractual services.

Section 2. That in the budget of the Management Information Services Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Decrease appropriation by \$206,669.
  - A) Of the decreased appropriation, \$205,000 is removed solely from software maintenance.
  - B) Of the decreased appropriation, \$1,669 is removed from base wages and associated employee benefits.

Section 3. That in the budget of the Reprographics Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Decrease appropriation by \$36,864.
  - A) Of the decreased appropriation, \$18,600 is removed solely from equipment repairs/maintenance.
  - B) Of the decreased appropriation, \$18,264 is removed solely from hardware maintenance.

Section 4. That in the budget of the Utility Billing Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Decrease appropriation by \$1,797.
  - A) Of the decreased appropriation, \$1,797 is removed from base wages and associated employee benefits.

Section 5. 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 various Internal Services funds, 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 July 8, 2024**  
**Delivered to Mayor July 12, 2024**

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#### ORDINANCE NO. C36540

An ordinance amending Ordinance No. C36467, passed by the City Council November 27, 2023, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2024, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2024, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2024 budget Ordinance No. C36467, as above entitled, and which passed the City Council November 27, 2023, it is necessary to make changes in the appropriations of the Public Safety Personnel and Crime Reduction Fund, the Forfeitures and Contributions Fund, the Traffic Calming Measures Fund, the Library Fund and the Park 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 Public Safety Personnel and Crime Reduction Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Eliminate one classified, vacant Crime Analyst (from 1 to 0) in the Police Crime Analysis program.
- 2) Decrease appropriation by \$113,582.
  - A) Of the decreased appropriation, \$113,582 is removed from base wages and associated employee benefits in the Police Crime Analysis program.

Section 2. That in the budget of the Forfeitures and Contributions Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase appropriation by \$520,500.
  - A) Of the increased appropriation, \$100,000 is to be provided solely for vehicles.
  - B) Of the increased appropriation, \$140,000 is to be provided solely for machinery/equipment.
  - C) Of the increased appropriation, \$160,000 is to be provided solely for software maintenance.
  - D) Of the increased appropriation, \$25,000 is to be provided solely for personal protective equipment.
  - E) Of the increased appropriation, \$70,000 is to be provided solely for confidential funds.
  - F) Of the increased appropriation, \$15,000 is to be provided solely for registration/schooling.
  - G) Of the increased appropriation, \$10,500 is to be provided solely for operating supplies.

Section 3. That in the budget of the Traffic Calming Measures Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase appropriation by \$50,000.
  - A) Of the increased appropriation, \$50,000 is to be provided solely for fleet maintenance.

Section 4. That in the budget of the Library Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Decrease appropriation by \$1,434.
  - A) Of the decreased appropriation, \$1,434 is removed from base wages and associated employee benefits.

Section 5. That in the budget of the Park Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Decrease appropriation by \$1,582.
  - A) Of the decreased appropriation, \$1,582 is removed from base wages and associated employee benefits.

Section 6. 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 various Special Revenue funds, 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 July 8, 2024**  
**Delivered to Mayor July 12, 2024**

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#### ORDINANCE NO. C36542

An ordinance amending Ordinance No. C36467, passed by the City Council November 27, 2023, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2024, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2024, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2024 budget Ordinance No. C36467, as above entitled, and which passed the City Council November 27, 2023, it is necessary to make changes in the appropriations of the various Funds listed below, 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 Fund, the following changes be made:

- 1) Change the grade and associated pay range for the Planner I position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	256	Planner I	35	37	\$60,030-\$84,856	\$62,995-\$89,116

- 2) Change the grade and associated pay range for the Planner II position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	257	Planner II	41	42	\$69,426-\$98,345	\$70,971-\$100,725

- 3) Change the grade and associated pay range for the Senior Planner position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	258	Senior Planner	46	47	\$78,321-\$110,977	\$80,263-\$113,504

- 4) Change the grade and associated pay range for the Principal Planner position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	260	Principal Planner	50	51	\$85,692-\$121,793	\$88,469-\$125,927

- 5) Change the grade and associated pay range for the Legislative Assistant I position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
Non-Rep	733A	Legislative Assistant I	23	24	\$46,667-\$66,273	\$50,008-\$67,004

- 6) Change the grade and associated pay range for the Legislative Assistant II position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
Non-Rep	733B	Legislative Assistant II	N/A	33	N/A	\$55,520-\$78,509

Section 2. That in the budget of the Fire and Emergency Medical Services (EMS) Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Change the grade and associated pay range for the Community Risk Reduction Manager position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	038	Community Risk Reduction Manager	38	42	\$64,436-\$91,246	\$70,971-\$100,725

- 2) Change the grade and associated pay range for the Senior Case Manager position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	365	Senior Case Manager	N/A	38	N/A	\$64,436 - \$91,246

- 3) Change the grade and associated pay range for the Social Work Case Manager position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	363	Social Work Case Manager	N/A	35	N/A	\$60,030 - \$84,856

Section 3. That in the budget of the Water Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Change the grade and associated pay range for the Inventory Control Specialist position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
L270	171	Inventory Control Specialist	30	33	\$45,539-\$71,535	\$48,588-\$76,003

Section 4. That in the budget of the Sewer Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Change the grade and associated pay range for the Inventory Control Specialist position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
L270	171	Inventory Control Specialist	30	33	\$45,539-\$71,535	\$48,588-\$76,003

Section 5. That in the budget of the Development Services Center Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Change the grade and associated pay range for the Planner I position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	256	Planner I	35	37	\$60,030-\$84,856	\$62,995-\$89,116

- 2) Change the grade and associated pay range for the Planner II position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
M&P-B	257	Planner II	41	42	\$69,426-\$98,345	\$70,971-\$100,725

Section 6. That in the budget of the Fleet Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Change the grade and associated pay range for the Vehicle Commissioning Technician position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
L270	628	Vehicle Commissioning Technician	34	36	\$49,757-\$77,527	\$51,636-\$80,639

- 2) Change the grade and associated pay range for the MECP Vehicle Commissioning Technician position as noted below.

