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TACOMA CIVIL SERVICE BOARD

August 4, 2022 Meeting

BOARD MEMBERS PRESENT:

Vice Chair Dan Sexton
Board Member Eric Hansen
Board Member Amy Heller
Board Member Steve Klein
Board Member Koree Wick
Deputy City Attorney Martha Lantz
Coordinator Wendy Hobson
Human Resources Director Shelby Fritz

Trina Michael, CET-1390
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P R O C E E D I N G S

DAN SEXTON: -- call the order the --
there's -- okay.

Just got my Zoom notification we're recording. I
want to call to order the August 4, 2022, meeting of
Tacoma Civil Service Board.

Can we have the roll call, please.

WENDY HOBSON: Yes.

Board Member Hansen?

ERIC HANSEN: Here.

WENDY HOBSON: Vice Chair Sexton?

DAN SEXTON: Here.

WENDY HOBSON: Board Member Heller?

AMY HELLER: Here.

WENDY HOBSON: Board Member Klein?

STEVE KLEIN: Here.

WENDY HOBSON: Board Member Wick?

KOREE WICK: Here.

WENDY HOBSON: Deputy City Attorney
Martha Lantz?

MARTHA LANTZ: Here.

WENDY HOBSON: Roll call is complete.

DAN SEXTON: Thank you. Thank you
very much. We all received the minutes. I hope everyone
had a chance to review them.

1 Is there a motion from the floor? Would anyone like
2 to approve the minutes?

3 STEVE KLEIN: I move adoption of the
4 minutes from July 7th.

5 DAN SEXTON: Thank you.

6 ERIC HANSEN: Second the motion.

7 DAN SEXTON: All right. Moved and
8 seconded. All in favor --

9 AMY HELLER: Vice Chair Sexton?

10 DAN SEXTON: There you go. Yes, Board
11 Member Heller?

12 AMY HELLER: I have one slight edit to
13 these minutes --

14 DAN SEXTON: Yes.

15 AMY HELLER: -- and it's on Page 1,
16 Paragraph 4, where I was welcoming Ms. Wick to the Board,
17 and in the second half of my comments are note as being
18 inaudible.

19 DAN SEXTON: I see of that.

20 AMY HELLER: So I will clarify that
21 the rest of my statement was, "We are glad to have you
22 join us."

23 DAN SEXTON: Thank you. I see -- I
24 see a couple of lines down your -- your next statement
25 was inaudible, also. Do you want to -- do you want to

1 add to that one?

2 AMY HELLER: Unfortunately, I don't
3 remember what I was going to ask Ms. --

4 DAN SEXTON: Okay.

5 AMY HELLER: -- Lantz at that point in
6 time now. So --

7 DAN SEXTON: Got it. Not required.
8 If everyone is satisfied with the minutes, all -- all
9 approve -- all approved say yea.

10 WENDY HOBSON: Vice Chair Sexton?

11 DAN SEXTON: Yes.

12 WENDY HOBSON: Board Member Klein had
13 his hand up.

14 DAN SEXTON: I'm sorry.

15 STEVE KLEIN: Yeah, just under
16 Robert's --

17 DAN SEXTON: You can always try
18 yelling at me if I don't see you.

19 STEVE KLEIN: Under Robert's Rules of
20 Order, I just wanted amend my motion to include Board
21 Member Heller's correction or addition. So just so it
22 was -- so the record was clear, that my motion included
23 her comments.

24 DAN SEXTON: Duly noted. Thank you.
25 So we're back to approving the minutes. All in

1 favor say yea.

2 GROUP IN UNISON: Yea.

3 DAN SEXTON: That's everyone, isn't
4 it? So we won't -- we won't ask for nays, because that
5 was unanimous.

6 Board Member Heller, I see you.

7 AMY HELLER: Thank you. I had a
8 question. I made edits that were much more significant
9 to the last meeting's minutes, but I didn't see the
10 corrected minutes in our packets.

11 DAN SEXTON: Huh.

12 AMY HELLER: We voted to approve them
13 with the corrections made, but I didn't receive the
14 corrected minutes to that they were, indeed, changed.

