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CITY OF SPOKANE
EXECUTIVE ORDER

JUN 04 2024

EO 2024-0006
LGL 2024-0008

CITY CLERK'S OFFICE

TITLE: EXECUTIVE ORDER FOR WRITTEN FINDINGS OF EMERGENCY TO IMPLEMENT AN INTEGRATED RESPONSE TO THE OPIOID CRISIS INCLUDING WRITTEN FINDINGS NECESSITATING THE EMERGENCY AWARD OF NECESSARY CONTRACTS AND AGREEMENTS

EFFECTIVE DATE: June 4, 2024
REVISION DATE IF APPLICABLE:

Factual Background Information and Findings of an Opioid Crisis Emergency to Support the Declaration of Emergency and the Execution of Contracts, Agreements, and Actions Necessary to the Protect Public Health, Safety, and Welfare of Spokane Residents:

WHEREAS, the City of Spokane recognizes the opioid crisis as a national public health epidemic and community safety issue requiring an integrated crisis response that includes overdose prevention, access to additional behavioral health and treatment resources, law enforcement action against illegal drug traffickers and dealers, and the revitalization of neighborhoods decimated by this crisis; and

WHEREAS, Death Certificate Data compiled by the Spokane Regional Opioid Task Force (SROTF) found that opioids accounted for 46% of overdose deaths in 2020, 68% in 2021, 73% in 2022, and 81% in 2023 (preliminary data); and

WHEREAS, preliminary data through April 8, 2024, suggests 23 people in Spokane County have already died from opioid overdose in Spokane County this year; and

WHEREAS, data from Spokane County Health Insights found emergency department visits in Spokane County for opioid overdose rose 82% between 2019 and 2023 and preliminary data from 2024 suggest this rate continues to rise; and

WHEREAS, since 2019, the annual number of opioid drug overdoses have doubled in Washington State, and Spokane's opioid deaths have surpassed the Washington state average; and

WHEREAS, the Spokane Fire Department's calls for overdoses have increased an estimated 30% in 2024 year to date; and

WHEREAS, the growth in opioid overdose deaths is caused by the increase in access and use of illegal synthetic opioids like fentanyl and carfentanil and their mix with other illegal substances like methamphetamine, cocaine, and "club" drugs; and

WHEREAS, the U.S. Department of Drug Enforcement (DEA) identifies fentanyl as a potent synthetic opioid drug approximately 100 times more potent than morphine and 50 times more potent than heroin, and these opiate derived substances, categorized as schedule II-controlled substances under RCW 69.50.206, have exacerbated the opioid epidemic; and

WHEREAS, the Spokane City Council adopted Resolution 2024-0031 seeking emergency coordination of local, state, and federal resources to address the opioid crisis including, but not limited to, additional access to Naloxone, public education resources, and additional data on overdose calls for response; and

WHEREAS the area between I-90 viaduct and the Browne Street Viaduct along First Avenue and Second Avenue, commonly referred to as “2nd and Division,” is a hotspot for the opioid crisis; and

WHEREAS, residents, business owners, and property owners of the Riverside and East Central neighborhoods near 2nd and Division are suffering from the secondary impacts of the opioid crisis leading to increases in litter, graffiti, and other nuisance activities; and

WHEREAS, Mayor Brown seeks to reduce the secondary impacts of the opioid crisis by actively abating nuisance activities through the effective use of code enforcement to reduce graffiti, litter, and other nuisance activities as defined by Spokane Municipal Code 10.68.020; and

WHEREAS, in 2023 the Spokane Police Department, with assistance from the FBI Violent Crimes Task Force and the DEA, seized 193,307 illicit fentanyl pills as well as 81 grams of fentanyl powder (which could produce an additional 54,482 pills) making the total approximately 247,789 illicit fentanyl pills seized; and

WHEREAS, the National Alliance to End Homelessness recommends incorporating housing and social supports into treatment requiring the collaboration between healthcare and housing providers; and

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

WHEREAS, Mayor Brown is ready to execute an agreement with a community-based provider to immediately begin coordinated care and intensive wrap-around services for individuals suffering from opioid-use disorder (OUD); and

WHEREAS, SMC 2.04.030A provides that:

Whenever a civil emergency, or the imminent threat thereof, occurs in the City and results in, or threatens to result in the death or injury of persons or the destruction of or damage to property to such extent as to require, in the judgment of the mayor, extraordinary and immediate measures to protect the public peace, safety and welfare, the mayor shall forthwith proclaim in writing the existence of a civil emergency, including in the proclamation a brief description of the facts constituting the civil emergency.

