

January 11, 2021

The Honorable Nadine Woodward, Mayor, City of Spokane

&

Spokane City Council Members  
Spokane City Hall  
808 W. Spokane Falls Boulevard  
Spokane, Washington 99201

Dear Mayor Woodward and City Council Members:

The people of your city expect transparency. In fact, they demand it.

That is why in the fall of 2019, the citizens of Spokane passed the city charter change known as Proposition 1. The charter requirement received 77% support and was approved in every precinct of the city.

The concept was simple – collective bargaining talks with city unions over taxpayer resources should be open and transparent.

For many years, these negotiations with city unions were conducted in secret, behind closed doors. The city council simply got an up or down vote. Citizens were not informed until the deal was done – even though they are the ones paying the bill.

Article IV, Section 40 of the City Charter now requires:

- A. As of December 1, 2019, the City of Spokane will conduct all collective bargaining contract negotiations in a manner that is transparent and open to public observation both in person and through video streaming or playback. This section does not require the city to permit public comment opportunities during negotiations.*
- B. The City of Spokane shall provide public notice of all collective bargaining negotiations in accordance with the Open Public Meetings Act (RCW 42.30.060-42.30.080.)*
- C. The City of Spokane shall publish and maintain all notes, documentation, and collective bargaining proposals on the city's official website within two business days of their transmission between the negotiating parties.*
- D. The City of Spokane shall publish all final collective bargaining agreements on the city's official website for the life of the agreement.*
- E. Any elected official or an elected official's agent who is determined by the City Ethics Commission to have participated in any collective bargaining negotiation in violation of this*

*charter amendment shall be referred to the City or County Prosecutors office for appropriate action.*

- F. Open to public observation does not include meetings related to any activity conducted pursuant to the enforcement of a collective bargaining agreement (CBA) after the CBA is negotiated and executed, including but not limited to grievance proceedings.*

To circumvent the charter change, several city unions rushed to open negotiations on a new contract before December 1<sup>st</sup>, 2019.

In 2021, however, you will have the opportunity to enforce city law and bring much-needed transparency to the process as city union contracts come up for re-negotiation.

Fortunately, Spokane voters believe that collective bargaining transparency is common and routine. After all, it is the norm in nearly half of the states.

Explaining why the Pullman School District embraces collective bargaining transparency, the district's finance manager Diane Hodge said, "We just think it's fair for all of the members to know what's being offered on both sides."

Ending secrecy in government employee contract negotiations is popular. A statewide poll shows that 76% support "requiring collective bargaining negotiations for government employers to be open to the public."

Washington state has one of the strongest open government laws in the country. The state's Open Public Meetings Act (OPMA) says:

*"The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."*

Since government union contracts account for such a large portion of spending, they should not be negotiated in secret. The public provides the money for these agreements. Taxpayers should be allowed to follow the process and hold government officials accountable for the decisions they make on our behalf. Local media should be allowed to cover the process and inform the public so that citizens can be aware if either side is acting in bad faith.

Government employees should also be able to see firsthand what offers and counteroffers are being made by union executives in their name. A policy of open public meetings identifies whether one side or the other is being deceptive or unreasonable and would quickly reveal who, if anyone, is acting in bad faith.

It is predictable that union leadership would resist such a change. If they continue to resist, the city of Spokane should simply proceed as required in the charter – publish a public offer to the union(s) and await a response.

The citizens of Spokane expect you to follow the law they have established. The citizens of Spokane expect you to uphold your oath, which pledges commitment to and enforcement of the city charter. Nothing in state law prevents it.

Failure to comply with the city charter, in violation of your oath, could open the city up to further legal action.

Sincerely,



Daniel Mead Smith  
President, Washington Policy Center



Hon. Toby Nixon  
President, Washington Coalition for  
Open Government



W. Stacey Cowles  
President of Cowles Company



Michael Baumgartner  
Former State Senator, 6<sup>th</sup> District



Michael A. Senske  
Chairman & CEO  
Pearson Packaging Systems



Fritz H. Wolff  
Executive Chairman  
The Wolff Company



Maxford Nelsen  
Director of Labor Policy, Freedom Foundation



Mike Allen  
Former Spokane City Councilmember



Steve Salvatori  
Former Spokane City Councilmember



Ryan Gee  
CEO, Gee Automotive Companies



Ron Stanley  
President & CEO, Empire Bolt



Suzanne Schmidt  
Associated Builders & Contractors



Nancy McLaughlin  
Former Spokane City Councilmember



Joel White  
Spokane Home Builders Association



Lynnelle Caudill  
Managing Director, Davenport Hotels

CC:

The Spokesman-Review

The Inlander

KXLY4 News

KREM2 News

KHQ Local News