

ORDINANCE 122809

1
2 AN ORDINANCE amending SMC 4.04.120 to add an expectation that the Seattle City Council
3 and the Office of Professional Accountability Review Board will jointly host a public
4 hearing on police accountability at least ninety days before the City begins collective
5 bargaining on a new contract with the Seattle Police Officer's Guild or the Seattle Police
Management Association or their successor labor organizations.

6 WHEREAS, RCW 41.56 sets forth the City of Seattle's responsibilities to bargain in good faith
7 with the City's employees and the City respects and honors the collective bargaining
process; and

8 WHEREAS, The mission of the Seattle Police Department is to prevent crime, enforce laws and
9 support quality public safety by delivering respectful, professional and dependable police
10 services; and

11 WHEREAS, Effective policing depends in part on the public's confidence in the fairness and
12 integrity of the Seattle Police Department and its policing practices; and

13 WHEREAS, The Seattle Police Officers Guild (SPOG) represents all uniformed members in the
Seattle Police Department up to and including sergeants; and

14 WHEREAS, The Seattle Police Management Association (SPMA) represents all lieutenants and
15 captains in the Seattle Police Department; and

16 WHEREAS, Seattle has a multilayered police oversight system that includes the Office of
17 Professional Accountability (OPA), the OPA Auditor and the OPA Review Board
(OPARB) that all play a role in the City's police accountability system; and

18 WHEREAS the 2007 Police Accountability Review Panel made 29 recommendations on how
19 Seattle's police accountability system could be strengthened; and

20 WHEREAS all 29 recommendations have either been negotiated and included in the 2007-2010
21 collective bargaining agreement between the City and SPOG or legislated in ordinance
122744; and

22 WHEREAS, Ordinance 122744 recognizes OPARB as the primary liaison to the community and
23 the entity responsible for organizing and conducting public outreach and soliciting public
24 comments on the police accountability system on behalf of the OPA, the OPA Auditor
and itself as recommended by the 2007 Police Accountability Review Panel; and

25 WHEREAS, Recognizing the importance for elected officials to hear directly from the public on
26 the effectiveness of the City's police accountability system in a timely manner, the City
27 Council passed Resolution 30871 providing for a public hearing on the issue of police
28

1 accountability before the City begins collective bargaining agreement negotiations with
2 the SPOG; and

3 WHEREAS, elected officials will equally benefit from a public hearing on the effectiveness of
4 the police accountability system before beginning collective bargaining agreement
5 negotiations with the SPMA; and

6 WHEREAS, the purpose of these hearings is informational only and not to establish the City's
7 position in collective bargaining; and

8 WHEREAS, the City and the public have a strong interest in the conduct and operation of the
9 police department given its impact on public safety and therefore, the City Council
10 wishes to modify and codify the public hearing requirement embodied in Resolution
11 30871;

12 NOW, THEREFORE,

13 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

14 Section 1. A new section is added to SMC 4.04.120 as follows:

15 *****

16 F. The City Council and the Office of Professional Accountability Review Board
17 (OPARB) should jointly host a public hearing. The public hearing will be a joint meeting of the
18 Council's Labor Policy and Public Safety, Human Services and Education committees or the
19 successor Council committees with oversight of the City's labor policy and the City's public
20 safety departments. The public hearing will be on the effectiveness of the City's police
21 accountability system and should be held at least ninety (90) days before the City begins
22 collective bargaining agreement negotiations with the Seattle Police Officer's Guild (SPOG) or
23 the Seattle Police Management Association (SPMA) or any successor labor organization. The
24 City's Director of Labor Relations shall inform the Labor Policy Committee and Public Safety,
25 Human Services and Education Committee at least one hundred and eighty (180) days before
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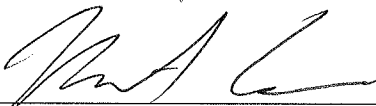
1 negotiations begin on the projected date for the start of the negotiations to enable the Council to
2 timely schedule the hearing.