15 WENDY HOBSON: Board Member Heller, we
16 have not had a chance to make those corrections. My
17 staff is working on those, and as soon as they are able
18 to complete those, I will make sure that you all see
19 them.

20 DAN SEXTON: Great.

21 Everyone good with that? I'm good with that.

22 Great. Okay, thank you.

23 Moving on, communication for information.

24 WENDY HOBSON: So I do have an update
25 for the Board on the Harris appeal.

1 DAN SEXTON: Yes.

2 WENDY HOBSON: I did connect with
3 Mr. Harris and asked him which option that the Board
4 provided at the least meeting that he would like to go
5 with. And at first, he said he just wanted to continue
6 it. He didn't have time right now. And -- but I pushed
7 for an actual -- he had to tell me what he wanted to do.

8 So we left it as, wait until it can be scheduled in
9 person. If he decides he wants to do something
10 different, he will let me know.

11 DAN SEXTON: Okay. It will -- I'm
12 trying to, you know, remember past practice on this. I
13 don't know if -- if this has really come up before. But,
14 you know, it seems like -- Board Member Heller?

15 AMY HELLER: So in -- in my 20-plus
16 year history on the Board, there have been times that we
17 have had to extend -- never due to these types of
18 circumstances -- but we have set out our timelines
19 indefinite at times.

20 I believe one -- one issue that I can remember was
21 in a series injury, where the person was on FMLA and
22 seeking medical treatment and such.

23 Outside of that, I just know that there were
24 occasions where it made sense. I think this is one of
25 those occasions where it's reasonable to suspend our

1 timelines to allow for him to have a hearing that's
2 actually functional.

3 DAN SEXTON: All right. You know,
4 he -- he is filled out his form. I guess if he wants to
5 have a hearing at some point in time, he will contact us.
6 Is everyone good with that?

7 KOREE WICK: So to be clear, he wants
8 a hearing, but he wants it in person. So the only
9 difference would be, is if he would like to change his
10 mind and have it in the virtual format earlier.

11 DAN SEXTON: That's what he says. I
12 did -- I -- I think explains some of his reluctance
13 and -- and, you know, possibly, you know, how and why
14 he -- he disappeared during the hearing. You know -- you
15 know, maybe the -- for whatever reason, he would prefer
16 to meet with us in person than over this situation that
17 we -- we have. So yeah --

18 AMY HELLER: Board Member Sexton, I
19 would just clarify -- I would just clarify for the
20 meeting minutes of next time, that what happened last
21 time was, first, he had audio problems, and then he had
22 video problems. And then he had audio problems again,
23 and then he got kicked off all together and couldn't seem
24 to get back on. Which is, I don't know about you, but
25 definitely an experience I have had in multiple meetings

1 of the board over the past, what, two-and-a-half years,
2 now.

3 DAN SEXTON: Yes, absolutely. I saw a
4 hand. It was Board Member Klein.

5 STEVE KLEIN: Yeah, Vice Chair Sexton,
6 I was going to ask legal if the minutes recording the
7 reason why this is going to be indefinite continuation,
8 is that sufficient, or do we need to take a formal action
9 on it?

10 DAN SEXTON: Martha?

11 MARTHA LANTZ: Yeah, I was going to
12 add that from my perspective, it's -- the appellant is
13 Mr. Harris, and he has the -- you know, the burden of
14 going forward. Ans he's been presented with various
15 options. I know Board has made it clear that you all
16 would like to wait until you can meet in person to
17 conduct the appeal, but if he wanted to have it earlier
18 and was willing to agree to the circumstances as they
19 are, that's up to him.

20 So I think that -- that in terms of Board Member
21 Klein's question, you could clarify in this process
22 that -- that you are, as a group, agreeing to continue --
23 I guess, would be the word -- continue the hearing until
24 such time as Mr. Harris is able to schedule it in person,
25 and that he has agreed to that. And you could put that

1 on the record.

