



Tacoma Civil Service Board Meeting Minutes

Date and Time: October 7, 2021 at 5:00 PM
Location: By Zoom teleconference
Chair: Beckie Summers
Coordinator: Wendy Hobson

Call to Order:

Vice Chair Member Sexton called the meeting to order at 5:00PM. Board Members Hansen and Heller present. Excused: Chair Summers and Board Member Andrews. Also present was Deputy City Attorney Martha Lantz.

Approval of July 15, 2021 minutes:

Board Member Hansen motioned to approve; Board Member Heller seconded the motion. With no discussion, a voice vote was taken.

VOICE VOTE: 3 AYES, 0 NAYS, 0 ABS. THE MINUTES OF JULY 15, 2021 WERE APPROVED AS WRITTEN.

Approval of August 5, 2021 minutes:

Board Member Hansen motioned to approve; Board Member Heller seconded the motion. With no discussion, a voice vote was taken.

VOICE VOTE: 3 AYES, 0 NAYS, 0 ABS. THE MINUTES OF AUGUST 5, 2021 WERE APPROVED AS WRITTEN.

Approval of September 20, 2021 minutes:

Board Member Hansen motioned to approve; no one to second the motion. With no discussion, a voice vote was taken.

VOICE VOTE: 2 AYES, 0 NAYS, 0 ABS. THE MINUTES OF SEPTEMBER 20, 2021 WERE APPROVED AS WRITTEN.

Communication for Information:

Vice Chair Sexton: Ms. Hobson?

Wendy Hobson: I do not have any items.

Actions on Matters Still Pending / New Business:

Deputy City Attorney Martha Lantz: Vice Chair Sexton, I can speak to that?

Vice Chair Sexton: I was hoping you would.

Deputy City Attorney Martha Lantz: Ok. I spoke about this with Wendy earlier, and this is the section where the Board would be able to discuss the matters still pending which is finalizing the findings and conclusions around the appeal that you handled. Uh, was it only last week? Week before last. You could do that, if you wish, you could carry on that discussion in a closed session. That would be valid. However, I didn't realize that both the Chair and Board Member Andrews weren't going to be present. So, as a practical matter, if you wanted to have that closed session, only the two of you, Vice Chair Sexton and Board Member Hansen, are actually present, you know, who would actually be able to participate in that discussion. So, I don't know that, you know, there's anything really to be done other than, you'll have to, at some point and in some way, final you know, come to agreement amongst the four of you who participated in that hearing as to what the final version of the findings and conclusions are that you would then approve in an open meeting in November. So, we can, you can do that. Like I said, if you want to convene to a closed session with just the two of you. If you want to have any discussion, that's fine. Otherwise it can also, very legitimately be pursued over email, the way that everybody's been doing it, which is a single email back to me and then, you know pushing it back out to the group for those kinds of communications. You do have some leeway around open meetings when you're participating in a strictly adjudicatory function, which is what you're doing when you're talking about this hearing.

Vice Chair Sexton: Well, I think the best way for the Board to handle it right now, um, I-I have no idea if, if-uh the rest of the Board has seen it, has taken any action, you know. So, I'll just, you know, personally, uh, urge the rest of the Board to open up that email, take a look at it and to respond to you, as soon as possible and that taken care of. And it's my belief and understanding, we can do all that by email.

Deputy City Attorney Martha Lantz: (nods)

Vice Chair Sexton: Ok. And, so it's pretty important that we get that taken care of and I need to get mine back to you in the next day or two, or something. And, I hope the rest of (cannot understand) does likewise.

Deputy City Attorney Martha Lantz: Yeah, I've heard from, almost everyone. So, Dan... Vice Chair Sexton, I understand that you have some input but that is going to generate another spin through to the others as well. So, like, it's perfectly legitimate to handle it over email, particularly if we continue to do it just one on one. So, that's fine with me. You're, um, what you're... to adopt at the open meeting in November, we will want to get it done in the next couple of weeks for sure. Because there's the requirement that the document that you intend to adopt is provided ahead of time to the parties to the hearing. And I apologize. I didn't realize that was in the rules. Every time I read those rules, I find something new. So, I apologize for not getting it finished up more quickly.