3 G. The City of Seattle will consider in good faith whether and how to carry forward the
4 interests expressed at the public hearing. Those suggested changes that are legally required to be
5 bargained with the SPOG, SPMA or their successor labor organizations will be considered by the
6 City, in good faith, for inclusion in negotiations but the views expressed in the public hearing
7 will not dictate the city's position during bargaining.

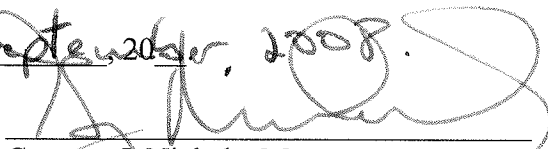
9 Section 2. The public hearing requirements in Section 1 of this ordinance shall apply to
10 collective bargaining agreement negotiations that commence one hundred and twenty (120) days
11 or more after the effective date of this ordinance.

12 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after
13 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
14 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

15 Passed by the City Council the 22nd day of September, 2008, and signed by me in open
16 session in authentication of its passage this 22nd day of September, 2008

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19 
20 President _____ of the City Council

21 Approved by me this 24th day of September, 2008.

22 
23 Gregory J. Nickels, Mayor

24 Filed by me this 2nd day of October, 2008

25 
26 City Clerk

27 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Patricia Lee Council Central Staff 386-0078	

Legislation Title: amending SMC 4.04.120 to add an expectation that the Seattle City Council and the Office of Professional Accountability Review Board will jointly host a public hearing on police accountability at least ninety days before the City begins collective bargaining on a new contract with the Seattle Police Officer's Guild or the Seattle Police Management Association or their successor labor organizations.

Summary of the Legislation:

The City of Seattle respects and honors its responsibility to bargain in good faith with its employees including keeping collective bargaining discussions confidential. The City Council also believes it is important to provide a meaningful opportunity for the public to provide input to elected officials on the effectiveness of the City's police accountability system before collective bargaining negotiations begin. Accordingly, this ordinance states the expectation that the Seattle City Council and the Office of Professional Accountability Review Board will jointly host a public hearing on the effectiveness of the City's police accountability system. The public hearing will be a joint meeting of the Council's Labor and Public Safety, Human Services and Education Committee, or the successor Council committees with oversight of the City's labor policy and the City's public safety departments. The public hearing should be held at least ninety days before the City begins negotiations on a collective bargaining agreement with the Seattle Police Officers Guild (SPOG), the Seattle Police Management Association (SPMA) or their successor labor organizations.

Suggested changes made at the public hearing that are legally required to be bargained with the SPOG or SPMA 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.

Background:

- Resolution 30871 affirms the City's intent to provide a meaningful opportunity for elected officials to hear from the public on the effectiveness of the City's police accountability system before the City begins negotiations on a new collective bargaining agreement with the Seattle Police Officer's Guild or Seattle Police Management Association. This ordinance codifies and modifies Resolution 30871 by shortening the time for the public hearing from one hundred and twenty (120) to ninety (90) days before



negotiations begins, including the Seattle Police Management Association, specifying that both the City Council and the Office of Professional Accountability Review Board will host the hearing, specifying the hearing is before a joint meeting of the Council's Labor and Public Safety Human Services and Education Committee, requesting the City's Director of Labor Relations notify the City Council at least 180 days before negotiations begin, and amending SMC 4.04.120.

- *Please check one of the following:*

This legislation does not have any financial implications.

This legislation has financial implications.



STATE OF WASHINGTON – KING COUNTY

--SS.

229962
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

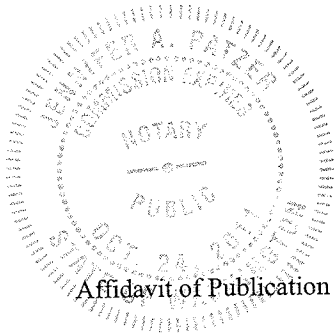
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 122809

was published on

10/07/08

The amount of the fee charged for the foregoing publication is the sum of \$ 210.75, which amount has been paid in full.