Union	SPN	Title	From Grade	To Grade	Former Range	New Range
L270	628C	MECP Vehicle Commissioning Technician	36	38	\$51,636-\$80,639	\$52,910-\$84,689

Section 7. 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 pay ranges to align with salary analysis, 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 July 8, 2024**

**Delivered to Mayor July 12, 2024**

# Executive Orders

CITY OF SPOKANE EXECUTIVE ORDER	EO 2024-0007 LGL 2024-0008
TITLE: Safe Streets for All – Transportation Safety Directive	
EFFECTIVE DATE: July 3, 2024 REVISION DATE IF APPLICABLE:	

**WHEREAS**, serious and fatal crashes are on the rise in the city of Spokane; and

**WHEREAS**, data from SRTC indicates that while crashes involving a person walking only account 4% of all crashes in the city of Spokane, they account for 40% of the fatal crashes and 30% of crashes with serious injuries; and

**WHEREAS**, people walking are twice as likely to be killed in a collision when a vehicle is traveling 30 miles per hour compared to 20 miles per hour; and

**WHEREAS**, since 2018, 23% of fatal and serious crashes in Spokane County were caused by a speeding driver; and

**WHEREAS**, RCW 46.61.415 gives local governments the authority to establish and alter speed limits with certain conditions; and

**WHEREAS**, studies have demonstrated that ‘No Turn on Red’ reduces conflict between vehicles and pedestrians in certain locations; and

**WHEREAS**, the Spokane City Council adopted a Complete Streets Program in 2011 with the purpose of ensuring all users are planned for in the construction of all City of Spokane transportation projects; and

**WHEREAS**, the Spokane City Council adopted Ordinance C35768 in 2019 recognizing and codifying the foundational City of Spokane Comprehensive Plan Transportation approach of pedestrian safety and service as the City of Spokane’s highest transportation priority; and



**WHEREAS**, the Spokane City Council passed Resolution No. 2022-0107 adopting the City of Spokane's Local Road Safety Risk-Based Analysis as the City's Safety Action Plan toward eliminating fatalities and severe injuries as a result of crashes on City streets; and

**WHEREAS**, the City of Spokane was awarded \$9.6 million from the U.S. Department of Transportation to improve safety along arterials where 85 percent of fatal and serious crashes occur involving people walking and biking; and

**WHEREAS**, the City of Spokane is adding an additional \$2.4 million to the \$9.6 million awarded by the federal government to implement the Spokane Safe Streets for all program which will include improvement projects such as bike lanes, shared-use pathways, crosswalk improvements, ADA ramps, and other safety and mobility projects; and

**WHEREAS**, the City of Spokane supported the passage of HB 2384 authorizing the expansion of traffic safety cameras to improve traffic safety in city streets, state routes, and in work zones; and

**WHEREAS**, the Spokane City Council adopted Special Budget Ordinance C36520, which allocated \$150,000 for the purpose of residential street lighting; and

**WHEREAS**, improving residential street lighting at sidewalks and street crossings will make it safer for pedestrians and cyclists; and

**WHEREAS**, the Spokane City Council adopted resolution No. 2024-0001 and associated Budget Agreement allocating funding equipment purchases and associated labor for the cleaning, plowing and maintenance of traffic calming features; and

**WHEREAS**, the Spokane City Council adopted Resolution No. 2024-0053 endorsing adaptive design and requesting the Brown Administration implement adaptive design strategies; and

**WHEREAS**, adaptive design strategies are a low-cost method of street design that use temporary traffic-calming measures, resulting in faster installation of safety improvements that can be piloted before permanent projects are executed; and

**WHEREAS**, at the request of the Brown Administration the City Council adopted an ordinance on June 24<sup>th</sup> creating the City of Spokane Transportation Commission to provide advice and recommendations to the Mayor and City Council on the plans and programs necessary to achieve a safe and equitable multimodal transportation system.

**NOW THEREFORE, LISA BROWN, MAYOR OF CITY OF SPOKANE, HEREBY ORDERS AND DIRECTS:**

**Complete Streets and Street Design Standards**

1. Complete Streets is reaffirmed as the policy for transportation planning and design in the city of Spokane.
2. Pedestrian Safety is reaffirmed as the highest transportation priority for City transportation investments.
3. City staff will document when it is necessary for safety or cost effectiveness to deviate from adopted design standards on a transportation project. That documentation will be presented and reviewed annually by the Transportation Commission.

**Pedestrian and Cyclist Infrastructure**

1. City staff will evaluate options for expediting the implementation of Leading Pedestrian Interval (LPI) at currently planned and new locations.
2. City staff will review and analyze local data and best practices to make recommendations to be considered by the Mayor and City Council on the default speed limit reductions on arterial and non-arterial streets necessary to protect all roadway users and achieve the City's transportation safety goals.
3. City staff will make recommendations to the Mayor and Council on intersections or within specified zones of the city where the implementation of 'No Turn on Red' will likely reduce conflicts between vehicles, pedestrians, and cyclists.
4. City staff will pilot strategies for providing secure public bike parking at high-demand public destinations through the installation of bicycle 'lockers' at City Hall in summer 2024.

**Neighborhood Safety**

1. The Office of Neighborhood Services in partnership with the Streets Department and Fleet Services will seek to double the Mobile Speed Feedback Program over the next two years deploying additional mobile speed signs equitably throughout each city council district in consultation with the Community Assembly and all neighborhood councils.