2 DAN SEXTON: Not -- not really my
3 favorite thing to do here. You know, I think -- you
4 know, to me it seems like it -- it would be best have a
5 beginning and an end to this. And if he wants to
6 re-file, he can do that. But, you know, I -- hopefully,
7 he can continue this, and it won't be that much longer
8 before we can all meet in person and we have this, and he
9 can have his day in front of us.

10 MARTHA LANTZ: But -- and I would just
11 add, Vice Chair Sexton, that if he wants to withdraw his
12 appeal, he absolutely can. If the Board wants to reject
13 it, I think you can only do that for lack of
14 jurisdiction. And now, it's been accepted that you have
15 jurisdiction. So, you know, he could dismiss and
16 re-file, but I don't -- I don't think you can require him
17 to do that.

18 DAN SEXTON: Well, Ms. Lantz, are you
19 saying that a request is -- is permanent? It's
20 open-ended and -- and he can walk away from a hearing,
21 and then just, you know, come back whenever he wants?

22 MARTHA LANTZ: No. I mean, he can
23 dismiss -- he can withdraw his request for an appeal, and
24 then he's done.

25 DAN SEXTON: And from what we

1 understand, what we've heard is he's not doing that. He
2 still wants a hearing. He wants it in person.

3 MARTHA LANTZ: Right. And he's
4 also -- he's also willing to wait. So that's what I
5 thought you could put on the record.

6 ERIC HANSEN: Vice Chair Sexton?

7 Dan sexton: I'll get to you next,
8 Board Member Hansen.

9 Board Member Wick, you had your hand raised?

10 KOREE WICK: I want to clarify, he
11 didn't just ask for this. We gave his options, and that
12 was one of the options. So I want to make it clear that
13 he's not going out-of-bounds at all of what we said we
14 would be willing to do. And so I just want to make sure
15 that that's clear, that he's not trying to just push it
16 off, from my perspective. We gave him options and he
17 chose.

18 DAN SEXTON: Absolutely. My -- my
19 only problem with any of this was just, you know, leaving
20 it open-ended, that -- you know, that this could be
21 continued years from now.

22 Board Member Hansen, what did you have?

23 ERIC HANSEN: Yeah. So in my past
24 experience in civil litigation, sometimes I would file a
25 lawsuit and then that lawsuit would be stayed, pending an

1 administrative proceeding that pertained to the lawsuit.
2 And so I think it's a pretty common practice in Superior
3 Court that you can stay a proceeding or lawsuit or
4 whatever, for period of time.

5 And I think in this case, we can easily do that. So
6 basically, we can stay his appeal for a period of time
7 until we can have an in-person hearing. And I don't
8 see -- I don't think that's a problem at all.

9 DAN SEXTON: Do -- do I hear a motion,
10 there?

11 ERIC HANSEN: Yeah, I would move to
12 stay his appeal, pending his determination as to whether
13 or not he wants to wait for an in-person hearing or
14 proceed with a Zoom hearing. And we can stay it until we
15 hear from him.

16 If we don't hear from him, then we can notify him
17 when we are able to have in-person hearings. And then at
18 that time, then he can notify us and let us know if he
19 wants to proceed with this hearing in person. So
20 that's -- I know that's kind of a lengthy motion. But
21 that basically my motion, that it be stayed, pending an
22 in-person hearing or pending notifications from him prior
23 to that, that he wants to proceed with this hearing via
24 Zoom.

25 DAN SEXTON: Yeah.

1 AMY HELLER: Second.

2 MARTHA LANTZ: Wait, wait. Hold on so
3 Wendy can get that. I think -- because I think that last
4 part was -- was -- was the motion.

5 ERIC HANSEN: Yes.

6 DAN SEXTON: Go ahead.

7 ERIC HANSEN: Yeah, the last mark,
8 kind of succinct description of the motion, is what the
9 motion is.

10 MARTHA LANTZ: Do you have that Wendy,
11 that the proceedings should be stayed pending the Board's
12 ability to have an in-person meeting, or notification
13 from Mr. Harris that he would prefer -- or he would
14 accept a Zoom meeting.

