

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

**MEETING OF THURSDAY, AUGUST 4, 2022
11:00 A.M. – CITY COUNCIL CHAMBERS**

A regular meeting of the Spokane City Council will be held at **11:00 A.M. on Thursday, August 4, 2022**, in City Council Chambers - City Hall, 808 W. Spokane Falls Blvd. The meeting can also be accessed live on CityCable5 and streamed online at <https://my.spokanecity.org/citycable5/live/> and <https://www.facebook.com/spokanecitycouncil> or by calling 408-418-9388 and using access code 2480 676 7327.

The meeting will be conducted in a study session format and will be open to the public both virtually and in person. No legislative action will be taken. No public testimony will be taken, and discussion will be limited to appropriate officials and staff.

Executive Session

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

Agenda:

CHHS Board Appointment Interview – Chelsea Low (5 min)

City-Funded Homelessness Provider Updates – Various (80 min)

[Collective Bargaining Improvement Ordinance](#) - CP Beggs (5 min)

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6237, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mpiccolo@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

Committee Agenda Sheet

Study Session

Submitting Department	City Council
Contact Name & Phone	CP Beggs – x6254
Contact Email	bbeggs@spokanecity.org
Council Sponsor(s)	CP Beggs & CM Kinnear
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 5
Agenda Item Name	Collective Bargaining Improvement Ordinance
Summary (Background)	<p>This ordinance would enact a new section 03.07.005 of the Spokane Municipal Code regarding collective bargaining. Since Council has the final approval of CBAs, the goal of this ordinance is to ensure that no oral or written agreements are being offered to bargaining representatives prior to Council's awareness of the terms and ability to share with the negotiating team any feedback that would impact support of a tentative agreement. It would not constrict the terms of any tentative agreement offered by the negotiating team; it would just ensure that the team could accurately convey the potential support by the decisionmakers. The ordinance also requires that the City Council and OPOC host a joint public hearing and take public testimony regarding any civilian oversight needs in any future CBA at least 30 days before the City begins collective bargaining negotiations with the Spokane Police Guild.</p> <p>This ordinance is written as an emergency ordinance and will be effective immediately upon passage.</p>
Proposed Council Action & Date:	Intended for filing for the August 22, 2022, City Council meeting
<p>Fiscal Impact: N/A</p> <p>Total Cost:</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Specify funding source:</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
Operations Impacts	
<p>What impacts would the proposal have on historically excluded communities?</p> <p>Typically, the public has not been included in collective bargaining processes. This ordinance adds a public hearing to the beginning of the process related to Spokane Police Guild bargaining.</p>	
<p>How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?</p> <p>N/A</p>	

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

N/A

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This ordinance aligns City of Spokane Charter Sections 25, 26 and 37, as well as with current processes for collective bargaining agreements, but it adds check ins with Council prior to reaching tentative agreements with bargaining units.

ORDINANCE NO. C-_____

An ordinance specifying the process for the conduct of collective bargaining; renaming chapter 03.07; and enacting a new section 03.07.005 of the Spokane Municipal Code; and declaring an emergency.

WHEREAS, Section 37 of the Spokane City Charter provides: “Subject to the general laws of the State of Washington, the city council shall by ordinance regulate the manner in which the City contracts for public works, personal services, and the acquisition and disposition of property”; and

WHEREAS, Sections 25 and 26 of the Spokane City Charter give to the City Council the authority to determine “the rights, powers, and duties” of the various departments as well as the authority to determine salaries of City employees; and

WHEREAS, collective bargaining agreements determine not only matters of the scope of employment of public employees, but also often contain significant budgetary obligations for the City, often over the course of up to five years; and

WHEREAS, in the past the City’s negotiating team has committed to tentative agreements without first securing any feedback from the City Council that it would consider approval of the components of such an agreement and thus potentially creating misunderstandings and labor unrest between the parties to such agreements; and

WHEREAS, the City Council wishes to avoid mistakes and misunderstandings between the City’s negotiating team and the decisionmakers for collective bargaining agreements by enacting this ordinance, which sets forth basic minimum process requirements for the negotiations and approval of collective bargaining agreements.

WHEREAS, the City Council determines that because this ordinance concerns the process for collective bargaining agreements critical to public safety and infrastructure, this ordinance is needed for the immediate preservation of the public peace and safety, and for the immediate support of City government and its existing public institutions, and that because of such need, this ordinance shall be effective immediately, under Section 19 of the City Charter, upon the affirmative vote of one more than a majority of the City Council.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That chapter 03.07 of the Spokane Municipal Code is renamed “Personnel Regulations.”

Section 2. That there is enacted a new section 03.07.005 of the Spokane Municipal Code to read as follows:

Section 03.07.005 Collective Bargaining

- A. No proposed labor agreement shall be offered to the bargaining unit by the City or formally accepted by the City as a tentative agreement, unless it has been first presented to the City Council in executive session for Council feedback.
- B. All labor agreements negotiated pursuant to chapter 41.56 RCW shall be subject to approval by vote of a majority of the City Council in an open public meeting.
- C. No binding oral or written agreements shall be entered into with the bargaining representative(s) of employees of the City relative to substantive changes in City policy toward wages, hours, or working conditions without such agreement(s) being first presented in executive session to the City Council for feedback, and approved by the vote of a majority of the City Council in an open public meeting.
- D. All elected public officials and appointed City officers assigned the responsibility of proposing, reviewing, or determining labor relations policies shall maintain strict confidentiality of executive session proceedings and any other privileged or confidential matters during the period of negotiations.
- E. Public Hearing on Police Contracts.
 - 1. The City Council and the Office of Police Ombudsman Commission (“OPOC”) shall jointly host a public hearing and take public testimony on the effectiveness of the City's police accountability system and should be held at least 30 days before the City begins collective bargaining agreement negotiations with the Spokane Police Guild (“Guild”) or the Spokane Police Lieutenants and Captains Association (“L&C”) or any successor labor organization(s).
 - 2. The City of Spokane will consider in good faith whether and how to carry forward the interests expressed at the public hearing. Those suggested changes that are legally required to be bargained with the Guild or L&C or their successor labor organizations will be considered by the City, in good faith, for inclusion in negotiations but the views expressed in the public hearing will not dictate the City’s position during bargaining.

Section 3. That the City Council declares that an urgency and emergency exists such that this ordinance is needed for the immediate preservation of the public peace, health, or safety, and/or for the immediate support of City government and its existing public institutions, and that because of such need, this ordinance shall be effective immediately, under Section 19 of the City Charter, upon the affirmative vote of one more than a majority of the City Council.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date