- 2. The Mayor’s Office will work with Avista and the appropriate Councilmembers and neighborhood stakeholders to evaluate lighting conditions to improve community safety for pedestrians and bicyclists commuting to and from neighborhoods.

**Adaptive Design**

- 1. At the request of the City Council, the City will install and pilot at least three adaptive design projects, one in each City Council district, to be completed in 2024.
- 2. Utilizing existing traffic calming funds, the City will execute a contract with a consultant to develop policies and standards for the integration of adaptive design strategies into the City’s street design standards.

**Traffic Calming – Automated Traffic Safety Camera Program**

- 1. The Spokane Police Department will immediately add two additional cameras to the Automated Traffic Safety Camera Program prioritizing high-collision intersections and high-speed areas where pedestrians, cyclists, and other vulnerable users are at greatest risk based on the locations approved by the Spokane City Council through Resolution 2023-0055.
- 2. By January 1, 2025, the Spokane Police Department will develop a plan with the Public Works Division, Municipal Court, and the City of Spokane Transportation Commission with a timeline of expanding the Automated Traffic Safety Camera Program to the extent allowed by and within the City’s authority under RCW 46.63 (HB 2384) prioritizing areas with high rates of collisions and high-speed areas where pedestrians, cyclists, and other vulnerable roadway users are at greatest risk.

**Transportation Commission**

- 1. City staff will develop a workplan for the Transportation Commission to be considered and approved by the City Council focused on reviewing, analyzing, and recommending policies and projects necessary to achieve the City of Spokane’s goal of eliminating traffic fatalities and serious injuries.
- 2. As part of the Transportation Commission workplan, the Commission will review and make recommendations to the Mayor and City Council on updates to the City of Spokane’s Complete Streets policy.
- 3. As part of the Transportation Commission workplan, the Commission will review and recommend best practices on crash data collection and post-crash review and analysis.

# Policies and Procedures

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 0620-24-26 LGL 2005-0043
TITLE: <b>VEHICLE USAGE AND ACCIDENTS</b> EFFECTIVE DATE: October 1, 1990 REVISION EFFECTIVE DATE: July 13, 2012, July 11, 2024	

**1.0 GENERAL**

1.1 The safe and responsible operation of motor vehicles is crucial to the City of Spokane’s mission to provide high quality services to the members of our community. Improper, inefficient, or unsafe vehicle operation can result in significantly higher operating costs, damage to our image within the community, and potential injury or death to our employees or others. This policy establishes guidelines and regulations for the appropriate and responsible use of city-owned vehicles by employees and authorized individuals. The purpose of this policy is to ensure the safe and efficient use of these vehicles while minimizing risks, promoting accountability, and reducing costs.

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## 2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all City divisions, departments, and authorized vehicle operators, excluding the Spokane Police Department.

## 3.0 REFERENCES

Chapter 12.07 SMC  
Chapter 46 RCW  
Spokane Administrative Policies (as updated or amended from time to time)

## 4.0 DEFINITIONS

4.1 City Vehicle – Any vehicle that is owned, leased, or rented by the City of Spokane.

## 5.0 POLICY

### 5.1 GENERAL

It is the policy of the City of Spokane that individuals operating City vehicles must do so in a manner that prioritizes safety, responsibility, and respect. This entails strict adherence to all federal, state, and local laws, as well as compliance with the City's designated policies and procedures.

### 5.2 AUTHORIZED DRIVERS

- 5.2.1 City vehicles may only be operated by City employees, authorized City volunteers, or authorized vendors under contract with the City.
- 5.2.2 Any employee who drives a City vehicle or operates motorized equipment as part of their job duties must maintain a valid driver's license with all required endorsements or certifications necessary for the size and type of vehicle driven.
  - An expiration, suspension, or revocation of an employee's driver's license must be reported to the employee's immediate supervisor prior to the employee's next scheduled work shift.
  - Operation of an authorized vehicle for City business with a suspended, revoked, or expired driver's license will be cause for disciplinary action.
- 5.2.3 Employees who drive City vehicles are subject to Motor Vehicle Record (MVR) checks annually or as necessary to verify compliance with driver's license and moving violation requirements.
  - Any combination of moving violations or chargeable accidents exceeding three events in a calendar year may result in suspension or revocation of driving privileges.

### 5.3 AUTHORIZED USAGE

- 5.3.1 City-owned or leased motor vehicles shall be used exclusively for the conduct of city business.
- 5.3.2 Incidental personal use such as stopping at a store or restaurant while travelling from one work location to another is allowed but must be kept to a minimum.
  - Personal stops must be during authorized break periods and not be out of the way.
  - City vehicles may not be used to go to a private home for a meal or rest period. (Department specific policy exceptions may apply).
  - Without supervisory approval, no more than three City vehicles are to be parked simultaneously at an offsite location during lunch or break periods.

- 5.3.3 Operators of City vehicles must consistently demonstrate safe, respectful, and professional conduct to uphold and improve the City's image.