15 Is that it, Board Member Hansen?

16 ERIC HANSEN: Yes, that's it. Yes,
17 thank you.

18 MARTHA LANTZ: Okay. Sorry, I just
19 wanted -- it was important. I just wanted to make sure
20 she got it. Now you need a second.

21 DAN SEXTON: We still need a second.

22 AMY HELLER: Second.

23 DAN SEXTON: All right. All in favor
24 say aye.

25 GROUP IN UNISON: Aye.

1 DAN SEXTON: Opposed, say nay.

2 Okay. I think it was unanimous. I think the "ayes"
3 have it. So that's what we'll do. I think we handled
4 that well. Thank you very much.

5 Where's our coordinator? Do -- do you still have a
6 couple more items?

7 WENDY HOBSON: Yes, I do.

8 The next item is I wanted to check in with the Board
9 about the September meeting. It does fall the week of a
10 holiday, and I didn't know if you want to go ahead as
11 scheduled, or if you wanted to cancel.

12 How do you wish to proceed?

13 DAN SEXTON: Just -- just checking my
14 calendar here. Excuse me. So Labor Day would be the
15 4th -- no, the -- the 5th, I guess. And our meeting
16 would be the 8th.

17 WENDY HOBSON: Actually, the meeting
18 would be September 1st, but --

19 DAN SEXTON: Oh, okay.

20 WENDY HOBSON: -- because a lot of
21 people take off for the holiday weekend, I just wanted to
22 double check to make sure.

23 DAN SEXTON: That even makes more
24 sense, yeah.

25 Any -- any discussion, thoughts from the Board?

1 Everyone -- everyone available on the 1st?

2 ERIC HANSEN: I'm available.

3 KOREE WICK: I would prefer if we
4 don't have any business, not to have a meeting just to
5 have a meeting right before the long weekend. But if
6 there's business, I'm -- I'm available.

7 DAN SEXTON: It's up to you. What's
8 the -- any -- anyone -- you all sound like me and have
9 little plans.

10 Board Member Heller?

11 AMY HELLER: I would concur with Board
12 Member Wick, that if we don't have anything of any meat
13 on the agenda, that perhaps we just set things forward to
14 the following month. However, if there is anything of,
15 you know, merit that needs to be addressed, I'm willing
16 to meet.

17 DAN SEXTON: Right.

18 Back to you, Ms. Hobson. Anything big and pressing
19 you see coming down on September 1st?

20 WENDY HOBSON: Not that I know of at
21 this time, but that could change.

22 DAN SEXTON: All right. Board Member
23 Hansen, were you waiving?

24 ERIC HANSEN: No, I wasn't. But
25 thanks anyway.

1 DAN SEXTON: Okay. All right. So
2 it's the thinking of the Board, you -- we really don't
3 want to meet on September 1st.

4 Is that what I'm hearing?

5 STEVE KLEIN: Unless there's a
6 compelling reason to meet.

7 DAN SEXTON: Right. Right. Right.
8 That's my thoughts exactly.

9 Ms. Hobson, that sounds like the pleasure of the
10 Board. Could you make that happen?

11 WENDY HOBSON: I can make that happen
12 if there are no items brought forward that --

13 DAN SEXTON: Yes, thank you. Thanks
14 again. What else you got?

15 WENDY HOBSON: I had one other -- I
16 had one other item, and it's the personnel rules and
17 taking about the scheduling of a study session to start
18 working on those.

19 Do you all want to talk about scheduling that, or do
20 you want to think about it and get back to me?

21 DAN SEXTON: What -- what are you
22 thinking, as far as -- as -- as scheduling? Would this
23 be just one study session, or what exactly -- is that
24 what -- you think it's going to take more than that,
25 or --

1 WENDY HOBSON: That is -- I mean, this
2 is something that I think Board Member Hansen has brought
3 up several times in the past.

4 So, Board Member Hansen, do you want to share what
5 you --

6 ERIC HANSEN: Yes, certainly. Thank
7 you. Yeah, I have -- have thought for quite a while that
8 we do have the prerogative under the city charter to
9 enact new personnel rules or amend existing rules. And I
10 believe that Ms. Fritz has, in the past, talked about a
11 need to perhaps enact some additional rules or amend some
12 rules.