Vice Chair Sexton: Ok. Does anyone else have anything to add on that? No, no one else.

Board Member Hansen: Mr. Vice Chair?

Vice Chair Sexton: Yes.

Both Vice Chair Sexton and Board Member Hansen speaking.

Board Member Hansen: We could always discuss it on ... in the November meeting too if we wanted to discuss it further and the email doesn't work. We could have some further discussion in November.

Deputy City Attorney Martha Lantz: Well, the trouble, though, is that you have to... if you want to adopt it in November, it has to be finished before that because it's required to be produced to the parties prior to adoption.

Board Member Hansen: Oh.

Deputy City Attorney Martha Lantz: And I think it's three days, Wendy? Three business days...

Wendy Hobson: (nods)

Deputy City Attorney Martha Lantz, Board Member Hansen and Vice Chair Sexton all speaking

Deputy City Attorney Martha Lantz: Three business days, yeah.

Board Member Hansen and Board Member Heller both speaking.

Vice Chair Sexton: Board Member Heller.

Board Member Heller: Thank you. In the past, we have edited and changed things at the meeting. You submit it to the parties the three days prior, but the Board has the ability to change on the fly and edit or change things up at the meeting. So, that's really not a problem. Plus, we can always vote to suspend our rules, um, should we so decide, because we want to discuss something further. So, it's not prohibited.

Vice Chair Sexton: Yeah, great. Anybody else?

Considerations of Matters Set for Public Hearings:

Wendy Hobson: None this evening.

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Civil Service Coordinator Report:

Wendy Hobson: No report this evening.

Human Resources Director Report

Human Resources Director Fritz: Thank you, Vice Chair Sexton. And, good evening members of the Civil Service Board. I just have a few quick updates for you this afternoon. The first is on our Compensation and Classification study. You likely received notice that there was a presentation made on the final results at the October 5th Public Utility Board and City Council joint study session. So that presentation gave an overview of what the new structure will – the recommended new structure will look like. Um, the next step is for the consultant to deliver the final report to us and new classification specifications. We'll review those recommendations, go through costing, and, um, make a final recommendation to the City Council on, um, what we hope the new classification and compensation structure will look like moving forward. So, progress being made there. If you didn't get a chance to watch the study session, it was recorded, so, um, let me know and I can send that to you if you haven't seen it.

Vice Chair Sexton: Will we get a report of that?

Human Resources Director Fritz: Will the Civil Service Board receive a copy of that report? Is that what you're asking?

Vice Chair Sexton: Yeah.

Human Resources Director Fritz: Yes. It will become a public document when it's final, and we'll make sure that you also receive a copy.

Vice Chair Sexton: So, we get to see it when the public sees it. Board Member Heller?

Board Member Heller: Shelby, can you please forward that, um, that recording to the Board Members?

Human Resources Director Fritz: Yes, I will do that.

Board Member Hansen: Mr. Vice Chair?

Vice Chair Sexton: Board Member Hansen.

Board Member Hansen: Yeah, I just had a clarification for Ms. Fritz. And I, I know this was probably discussed before, but I just wanted to make sure I understood this. So, the report covers the non-represented, represented, or non-classified?

Human Resources Director Fritz: Non-represented. It's just non-represented.

Board Member Hansen: Ok. And it could include classified and non-classified, but these are people that are non-represented by union.

Human Resources Director Fritz: Correct.

Board Member Hansen: Ok, so for some reason or another, they never elected to become part of a union, apparently. Ok.

Human Resources Director Fritz: Ok. Would you like me to continue with my report? Any more questions?

Vice Chair Sexton: Yes.

Human Resources Director Fritz: Ok, I don't know if this is any interest of the Board, but I wanted to let you know that, as you've probably heard in your own lives, we've been working on the Washington State Long Term Care program and what that means for employees at the City. We've been preparing for this, communicating with employees about what it means: The State's program and the associated mandatory payroll deduction that will be hitting their checks in January of 2022. Of course, the state option is available for our employees, but we, also established an alternative option through Trustmark Universal Life Insurance for our employees at the City of Tacoma and that special open enrollment is in effect now. So, it offers some benefits that the state program does not, but completely optional which choice an employee makes.