#### 5.4 TAKE HOME VEHICLES

- 5.4.1 City vehicles may not be taken home or used for employee commuting unless at least one of the following four criteria is met.
- **Emergency Response**—The employee has primary responsibility for responding to emergency situations which require immediate response to protect life or property *and* the employee is called out at least 12 times per quarter. A “call out” is defined as a directive to an employee to report to a work site during off duty time. Documentation listing the number and nature of call outs for the six-month period from the prior year is required. In addition, there must be an explanation of why alternate transportation cannot be used and why a City vehicle cannot be picked up from a designated City parking area.
  - **Economic Benefit:** There is an economic benefit to the City. This means the cost of travel reimbursement would exceed the costs associated with a take-home vehicle. A calculation of this benefit must be submitted with the Take-Home Vehicle Request. The cost of lost productivity cannot be a part of the calculation.
  - **Special Equipment:** The employee has primary responsibility for responding to emergency situations which require immediate response to protect life or property and the employee needs a special vehicle and/or carries specialized equipment other than communications equipment in order to perform their work outside of normal working hours. A description of this equipment must be submitted with the Take-Home Vehicle Request.
  - **Union Contract:** Collective bargaining agreement may provide general language for Department Director to approve take-home assignment.
- 5.4.2 A Take Home Vehicle Request form must be filled out by the requesting employee with required documentation attached. Requests must be approved by the Department Head, Division Director, and the Director of Fleet Services. The Take Home Vehicle Request For can be found on the Fleet Services SharePoint page.
- 5.4.3 A City owned take-home vehicle is a fringe benefit that may generate a tax liability. Employees approved for a take-home vehicle assignment are responsible to report all personal use of a City-owned vehicle to the IRS as income.
- 5.4.4 The Fire Department must approve and document take home vehicle assignments for their individual departments.

#### 5.5 DRIVER SAFETY RULES

- 5.5.1 Operators must maintain possession of valid driver's license while operating a City vehicle.
- 5.5.2 Seat belts must be worn at all times in accordance with State law.
- 5.5.3 Operators of City vehicles must follow the principles of defensive driving. Aggressive, inattentive, or erratic driving will not be tolerated.
- 5.5.4 Drivers must obey all traffic laws, speed limits, and parking regulations. The City is not responsible for any traffic violations or parking tickets acquired by violation of city ordinance, state or federal laws regarding driving habits and operation of a City vehicle by an authorized driver.
- 5.5.5 Smoking, vaping, and the use of chewing tobacco in a City vehicle is strictly prohibited.
- 5.5.6 Distracted driving, including activities such as texting, media viewing, and eating is strictly prohibited due to the significant safety risks involved.
- 5.5.7 Voice calls must be kept to a minimum and an approved hands-free device must be used while operating a City vehicle. If an approved hands-free device is not available in the vehicle being operated, the driver must safely pull over and park vehicle prior to engaging in phone conversations.

- 5.5.8 Operating a City Vehicle while under the influence of alcohol or drugs, including prescription drugs that may impair a driver's ability to safely operate a City vehicle, is prohibited.
- 5.5.9 Only transport other City employees or other authorized individuals in City vehicles.
- 5.5.10 Employees transporting regulated hazardous materials in a City vehicle must have prior authorization from their department supervisor or designated authority, display all required placards and possess all necessary training and certifications.
- 5.5.11 Employees are prohibited from towing any type of trailer using city vehicles without prior authorization from their department supervisor or designated authority.

## 5.6 VEHICLE MAINTENANCE AND STANDARD OF CARE

- 5.6.1 Vehicle operators are accountable for maintaining the cleanliness of City vehicles, both inside and out, ensuring they are devoid of clutter, and objectionable odors.
  - Drivers must remove all personal belongings and debris from the vehicle after each use. Spills or stains must be addressed immediately.
  - Driver must notify the appropriate supervisor when a vehicle is in need of interior or exterior cleaning.
  - Each department is responsible for providing car washes for their vehicles which can include City facilities, local vendor contracts, or providing car wash tickets to employees.
- 5.6.2 At the sole discretion of the Fleet Services Department, vehicles that cannot be satisfactorily cleaned or sanitized utilizing standard car wash procedures will be professionally detailed at the expense of the using department.
- 5.6.3 Drivers are required to perform a pre-trip vehicle inspection before each shift. At a minimum, vehicles should be inspected for:
  - Visible damage such as scratches or dents.
  - Operation of headlights, taillights, brake lights, and turn signals.
  - Damage to windshield or other glass.
  - Tire condition and inflation.
  - Obvious fluid leaks under vehicle.
  - Oil and other fluid levels.
  - Unusual noises, odors, or operation.
  - Drivers must report any damage, maintenance or repair needs to the Fleet Services Department and their supervisor. Pre-trip inspection forms can be found on the Fleet Services SharePoint site.
  - Departments may have additional specific vehicle inspection requirements.

## 6.0 PROCEDURE

### 6.1 PROCEDURE IN THE EVENT OF AN ACCIDENT

- 6.1.1 City employees involved in an accident while on City business or in a City vehicle shall notify the Police Department (9-1-1) and their direct supervisor immediately. The supervisor will notify the Human Resources, Risk Management, and Fleet Services Departments as soon as practicable. If no Police report is taken, a Washington State Accident Report shall be filed in a timely manner. Washington State Accident Report can be accessed via the Washington State Patrol website.
- 6.1.2 A copy of the Police Department investigation report, if applicable, or the Washington State Accident Report shall be provided by the employee to the Risk Management Department, and that department shall send copies to other departments as appropriate.
- 6.1.3 The City employee involved, or the supervisor, will complete the City's Incident Report Form (4-part) and the supervisor will complete the one-half page supervisor's report. The City of Spokane Incident Report can be found on the City of Spokane Risk Management SharePoint sit. The four parts are to be distributed as follows:

Original (white)

Third Party Administrator (Contact Risk Management)

Yellow	City Attorney
Pink	Risk Management
Gold	Originating Department

The supervisor's report shall accompany the pink copy to the Risk Management Department.

6.2 POST ACCIDENT TESTING

An employee involved in any accident while on City business may be required to undergo a test for alcohol and/or drugs if there is reasonable suspicion in accordance with City policies ADMIN 0620-15-10 (Drug and Alcohol Testing for Non-CDL Employees) and ADMIN 0620-05-47 (Drug and Alcohol Testing for Commercial Drivers). Results shall be released to the Human Resources Department and will be handled confidentially.