13 And, also, I think if we give the HR department the
14 opportunity to propose additional rules or amendments,
15 that we should also give the -- the employees the same
16 opportunity, whether that be through the unions or
17 whatever. And we can receive input from everyone.

18 And then, of course, members of the Board can review
19 rules and come up with their own ideas as to what they
20 would like to do. And I think that's something we should
21 really take a look at, given that, you know, we do have
22 that prerogative, we do have that authority.

23 And I do have some ideas for our personnel rules,
24 and I know a lot of you probably have some ideas, as
25 well. And so that may take some time. But we could

1 discuss that in a study session as to how we would like
2 to proceed, what kind of procedure we would like to do --
3 use. And that would -- that would involve notifying
4 management and employees of this opportunity, receiving
5 their input, and then the board members providing their
6 input, as well.

7 And then, at some point, we would have to actually
8 sit down and hammer out and decide, you know, how -- what
9 these rules -- actually draft some rules or amendments.
10 And it may be that nobody wants additional rules or wants
11 any amendments.

12 I don't know, Ms. Fritz, you want to -- you've
13 expressed in the past wanting to have some. Is that --
14 is that still true, or are you --

15 SHELBY FRITZ: Yeah, let me -- why
16 don't you let me give a little bit of thought to it, and
17 I can come to you with some -- some ideas of maybe an
18 approach that we take that's, you know, inclusive, but
19 also focused, so we're -- I mean, there's so many things
20 that we could take a look at. But maybe kind of
21 prioritize some of the problem areas.

22 ERIC HANSEN: Okay. That'd be great,
23 yeah.

24 DAN SEXTON: I --

25 ERIC HANSEN: I think that's a

1 worthwhile --

2 DAN SEXTON: Board Member Hansen --

3 ERIC HANSEN: -- worthwhile thing for
4 us to do.

5 DAN SEXTON: Board Member Heller's
6 been waiving her hand for a while.

7 AMY HELLER: Not too long.

8 DAN SEXTON: Okay. Do you still have
9 something?

10 AMY HELLER: Yeah, I just wanted to
11 remind the Board and -- that Board Member Hansen and I
12 have both discussed in the past, the Board as a whole
13 had, as well, that one of the concepts for a rule change
14 was to make a residency similar -- a benefit similar to
15 the veteran's point scores that are added onto an
16 applicant's score, rather than just -- there's been lots
17 of discussion about how the residency requirement has
18 been problematic, and we are in interesting times for
19 hiring, as well as the rest of the world. So in life in
20 general, it's all interesting right now.

21 But specifically, you know, it's -- it is
22 challenging. I recognize that it is challenging to hire
23 right now. We've had lots of discussion about that. And
24 we have a charter that requires a residency requirement.
25 We've done a various number of things, but we had

1 discussed in the past -- and I think it's good to have
2 this the forefront of our minds -- creating a
3 residency -- trying -- the word is eluding me at the
4 moment -- but a residency additional points for an
5 applicant, similar to -- preference. That's what I mean.

6 **A residency preference, similar to the veteran's**
7 **preference process.**

8 ERIC HANSEN: Vice Chair Sexton.

9 DAN SEXTON: (Inaudible) if I may.
10 Just for -- just for our new members, you know, this is
11 something that we've been kicking around for, it seems
12 like years. Maybe some of you will remember the last
13 charter review committee. They had a recommendation for
14 a residency. And our -- our previous HR director, she
15 came up with the idea of a residency preference, and
16 we've been working on doing that, figuring that out, you
17 know, a few times every since. And for whatever reason,
18 we just have never got that done.

19 And so I think that would be a good thing for us to
20 look at. I think what we're talking about here, Board
21 Member Hansen, I think what we're looking at is -- is
22 probably at the -- our next -- our next meeting, as soon
23 as we can, something -- having a study session on
24 having -- on studying this again. On having the future
25 study session where we would actually do the -- the work.