WHEREAS, there is an immediate opportunity to enter into agreements necessary to activate an integrated opioid crisis response; and

WHEREAS, Section 7.06.180 of the Spokane Municipal Code provides that if an emergency requires procurement prior to City Council action, the Mayor may declare an emergency and award necessary contracts or agreements to address the emergency situation; and

WHEREAS, Mayor Brown is prepared to execute the appropriate and necessary contracts and agreements with agencies to provide the necessary services to immediately activate an integrated response to the opioid crisis.

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

Section 1 – Purpose and Intent.

As a result of the growing opioid crisis resulting in the death of Spokane residents, an emergency exists and the safety, health, and welfare of Spokane residents impacted by this crisis necessitates an integrated opioid crisis response to include the immediate execution of contracts, agreements, and actions to protect the public health, safety, and welfare of residents of Spokane.

Section 2 – Declaration of Emergency

Pursuant to SMC 2.04.030, a declaration of emergency is issued due to the growing opioid crisis that threatens to result in additional overdose deaths or injury to persons which requires extraordinary and immediate measures to protect public health and improve community safety.

Section 3 – Emergency Procurement.

Pursuant to SMC 7.06.180, the Mayor or her designate, may make emergency procurements consistent with the provisions of Chapter 7.06 SMC and may execute

such contracts and/or other agreements as are necessary to respond to the opioid crisis. These contracts and/or agreements include lease agreements to transition unhoused residents encamped in the area of 2nd and Division as well as agreements necessary for the immediate implementation of a complex care initiative to provide coordinated care and intensive case management for individuals suffering from opioid use disorder, both of which shall be emergency procurement.

Section 4 – Integrated Opioid Crisis Response – Public Health and Community Safety Interventions

- Mayor Brown will establish an integrated opioid response team to manage the efficient deployment of resources and execution of opioid crisis response operations in the area of 2nd and Division.
- The City of Spokane will immediately enter into a short-term agreement to stand up a High-Utilizer, Complex Care initiative to provide coordinated care and intensive case management for individuals suffering from opioid use disorder. Funding for this initiative was appropriated by the Spokane City Council through Special Budget Ordinance No. C36510 from dollars received by the City of Spokane from the State of Washington as a result of a settlement between the state and opioid manufacturers and distributors who fueled the opioid crisis.
- The City of Spokane will request additional resources including doses of Naloxone (Narcan) to supplement the existing supply for first responders. In addition to the existing medication-assisted treatment (MAT) pilot program, the Spokane Fire Department's Medical Director will explore proven interventions to help manage withdrawal symptoms to assist individuals accessing sobering/withdrawal services.
- The Spokane Police Department, in partnership with state and federal resources, will prioritize the disruption of drug trafficking and dealing in the area of 2nd and Division by implementing emphasis patrols and enforcement and by diverting individuals in crisis to the crisis stabilization facility and other community resources as appropriate.
- In addition to responding to requests for transport from Fire and Police, Spokane Treatment and Recover Services (STARS), will deploy CAR50 to the Division Corridor six times every 24-hour period for proactive transport. The CAR50 program provides transport for individuals under the influence of a substance to an appropriate medical or treatment facility.
- Spokane Fire Department and Spokane Police Department will enroll in ODMAP, supported by the Office of National Drug Control Policy, to provide and

receive near real-time suspected overdose data to help identify and mobilize resources for an immediate response to sudden spikes in overdoses.

- The City of Spokane will immediately enter into a short-term lease agreement to provide a temporary stabilization center for individuals experiencing homelessness who are identified by the City of Spokane as having previously been encamped in the area of “2nd and Division.” Funding for this initiative comes from the Washington State Department of Commerce.
- The City of Spokane will immediately initiate a request for information (RFI) process to solicit additional opioid abatement strategies for programmatic investments that meet the approved purposes outlined in the One Washington Memorandum of Understanding. Funding for this initiative comes from the settlement between the State of Washington and opioid manufacturers and distributors who fueled the opioid crisis.
- The City of Spokane will facilitate partnerships between providers at the temporary transition facility to expedite Medicaid enrollment and access to mental health/co-occurring treatment.
- The City of Spokane will explore entering into a lease at a downtown location near the 2nd Avenue and Division corridor for Code Enforcement staging and deployment.
- The City of Spokane will explore policy options to identify and activate vacant properties in the 2nd and Division area and citywide.

Section 5 – Effective Date.

This Declaration shall be in full force and effect upon signature and shall continue until terminated.

Section 6 – Ratification.

This emergency declaration shall be submitted to the City Council for ratification pursuant to SMC 2.04.060.

Dated this 4th day of June 2024.

Lisa Brown
Mayor Lisa Brown

Attest:

Yeni H. Hester
City Clerk

Date of Publication: _____

Effective Date: June 4, 2024

Approved as to form:

Michael J. P. ...
City Attorney