7.0 RESPONSIBILITIES

The Human Resources Department, in cooperation with the Risk Management Department and the Fleet Services Department, shall administer this policy.

8.0 APPENDICES

None

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 0620-24-69 LGL 2024-0032
TITLE: PUBLIC RECORD EXEMPTION PROCESS TO PROTECT AN EMPLOYEE'S PERSONALLY IDENTIFIABLE INFORMATION (RCW 42.56.250 (1)(i)) EFFECTIVE DATE: July 9, 2024 REVISION DATE: N/A	

1.0 GENERAL

1.1 PURPOSE

To ensure the safety and privacy of employees under the Public Records Act (RCW 42.56) that are victims of or have dependents that are victims of domestic violence, sexual assault, sexual abuse, stalking, or harassment in their personnel-related records or systems that are subject to a public records request, or responsive to a request for a list of individuals subject to the commercial purpose prohibition under RCW 42.56.070(8). It is the policy of the City of Spokane to protect the confidentiality and privacy of those victims and to hold confidential all personally identifying or individual information, communications, observations, and information made by, between, or about victims to the extent permitted under State law.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

All employees

3.0 REFERENCES

- Washington State House Bill 1533 – 2023-2024,
- RCW 5.68.010
- RCW 7.105.010
- RCW 7.125.030

RCW 9A.46.020  
RCW 9A.46.110  
RCW 10.99.020  
RCW 40.24  
RCW 42.56.250(1)(i)

#### 4.0 DEFINITIONS

##### 4.1 Employee.

Personnel that are appointed or hired for a regular, temporary, extra hire, or project position within the City.

**4.2 Confidential Information.** Any written or spoken information shared in confidence, which includes any information that might identify the location or identity of someone who is a victim or has a dependent that is a victim of: domestic violence, dating violence, sexual assault, or stalking.

**4.3 Personally Identifying Information.** Individually identifying information about an individual and includes information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking.

**4.4 Verified Statement.** A statement signed under penalty of perjury, in accordance with RCW 42.56.250(1)(i) that identifies the alleged perpetrator(s) by name and, if possible, image or likeness, or from the employee a police report, protection order petition, or other documentation of allegations related to the domestic violence, sexual assault or abuse, stalking, or harassment which has been verified by the City.

**4.5 Domestic Violence.** The intentional, willful, or reckless action of inflicting physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one intimate partner by another intimate partner; or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one family or household member by another family or household member or by one intimate partner against another intimate partner (RCW 10.99.020(4) & RCW 7.105.010(9)).

**4.6 Sexual Assault.** Rape or rape of a child; Assault with intent to commit rape or rape of a child; Incest or indecent liberties; Child molestation; Sexual misconduct with a minor; Custodial sexual misconduct; Crimes with a sexual motivation; Sexual exploitation or commercial sex abuse of a minor; Promoting prostitution; or an attempt to commit any of the aforementioned offense (RCW 70.125.030(7)).

**4.7 Sexual Abuse.** Any form of nonconsensual sexual conduct including, but not limited to, unwanted or inappropriate touching, rape, molestation, indecent liberties, sexual coercion, sexually explicit photographing or recording, voyeurism, indecent exposure, or sexual harassment (RCW 7.105.010(2)(e)).

**4.8 Stalking.** Anyone who intentionally and repeatedly harasses or repeatedly follows another person; The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person (the feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances); and the stalker either intends to frighten, intimidate, or harass the person; or knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person (RCW 9A.46.110 & RCW 7.105.010(34)).

**4.9 Harassment.** Intent to harass or intimidate any other person, uses any lewd, lascivious, indecent, or obscene words, images, or language, or suggests the commission of any lewd or lascivious act; is made anonymously or repeatedly; contains a threat to inflict bodily injury immediately or in the future on the person threatened or to any other person; or contains a threat to damage, immediately or in the future, the property of the person threatened or of any other person; without lawful authority, the person knowingly threatens to cause bodily injury immediately or in the future to the person threatened or to any other person; or to cause physical damage to the property of a person other than the actor; or to subject the person threatened or any other person to physical confinement or restraint; or maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and the person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication (RCW 9A.46.020 & RCW 7.105.010(36)).

#### 5.0 STATEMENTS OF POLICY AND PROCEDURE

##### 5.1 General.

The Washington State legislature passed House Bill 1533 April 19, 2023, and became effective May 15, 2023. HB 1533 adopts a Public Record Act (PRA) exemption, in personnel-related records or systems, or responsive

to a request for a list of individuals subject to the commercial purpose prohibition under RCW 42.56.070(8), protecting an employee's personally identifiable information if they or a dependent are a survivor of domestic violence, sexual assault, stalking or harassment as defined in state law.