1 Is that what you were thinking, Board Member Hansen?

2 ERIC HANSEN: Well, yes. And I -- I
3 think one idea I had was we can initially sit down and
4 decide what procedure we would use to receive input from
5 all the interested parties. And Board Member Wick is the
6 employee representative, and she may have some ideas as
7 to notifying the employees to get their input, as well as
8 management's input.

9 And then -- yeah, just kind of briefly figuring out,
10 you know, what are we going to do to receive input from
11 all the parties. And it could be by way of their ideas
12 as to what they would like to see in the rules. And, of
13 course, we're limited to what we have the authority to
14 enact.

15 But we could, you know, get their ideas, or even get
16 any proposed rules that may -- they may have. But just
17 look at kind of the procedure that we want to do to get
18 this whole thing started. And then once we start get --
19 collect the information from the Human Resources
20 department and the employees, then we can schedule some
21 more study sessions to actually sit down and figure out
22 how -- you know, maybe start drafting some rules -- and
23 that's something that Martha could help us with -- and
24 actually sit down and get down to the brass tax.

25 And then after we get through with that, then we

1 could have -- talk about having a process where we would
2 notify all the parties of our proposed rules, and that
3 would include management and employees, and then they
4 could, again, provide input into those proposed rules.
5 And then we could go from there.

6 DAN SEXTON: I think that's great.

7 Ms. Hobson or Ms. Fritz or -- or anyone else have
8 any thoughts or anything needed -- more needed on that?
9 Or we got that handled, or -- Board Member Klein, go
10 ahead.

11 STEVE KLEIN: Yeah, history is not
12 always something that needs to be repeated, but I would
13 just be curious from Martha and Wendy and Shelby's
14 perspective, the history on the development of these
15 personnel rules.

16 Has it been a invitational process with input from
17 various stakeholders, or has it been historically
18 something that the HR department put together with
19 advisement, and then it was at some point later discussed
20 with the unions? What -- what's been the process in the
21 past, without spending too much time on it.

22 DAN SEXTON: And -- and perhaps that's
23 something you'd like to give us a report on at the next
24 meeting, or when have the session. You know, I don't --
25 I don't know that you have a short answer for this.

1 ERIC HANSEN: Board member -- or Vice
2 Chair Sexton?

3 DAN SEXTON: Yeah?

4 ERIC HANSEN: Yeah, when I've worked
5 on changed and regulations, and, primarily, I -- several
6 years ago, I was working on changes to the Employment
7 Security Department regulations. And so the procedure
8 that they used, is they invited all the stakeholders to
9 meetings -- a number of meetings so that they could
10 receive input from the stakeholders as to, you know, what
11 they would like. They were proposing -- and they had an
12 idea of what they wanted to do, and they invited us all
13 in, you know, people from the unions and management, to
14 provide their input -- provide our input, I mean.

15 And then at that point, you know, they received the
16 input, and then -- then they develop the final drafts of
17 the rules after they received our input. And then,
18 again, they invited us again to provide our input.

19 And I think that's really a good process to use.
20 And I know I haven't been involved with the enactment of
21 state laws, but I know that the state legislature, you
22 know, holds hearings for that very purpose to provide
23 stakeholders the opportunity to give their input before
24 they enact state -- you know, revisions to the state law
25 or new state laws or that kind of thing.

1 So I think that's kind of a -- a good process to
2 use. And by doing that, we could really get some ideas
3 as to what people would like to see. And, obviously,
4 then when we would -- you know, as the Board, we would
5 decide what we want -- want to work on, and then go from
6 there. And then, you know, go ahead and draft some rules
7 and then provide input -- or provide people the
8 opportunity to provide additional input.

9 I don't know if that's -- that's making any sense to
10 people, but go ahead.

11 DAN SEXTON: Made -- made good sense
12 to me.

13 But Board Member Klein, I see your hand raised.

14 STEVE KLEIN: Yeah, I guess where I
15 was going, is there -- there's a difference between
16 getting input and bargaining, and there has to -- and I'm
17 not -- I have not historically been involved in how you
18 do it, and that's why I was asking, in terms of how you
19 make sure you don't cross that line into terms of getting
20 into the bargaining area, when, in fact, that should
21 occur in a different forum than -- I would believe than
22 us and what we're attempting to do here.