Affidavit of Publication

[Signature]
Subscribed and sworn to before me on
10/07/08 *[Signature]*
Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 122809

AN ORDINANCE amending SMC 4.04.120 to add an expectation that the Seattle City Council and the Office of Professional Accountability Review Board will jointly host a public hearing on police accountability at least ninety days before the City begins collective bargaining on a new contract with the Seattle Police Officer's Guild or the Seattle Police Management Association or their successor labor organizations.

WHEREAS, RCW 41.56 sets forth the City of Seattle's responsibilities to bargain in good faith with the City's employees and the City respects and honors the collective bargaining process; and

WHEREAS, The mission of the Seattle Police Department is to prevent crime, enforce laws and support quality public safety by delivering respectful, professional and dependable police services; and

WHEREAS, Effective policing depends in part on the public's confidence in the fairness and integrity of the Seattle Police Department and its policing practices; and

WHEREAS, The Seattle Police Officers Guild (SPOG) represents all uniformed members in the Seattle Police Department up to and including sergeants; and

WHEREAS, The Seattle Police Management Association (SPMA) represents all lieutenants and captains in the Seattle Police Department; and

WHEREAS, Seattle has a multilayered police oversight system that includes the Office of Professional Accountability (OPA), the OPA Auditor and the OPA Review Board (OPARB) that all play a role in the City's police accountability system; and

WHEREAS the 2007 Police Accountability Review Panel made 29 recommendations on how Seattle's police accountability system could be strengthened; and

WHEREAS all 29 recommendations have either been negotiated and included in the 2007-2010 collective bargaining agreement between the City and SPOG or legislated in ordinance 122744; and

WHEREAS, Ordinance 122744 recognizes OPARB as the primary liaison to the community and the entity responsible for organizing and conducting public outreach and soliciting public comments on the police accountability system on behalf of the OPA, the OPA Auditor and itself as recommended by the 2007 Police Accountability Review Panel; and

WHEREAS, Recognizing the importance for elected officials to hear directly from the public on the effectiveness of the City's police accountability system in a timely manner, the City Council passed Resolution 30871 providing for a public hearing on the issue of police accountability before the City begins collective bargaining agreement negotiations with the SPOG; and

WHEREAS, elected officials will equally benefit from a public hearing on the effectiveness of the police accountability system before beginning collective bargaining agreement negotiations with the SPMA; and

WHEREAS, the purpose of these hearings is informational only and not to establish the City's position in collective bargaining; and

WHEREAS, the City and the public have a strong interest in the conduct and operation of the police department given its impact on public safety and therefore, the City Council wishes to modify and codify the public hearing requirement embodied in Resolution 30871;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new section is added to SMC 4.04.120 as follows:

F. The City Council and the Office of Professional Accountability Review Board (OPARB) should jointly host a public hearing. The public hearing will be a joint meeting of the Council's Labor Policy and Public Safety, Human Services and Education committees or the successor Council committees with oversight of the City's labor policy and the City's public safety departments. The public hearing will be on the effectiveness of the City's police accountability system and should be held at least ninety (90) days before the City begins collective bargaining agreement negotiations with the Seattle Police Officer's Guild (SPOG) or the Seattle Police Management Association (SPMA) or any successor labor organization. The City Director of Labor Relations shall inform the Labor Policy Committee and Public Safety, Human Services and Education Committee at least one hundred and eighty (180) days before negotiations begin of the projected date for the start of the negotiations to enable the Council to timely schedule the hearing.

G. The City of Seattle 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 SPOG, SPMA 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 2. The public hearing requirements in Section 1 of this ordinance shall apply to collective bargaining agreement negotiations that commence one hundred and twenty (120) days or more after the effective date of this ordinance.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not

approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 22nd day of September, 2008, and signed by me in open session in authentication of its passage this 22nd day of September, 2008.

RICHARD CONLIN,

President of the City Council

Approved by me this 29th day of September, 2008.

GREG NICKELS,

Mayor.

Filed by me this 2nd day of October, 2008.

(Seal) JUDITH PIPPIN,

City Clerk

Publication ordered by Judith Pippin, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, October 7, 2008.

10/7(229962)