- 5.2 Verified Sworn Statement.** Except as applied to public records requests from the news media or as otherwise required by law, during the time an employee's verified sworn statement is in effect, the City will redact as exempt from disclosure under the PRA the employee's personally identifiable information such as job title, address of workstations and locations, work email address, work phone number, or bargaining unit in personnel-related records or systems, or responsive to a request for a list of individuals subject to the commercial purpose prohibition under RCW 42.56.070(8).
- 5.3 Exemption Bases.** There shall be two bases for an exemption under RCW 42.56.250(1)(i): (1) being a victim or having a dependent that is a victim of domestic violence, sexual assault, sexual abuse, stalking, or harassment, as defined under the specific criminal procedure statute, Victims of Sexual Assault Act, civil protection order statute, or criminal code; or (2) employees who participated in the Address Confidentiality Program (ACP) as administered by the Washington Secretary of State. Either basis requires the employee to submit a sworn statement with information or evidence to establish eligibility which will be verified by the City.
- 5.4 Information Required.** For employees who are participants of the ACP, the employee shall provide proof of such participation as administered by the Washington Secretary of State and complete and submit the Application for Exemption of Personal Information form (available via the Human Resources division). If the employee is not a participant of the ACP, they shall provide a sworn statement (included on the Application for Exemption of Personal Information form) verified by the Human Resources Manager or the City Administrator that the employee or their dependent is a survivor of domestic violence, sexual assault, stalking, or harassment as defined in state law. In addition to the sworn statement, the employee is required to provide documentation that identifies the alleged perpetrator by name and, if possible, image or likeness, or by providing a copy of the police report, protection order petition, or other documentation of the allegation. The sworn statement expires after two years but may be renewed by providing a new sworn statement or providing proof of enrollment in the ACP.
- 5.5 Storage of Verified Statement.** The completed Verified Statement form will be saved in the employee's personnel file and will be kept confidential in accordance with State law and may not be disclosed without consent of the employee who submitted the documentation unless otherwise required by law. Any additional supporting documentation as listed in this section will not be kept by city personnel. Folders containing the Sworn Statement will be kept in a separate folder that is marked "confidential" and shall be kept and maintained in such a manner as to safeguard its contents.
- 5.6 List of Employees Maintained and Updated.** The Human Resources Department shall provide lists of employees who are subject to the exemption in RCW 42.56.250(1)(i) to the Public Records Officers. Such list shall include the date upon which such exemption will expire. This list will be updated whenever a new employee is added or removed from the list. The Public Records Officers shall include review of the list anytime a public records request is made that will result in release of employee information. The list of employees under this section shall be kept confidential and stored or managed in such a manner as to safeguard its contents.
- 5.7 Notice to Police or Other Employees.** With the permission of the employee, information about the alleged perpetrator(s) of domestic violence, sexual assault, stalking, or harassment which are described in the verified statement may be provided to police or other employees if such information would be likely to increase safety and security for the employee or other people who may be working or doing business at City facilities.

## 6.0 RESPONSIBILITIES

### 6.1 Employee.

It is the responsibility of the employee to provide information to the City in the form of a sworn statement and to disclose documentation to support the sworn statement in order for the City to verify that the exception in RCW 42.56.250(1)(i) applies.

### 6.2 Human Resources.

It is the responsibility of Human Resources to administer this Policy and to verify the supported documents.

## 7.0 APPENDICES

Application for Exemption of Personal Information for an Employee or Family Member of Employee



**APPLICATION FOR EXEMPTION OF PERSONAL INFORMATION FOR AN EMPLOYEE OR FAMILY MEMBER OF EMPLOYEE  
(Statutory Authority RCW 42.56.250(1)(i))**

Name: \_\_\_\_\_

Employee ID: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

This request is based on any one of the following grounds:

- Domestic violence as defined by RCW 10.99.020 or 7.105.010
- Sexual assault as defined by RCW 70.125.030
- Sexual abuse as defined in RCW 7.105.010
- Stalking as described in RCW 9A.46.110 or defined in RCW 7.105.010
- Harassment as described in RCW 9A.46.020 or defined in RCW 7.105.010
- The Employee or a dependent of the Employee is a participant in the Address Confidentiality Program (ACP) under chapter 40.24 RCW. (Provide documentation)

Name of person(s) committing the above behavior: \_\_\_\_\_

**(Optional)** Name of person(s) being subjected to the above behavior: \_\_\_\_\_

Relationship of person being subjected to the above behavior to the employee:  Self  Other

If Other: Name **(Optional)**: \_\_\_\_\_ Relationship to Employee: \_\_\_\_\_

If not Employee, does the person live with the Employee?  Yes  No

Is the person a minor?  Yes  No Is this person a dependent of the Employee?  Yes  No

As of the date this form is completed, the Employee named above has a current basis to believe that the risk of domestic violence, sexual assault, sexual abuse, stalking, or harassment (circle applicable) continues to exist. This belief is based on the following information:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please provide one of the following to the HR Manager (or Designee) for review only:

- Current protection order in place
- Protection order petition
- One or more police reports demonstrating the behavior
- Any other documentation of allegations related to the domestic violence, sexual assault or abuse, stalking, or harassment
- Proof to the City of the employee's participation or participation of a dependent in the address confidentiality program under Chapter 40.24 RCW

I am requesting to anonymize my work email address.  Yes  No

**Optional** - Please check all applicable boxes to provide permission as to who else may be informed about the person that is committing the behavior that is the subject of the verification request. Information you may want to reveal could include, name, physical description, contact information, date of birth, and image of person (provide photo if available)

City of Spokane Police Department

Front desk staff in any building where I work

My Department Director

My Supervisor

My Co-Workers (List names if limited): \_\_\_\_\_

Other (Provide Name(s)): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of Washington that the information contained in this application is true and correct to the best of my knowledge.

Executed at \_\_\_\_\_, Washington, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Employee Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**Important notes:**

- 1. If granted, the exemption in RCW 42.56.250(1)(i) regarding personally identifying employee information, does not apply to public records requests from the news media as defined in RCW 5.68.010(5). Any documentation maintained by the City to administer the employee’s application for exemption pursuant to RCW 42.56.250(1)(i) is confidential and exempt from disclosure.
- 2. If granted, this exemption will expire in two (2) years but may be subsequently renewed by providing a new sworn statement to the City. Please keep track of the expiration date and apply for a new exemption prior to expiration if an exemption is needed at that time.