23 DAN SEXTON: Board Member Heller?

24 WENDY HOBSON: Vice Chair Sexton,
25 Martha Lantz has had her hand up for a while.

1 DAN SEXTON: Oh, I'm sorry, Martha.
2 You might have to waive at me to get my attention.

3 MARTHA LANTZ: No, that's --

4 DAN SEXTON: Where did you go? You
5 disappeared on me.

6 MARTHA LANTZ: That's okay.

7 DAN SEXTON: Go ahead.

8 MARTHA LANTZ: I think Board Member
9 Heller should go first, and then I just wanted to --

10 DAN SEXTON: Great.

11 MARTHA LANTZ: -- point out a couple
12 of things, make a process suggestion in response to some
13 of the comments I've been hearing.

14 DAN SEXTON: Yes. Board Member
15 Heller, please.

16 AMY HELLER: So we don't bargain with
17 the unions. Bargaining is -- is not singly, but it is
18 often focused on areas of compensation. Compensation is
19 not under the purview of this Board. So we do personnel
20 rules, and the personnel rules apply to classified staff.
21 So it does apply to the multiple different unions, as
22 well as classified, non-represented staff.

23 So we're dealing -- if you look at what our section
24 of the personnel rules of the City of Tacoma are, it is
25 more germane to those types of issues. And where a union

1 bargains, in looking at the provisions of law, as federal
2 law, usurp state law, in state law, usurp municipal law
3 in the same way a union contract that provides benefits
4 to the employees of that bargaining unit will usurp any
5 language of our rules, because the contract has more
6 authority than the personnel rules for the City of
7 Tacoma.

8 So I'm not too concerned about us, as long as we
9 stay out of the areas that we don't have jurisdiction
10 over, such as compensation, and stay within the confounds
11 of, like, hiring process and stuff that is in our current
12 rules, and make changes to those. I don't think we have
13 a problem or any concern to worry about.

14 ERIC HANSEN: Vice Chair Sexton?

15 DAN SEXTON: Yeah.

16 ERIC HANSEN: I --

17 DAN SEXTON: You know, Ms. Lantz
18 was -- was waiting.

19 ERIC HANSEN: Oh, okay.

20 DAN SEXTON: Would -- do you want
21 to --

22 ERIC HANSEN: I didn't know that. I'm
23 sorry.

24 DAN SEXTON: Do you want to hear from
25 Board Member Hansen first?

1 MARTHA LANTZ: I wanted to respond to
2 Board Member Klein's initial question, which was did we
3 have anything to add historically, and I just -- I do
4 not, because, as most of you know, I've been in this
5 advisor position for just a few years now. So we've not
6 gone through this process.

7 But the -- the process -- you know, you -- the
8 process for suggesting -- for proposing the rules, it
9 does have to go to counsel, and then if they don't act on
10 it, you have a period of time where you can take action
11 again. That's all laid out in the charter.

12 As well as to Board Member Heller's point, the types
13 of -- the subject of personnel rules is also contained in
14 the city charter.

15 But my suggestion is -- is maybe I could consult
16 with Ms. Fritz and we could try to find out what's been
17 done in the past. The idea of city -- of employee
18 stakeholders is an interesting one to me. I'm -- I've
19 not seen it done before, but I don't have a historical
20 perspective on this, and I'd like to see if we can figure
21 out how that could be -- be accommodated.

22 WENDY HOBSON: Vice Chair Sexton?

23 DAN SEXTON: Yeah, who's --

24 (Indiscernible crosstalk.)

25 WENDY HOBSON: -- had her hand up.

1 DAN SEXTON: Oh, who's calling -- oh,
2 Ms. Hobson?

3 WENDY HOBSON: I just wanted to let
4 you know that Director Fritz has had her hand up.

5 DAN SEXTON: I'm sorry. Gosh. We'll
6 go -- I see that hand up now.

7 Ms. Fritz, go ahead.

8 SHELBY FRITZ: I think Board Member
9 Hansen --

10 (Indiscernible crosstalk.)