Vice Chair Sexton: Uh, Board Member Heller.

Board Member Heller: As Civil Service Board members, do we have the ability to opt in to that?

Human Resources Director Fritz: That's a good question, I am not certain. I can find out for you though.

Board Member Heller: Could you please?

Human Resources Director Fritz: I will do so. Good question. Ok. And then, in terms of updates on our executive recruitments that we have going on, or just completed: The City Manager selected Lisa Woods to serve as the City's next Chief Equity Officer. That was a position that was vacated by Diane Powers on her retirement earlier this year. Lisa previously served as Assistant to the City Manager, and prior to that was Financial Manager in the Tacoma Venues and Events department. We are also in the process of conducting a new recruitment for the next Police Chief. We have partnered with a firm called Bob Murray and Associates to help us assist with the search. The position closes on October 15th and interviews will take place in late October and early November. There will be plenty of opportunity for public engagement in the process, so stay tuned for details. The other recruitment underway is for our Tacoma Venues and Events Director. Um, it was vacated by Kim Bedier last month. We're also working with a recruitment firm for that position called Search Wide Global. In fact, it's the group that helped place Kim in her position here at the City. So, we're hoping that we can, again, find another great candidate for that position, which closes on October 22nd. And that concludes my report this evening. Any questions?

Vice Chair Sexton: Ms. Fritz, were you going to go over these requests?

Human Resources Director Fritz: Oh, I know what you're talking about. We agreed at a previous meeting that I would no longer go over those, but they would still be included in your packets. I think a decision was made that better use of your time would be for me to provide you information about, um, you know, what's going on in the City and things of that nature. So, that's why they're included in your packet, but not part of my report.

Vice Chair Sexton: Alright. Ok, well thank you. Thank you for that. Well, I don't think there are any...

Board Member Heller: Question.

Vice Chair Sexton: questions. Yes, Board Member Heller.

Board Member Heller: So, just a quick question. I know that, um, there's really no point us going over the report, that it's just informational and that's helpful. But what about the requests for the residency waiver? Or is that still covered... because it looks like a request... a regular request for a residency waiver that the Board would need to vote on. Or is this covered under the emergency provision?

Human Resources Director Fritz: It's still covered under the emergency provision and I don't have any information on the end date on that. I'm checking in on it regularly.

Board Member Heller: ok. Thank you.

Vice Chair Sexton: Um, Ms. Fritz, uh, the, the emergency rules, it's, it's open ended and we don't know when it's going to end when the emergency ends. Is that correct?

Human Resources Director Fritz: That's correct. The Mayor has the power to lift that emergency rule. And we assume it will be in... in concert with the end of the emergency.

Vice Chair Sexton: I, I would like to see, uh, the Board correspond with the Mayor about the emergency rule. I don't see how the um... I see how the emergency rule might benefit the City government, but I don't see how it's benefitting the City public and the public is hurt by the, by the emergency situation. Um, you know, we've got the unemployment in the City and I don't see how the, uh, the, you know, the rule is helping the public in the City. But those are my thoughts.

Board Member Hansen: Mr. Vice Chair?

Vice Chair Sexton: Did the Board have any comments?

Board Member Hansen: Mr. Vice Chair?

Vice Chair Sexton: Board Member Hansen.

Board Member Hansen: Yes, I agree with you. I know we've discussed this, and we've discussed this ad nauseam, and I know, but it's still a concern to me and you and I think, uh, Board Member Heller and some other Board Members. And, I keep scratching my head thinking what is there about the new normal that Board Member Heller so insightfully pointed out at the last meeting that requires, like, a waiver of the rule. So, I just can't figure that out and, um, so I don't know if we need, you know, if we want to have a little mini, uh, study session to just discuss with each other, you know, how we want to handle this and how we want to make a communication, if we do, to, um, Mayor Woodward to determine, you know, to get clarification as to, you know, how long this is going to go on. And if it's going to go on for a period of time, why does it need to go on for a period of time. And, certainly, I mean, the City's Charter is very specific that that's within our jurisdiction. So, I think we certainly have the right to ask the Mayor, um, why are you removing that from our jurisdiction when the City's Charter gives that to the Civil Service Board. Um, and because it does give that authority to the Civil Service Board, then I think we are entitled to an explanation of why it needs to continue and how long it's going to continue. Thanks. Board Member Heller has I think has a...