-----Internal Use Only-----

VERIFICATION

Person performing the verification review: \_\_\_\_\_

Documentation provided:

police report    protection order petition  
 protection order    other (list): \_\_\_\_\_

Description and/or photo of perpetrator obtained:  Yes  No

Verified/Approved:  Yes  No

If yes, expiration date: \_\_\_\_\_

# 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.

**AMENDMENT**

**AMENDMENT**

**AMENDMENT**

**REFUSE COLLECTOR II**

SPN 550

(Announcement of 10/31/2022)

The above titled announcement is hereby amended to read:

**Closing Date: Monday, July 8<sup>th</sup>, 2024**

**TRAINING COORDINATOR SPN 563  
PROMOTIONAL**

**DATE OPEN: Monday, July 15, 2024**

**DATE CLOSED: Monday, July 29, 2024**

**SALARY: \$58,944.24 annual salary, payable bi-weekly, to a maximum of \$97,300.80**

**DESCRIPTION:**

Develops and conducts classroom and on-the-job training for employees on the methods, techniques, and procedures associated with their work assignments. Incumbent acts as a department-level expert on the operations of vehicles, tools, and other equipment.

**DUTIES:**

*This description was prepared to indicate the kinds of activities and levels of work difficulty required of positions in this class. It is not intended as a complete list of specific duties and responsibilities.*

- Designs, develops, and presents department-specific training programs, including classroom and on-the-job lessons. Develops learning objectives, methods, and courses of study. Reviews course content with managers and other department subject matter experts.
- Schedules, organizes, and conducts training of department employees and conducts departmental orientation for new employees.
- Conducts periodic reviews of employee proficiency with equipment and retention of training, and provides on-site corrective instructions.
- Evaluates effectiveness of the training program using written or practical assessment. Assesses needs and adjusts teaching approaches based on objective results and feedback from employees, supervisors, and managers.
- Consults with employees, supervisors, and managers to determine if training programs are meeting the department's needs. Advises on the development of associated policies and procedures.
- Updates training materials, including written documents, and methods to keep current with departmental and educational best practices. Produces and distributes training materials to employees.
- Reviews requirements, specifications, and standards from contractors, consultants, and regulatory agencies to incorporate information into training classes.
- Reviews incidents and accidents with Safety to identify causes and develop follow-up training to reduce or prevent future occurrences.
- Advises on the maintenance schedules for assigned equipment, apparatus, and facilities.
- Completes and maintains records related to training programs.
- Performs related work as required.

**MINIMUM QUALIFICATIONS:**

*Combinations of education and experience that are equivalent to the following minimum qualifications are acceptable.*

**Promotional Requirements:**

- *Experience:* Five years in the specified job classification by department. For Streets, Street Maintenance Operator II (SPN 562). For Solid Waste Collections, Refuse Collector III (SPN 553). For Wastewater, Wastewater Specialist (SPN 541). For Water, Water Service Specialist (SPN 521).

**Licenses and Certifications:**

- Incumbents in Streets or Wastewater must have a Class A commercial driver's license (CDL) with tank vehicle endorsement and without air brake restriction, to be maintained throughout employment. Incumbents in Water must have a Class A CDL without air brake restriction, to be maintained throughout employment. Incumbents in Solid Waste Collections must have a Class B CDL without air brake restriction, to be maintained throughout employment.
- Incumbents in Water must obtain Water Distribution Manager II certification within six months of appointment, to be maintained throughout employment.

**EXAMINATION DETAILS:**

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for hire.

**Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.**

Upon request, at time of application, City of Spokane 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.

The examination will consist of an in-person multiple-choice and short answer/essay examination, with weights assigned as follows:

- Multiple-Choice Exam 50%
- Short Answer/Essay 50%

**IN-PERSON EXAMINATION DETAILS:**

- Test Date: Thursday, August 1, 2024

- Test Time: 9:30am
- Test Location: Civil Service Test Room, 4th floor City Hall, 808 W Spokane Falls Blvd, Spokane, WA 99201
- Approximate Duration of Exam: 2 Hours
- Exam Subjects May Include:
  - o Training
  - o Vehicle Operation
  - o Safety
  - o Decision Making
  - o Interpersonal Relations
  - o Written Communication

**TO APPLY:**

**An application is required for promotional applicants.** Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 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](mailto:civilservice@spokanecity.org) with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4<sup>th</sup> 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 10<sup>th</sup> day of July 2024.

SCOTT STEPHENS  
Chair

KELSEY PEARSON  
Chief Examiner

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**INSTRUMENTATION, CONTROLS, AND ELECTRICAL TECHNICIAN SPN 648**  
Open Entry

**DATE OPEN: Monday, July 15, 2024**

**DATE CLOSED: Monday, July 29, 2024**

**SALARY: \$52,408.80 annual salary, payable bi-weekly, to a maximum of \$82,288.08**

**DESCRIPTION:**

Performs journey-level skilled installation, repair, maintenance, and upgrade of electronic instrumentation, controls, and safety systems for water and wastewater industrial plant facilities and equipment, and related remote monitoring technology.

**DUTIES:**

*This description was prepared to indicate the kinds of activities and levels of work difficulty required of positions in this class. It is not intended as a complete list of specific duties and responsibilities.*

- Inspects instrumentation and electronics on industrial plant equipment. Installs, calibrates, troubleshoots, repairs, and maintains a variety of electrical, electronic, and mechanical instrumentation, and monitoring and control systems and devices.
- Designs, upgrades, connects, and tests new and repaired control and monitoring systems; develops and modifies process instrumentation and control systems.
- Programs, configures, adjusts, and troubleshoots issues with sensors, transmitters, Ethernet IP and switches, programmable logic controllers (PLCs), control panels, motor control centers, motor control drives, etc.
- Responds to SCADA systems alarms, issues, and failures.
- Coordinates installations of new hardware and data communications equipment; maintains web server and plant and system alarming. Collects and processes data from measuring equipment and recorders.
- Troubleshoots and repairs malfunctions resulting in data problems. Maintains records including equipment and calibration history logs, test results, and work orders.
- Downloads data at remote locations and uploads data to the server. Updates equipment firmware as needed. Maintains, installs, and configures wireless and wired communication networks. Troubleshoots and repairs cellular modem connection problems. Conducts functional testing after repairs and updates.
- Diagnoses, repairs, or replaces electronic components. Troubleshoots, maintains, and repairs electrical control circuits, reads, analyzes, and draws schematics. Performs a variety of diagnostic and analytical tests, including those involving programmable logic controls, infrared, and power monitoring.
- Recommends or purchases tools, supplies, and replacement items from outside vendors, suppliers and specialists within assigned duties and permitted limits.
- Consults with and advises operators or other staff members on systems software and functions of various systems. Provides education and training as needed on the use of new equipment, programs, and processes.

