



CITY OF SPOKANE
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April 12, 2017

Spokane City Council Members
City of Spokane, City Hall
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Dear Council President Stuckart and Council Members,

It is a shared goal of the City Council and the Mayor's Office to be a national leader in civilian police oversight, and the current ordinance and previous police labor contract put us there. The task now is to remain a leader.

I have received your letter regarding upcoming labor negotiations with the Spokane Police Guild. Thank you for your thoughts and information, however, questions remain regarding the Council's ultimate goal.

State law (RCW 41.56 and 41.58) requires us to negotiate with labor groups in good faith, which includes fairly establishing the expectations of anticipated issues at the commencement of bargaining. For that reason, it is my desire to know the Council's intentions regarding a draft ordinance that contemplates significant changes to Spokane Municipal Code Chapter 4.32, which governs the authority of the Office of the Police Ombudsman Commission, Office of the Police Ombudsman and office staff. In 2014, the City Council, which included Council President Ben Stuckart and Councilmembers Amber Waldref, Candace Mumm and Mike Fagan, passed the current ordinance by unanimous vote.

It is my understanding that Council is still reviewing a substantially rewritten draft of that ordinance, which would encompass additional changes to the current collective bargaining agreements. Your letter appears to confirm as much, stating, "We also strongly believe that the next collective bargaining agreement with the Police Guild should be consistent with an updated OPO ordinance..."

If that is the case, the City remains unable to proceed with collective bargaining at this time as the full extent of the requested changes by the Council remains unknown. While I realize this is not the Council's intent, we simply cannot be in a position to request a list of changes at the bargaining table now only to add to that list later as the ordinance becomes finalized.

Labor counsel retained by the City has informed the Administration and Council that much of the proposed changes to the OPO ordinance are potentially mandatory subjects of bargaining and may be challenged as such. Given that legal guidance, I request that the Council either vote on the proposed changes to the ordinance or provide written indication that it does not intend to make changes to the ordinance.

I appreciate the Council's recognition of this dilemma and understand Council's April 10th letter as intended to provide the City with the needed direction to begin negotiations. As set forth above, I do not believe the City can in good faith begin negotiations if the Council is continuing to contemplate changes to the ordinance that would require additional and corresponding changes to the collective bargaining agreement.

I look forward to Council's decision on this issue as it will have a significant impact on contract negotiations and invite continued dialogue about how we might bargain in good faith.

Sincerely,

A handwritten signature in blue ink, appearing to read "David A. Condon". The signature is stylized with a large, sweeping initial "D" and a cursive "A".

David A. Condon
Mayor