Vice Chair Sexton: I see. Board Member Heller.

Board Member Heller: Thank you. Um, I think, I don't know that we need a study session on it, I think a majority of the board..

Vice Chair Sexton: Did we lose you?

Board Member Heller: Can you hear me?

Vice Chair Sexton: Yes.

Board Member Hansen: Yes. Yeah, I can hear you.

Board Member Heller: I don't think we need a study session. I think what we need to do, in a similar fashion, to as we have addressed these other draft responses from the Board. I think if somebody wants to take a stab, and I think Eric you would be the top candidate in my book, to take a stab at drafting a letter from the Board to the Mayor. And then maybe we can pass it around and kind of put in our edits and comments and then have it finalized and signed by either the Chair, or by all the Board Members, or everyone that wants to, and then send it off.

Board Member Hansen: Ok. I'd be happy to do that. Was there... Ms. Fritz did you mention there was a memo as to rationale, I think.. I vaguely recall that you said there was some kind of memo about this. Maybe Attorney Lantz would know that.

Vice Chair Sexton: I think you're, Board Member Hansen, I think you're speaking to the emergency rule itself. Correct?

Board Member Hansen: Oh. Oh, ok.

Deputy City Attorney Martha Lantz: But there, yeah, there is a rule. That, that it was adopted as a rule, and the Board had asked for a legal analysis, which I provided, and in that legal analysis I pointed to the Board or the council meeting at which it was discussed. Um, so you can watch that and you can see the rationale that was expressed by the Council in April of 2020. But I don't think anything's come out...

Board Member Heller: Perhaps someone can send the minutes of that Council Meeting where it was discussed, but that would be a helpful thing to have.

Deputy City Attorney Martha Lantz: Yeah, I can do that. My recollection when I read that memo that the minutes were pretty brief which is why I give you the link to the Council Meeting, but we can dig them up, for sure.

Board Member Hansen: Ms. Lantz? Ms. Lantz, would you mind sending your memo to... to us again. I should have saved it on my computer, but I didn't. So, if you wouldn't mind doing that, I'd sure appreciate it. Thanks.

Deputy City Attorney Martha Lantz: Sure. No problem. I'll find the minutes too. I can get those. Wendy, don't worry about it. I'll get them. I did just want to put out just one thing. , with regard to the drafting of that letter, unlike discussing the hearing over email in which you can come to a final decision amongst yourselves because it's adjudication, this kind of decision, you can do the drafting and the exchanging out of a meeting, but the final determination to send it, you would have to put that in the open meeting.

Board Member Hansen: Oh ok.

Board Member Heller: Right. We could do all the drafting and have it ready to talk about next meeting.

Deputy City Attorney Martha Lantz: Yes, agreed. Totally. Just wanted to be clear.

Board Member Hansen: Ok. I will work on that then.

Board Member Heller: Thank you Eric.

Board Member Hansen: Oh, absolutely.

Vice Chair Sexton: Well, that sounds really good to me. Um, if we've covered that, and there's no public here, I think it's just us. Uh, is there any other comments by the Board? Um, if we're done, do I entertain a motion on getting out of here?

Board Member Heller: So moved.

Vice Chair Sexton: Move to adjourn.

Board Member Heller: So moved.

Board Member Hansen: I'll second that motion.

Vice Chair Sexton: So moved, we are over and done with. We are adjourned. See you next month.

Meeting Adjourned: 5:30PM

ATTEST:

DocuSigned by:

Dan Sexton

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Dan Sexton, Vice Chair

DocuSigned by:

Wendy Hobson

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Wendy Hobson, Coordinator