- Interprets and works from plans, and develops sketches or designs for work. Assists with technical writing and review of specifications for new parts and equipment.
- Surveys new sites for flow monitoring feasibility and installs related electronic equipment.
- Evaluates safety and operability of systems. Executes foundational elements of safety programs specific to respective job disciplines.
- Works collaboratively with other craft personnel and operations staff in performing multi-craft preventive maintenance.
- Performs related work as required.

**MINIMUM QUALIFICATIONS:**

***Combinations of education and experience that are equivalent to the following minimum qualifications are acceptable.***

**Open-Entry Requirements:** *(all requirements must be met at the time of application)*

- **Education:** Graduation from high school or equivalent supplemented with two years of advanced course work in electrical theory, electronics, control systems, or closely related fields.
- **Experience:** Two years of journey-level work experience as an instrumentation technician or electrician in an industrial or manufacturing plant work environment.

**Licenses and Certifications:** *(pertains to all applicants and to employees in this position)*

- Possession of a valid driver's license.

**Note:** Individuals in this classification in the Water Department possessing a Washington State Department of Health Water Distribution Manager 1 or higher certificate are eligible for a two-range pay adjustment. The pay adjustment is contingent on the budget process and Civil Service verification of the certification.

**EXAMINATION DETAILS:**

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for hire. Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

Upon request, at time of application, City of Spokane 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.

The examination will consist of a multiple-choice test, with weights assigned as follows:

- Multiple-choice Test 100%

**EXAMINATION DETAILS:**

**This is an online examination and will require a computer. If you do not have access to a computer, please notify Civil Service so that one may be provided.**

Multiple-choice examination links with instructions will be emailed prior to 12:00 a.m. Pacific Time on the start date and will expire at 11:59 p.m. on the due date as listed below. Keep in mind that the test link will be emailed from City of Spokane ([info@governmentjobs.com](mailto:info@governmentjobs.com)).

- Applicants who apply and meet the minimum qualifications between Monday, July 15, 2024, and Monday, July 29, 2024, will test Thursday, August 1, 2024, through Tuesday, August 6, 2024.

**NOTE: You may begin the exam at any time during the test period; however, once you begin, you will have 1.5 hours to complete the examination. You may take the exam only once during the open recruitment period.**

The examination may include such subjects as:

- Safety & Occupational Hazards
- Interpersonal Skills
- Electricity/Electronics
- Instrumentation
- Electronic Symbols & Circuits

**TO APPLY:**

**An application is required for promotional applicants.** Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 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](mailto:civilservice@spokanecity.org) with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4<sup>th</sup> 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 2nd day of July 2024.

SCOTT STEPHENS  
Chair

KELSEY PEARSON  
Chief Examiner

# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

**Miscellaneous Waterworks Products Freya Street Water Main Project**  
Water & Hydroelectric Services Department  
**#ITB 6198-24**

**Description:** The City of Spokane is seeking bids for products to be used by the Water & Hydroelectric department for the Freya Street Water Main Project.

Products requested in this ITB may be subject to ARPA funding guidelines.

**Bid Opening:** Sealed electronic bids will be accepted until **Monday, July 22, 2024 at 1:00pm**. Bids will be publicly opened at 1:15pm. To participate in bid opening, please visit the City's website at <https://my.spokanecity.org/administrative/purchasing/> for the link to attend virtually and the number to attend by telephone. All bid responses must be submitted electronically through the City of Spokane's bidding portal at <https://spokane.procurement.com> before the aforementioned deadline. Hard copy and/or late bids will not be accepted.

To view this solicitation, access Plans and Specifications, and submit a proposal, you must first register in the City's bidding portal at <https://spokane.procurement.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, you will also be added to the solicitation distribution list for changes and/or additions via Addenda form.

Potential bidders are asked to post their questions on our bidding portal under the tab labeled "Clarifications" under the relative project number.

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.**

Tanya Lester  
Purchasing Department

Publish: July 10 & 17, 2024

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**6" Fire Hydrants – Annual Value Blanket**  
Water & Hydroelectric Services Department  
**ITB# 6199-24**

**Description:** The City of Spokane Water & Hydroelectric services department is seeking bids for an annual value blanket for 6" Fire Hydrants.

**Bid Opening:** Sealed electronic bids will be accepted until **Monday, July 22, 2024 at 1:00pm**. Bids will be publicly opened at 1:15pm. To participate in bid opening, please visit the City's website at <https://my.spokanecity.org/administrative/purchasing/> for the link to attend virtually and the number to attend by telephone. All bid responses must be submitted electronically through the City of Spokane's bidding portal at <https://spokane.procurement.com> before the aforementioned deadline. Hard copy and/or late bids will not be accepted.

To view this solicitation, access Plans and Specifications, and submit a proposal, you must first register in the City's bidding portal at <https://spokane.procurement.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, you will also be added to the solicitation distribution list for changes and/or additions via Addenda form.

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Tanya Lester  
Purchasing Department

Publish: July 10 & 17, 2024

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