11 SHELBY FRITZ: -- wanted to respond to
12 that. So --

13 DAN SEXTON: Board Member Heller and
14 Board Member Hansen waved their hands. Go ahead.

15 SHELBY FRITZ: Let's let Board Member
16 Hansen go first, because I think he wanted to respond to
17 that. And then I'll go after, if that's okay.

18 DAN SEXTON: Yes.

19 ERIC HANSEN: I -- you know, I don't
20 know -- Board Member Klein, I don't know your background,
21 but I'm not proposing that we bargain with the
22 stakeholders or that the stakeholders bargain with us
23 for -- for new rules. What -- you know, when you
24 bargain -- when you're engaged in collective bargaining,
25 both parties are engaged in arm's-length bargaining, and

1 both parties have the opportunity to reach an agreement,
2 and if one party is refusing to engage in discussions,
3 then that becomes an unfair labor practice. And so
4 really, in that realm, you've got to have a parties
5 bargain together to reach an agreement.

6 However, we're -- we're kind of a quasi-legislative
7 body, and obviously, I mean, the legislature doesn't
8 bargain with stakeholders to determine what the laws are
9 going to look like. They receive input from
10 stakeholders, and then the legislators decide what those
11 laws are. And they -- but they don't -- they're not
12 bargaining with the stakeholders. They're making the
13 decisions, but they're receiving input from the
14 stakeholders so that they -- so that the laws reflect
15 adequately a good way to address the problem that they're
16 trying to address with those laws.

17 So I don't -- I didn't mean to suggest, Board Member
18 Klein, that we would be bargaining with the stakeholders
19 and that they would -- they would have an arm -- it would
20 be an arm length -- arm's-length bargaining session
21 where they would have -- we would have to reach an
22 agreement with them. And if we refused to bargain with
23 them, that that would be some kind of, you know, some
24 way -- mechanism for them to take -- consider that to be
25 an unfair labor practice or something. That's not at all

1 what I suggested.

2 And I think Board Member Heller clarified that we
3 do -- within our purview, our purview is very limited.
4 And we can act -- enact personnel rules within our
5 purview. But outside of our purview when you're talking
6 about terms and condition of employment, salary, sick
7 leave days, that kind of thing, that's subject to
8 collective bargaining. We don't -- we don't have
9 anything to do with that. We're -- we're limited to the
10 personnel rules.

11 So I didn't mean to suggest that we're going to
12 engage in arm's-length bargaining with employees or other
13 stakeholders.

14 Does that -- does that help? I don't --

15 DAN SEXTON: Yeah, I think --

16 ERIC HANSEN: Does that help clarify?

17 DAN SEXTON: -- that's very clear.

18 ERIC HANSEN: Okay.

19 DAN SEXTON: Board Member Heller, you
20 got your hand raised.

21 AMY HELLER: Just -- just to speak
22 briefly to the history as the last time we changed
23 personnel rules, I think I was only member of Board that
24 was involved in that. There is a process, a
25 first-reading, second-reading process that the Board goes

1 through where public comment is allowed for and sought.
2 Prior to putting it before the Board in a first-reading
3 type of process, we would have one or more series of
4 study sessions where you can meet with stakeholders that
5 have an interest in the personnel rules that you're
6 considering revising. They can provide input to the
7 Board at that point in time. The Board can discuss
8 publically -- as the study sessions are all open public
9 meetings -- our perspectives on these changes or ideas
10 for the changes.

11 And so in having sort of a more study session
12 hearing where we hear from members of the public to give
13 their input to the Board prior to changes being made,
14 then we take that input, we put our draft together, it
15 goes before the Board in a process of a first reading
16 with comments from public, second reading, comments from
17 the public. I think there's a third reading and then
18 there's a vote, and then it goes to the city counsel from
19 that point.

20 The city counsel then would ratify as being the
21 other body sort of process, similar to legislature. They
22 would ratify -- they can ratify it, they can make a
23 change and send it back to us, they can simply send it
24 back to us.

25 So all of that could occur. And that's how we did

1 it in the past.

2 DAN SEXTON: Right. Right. Just
3 to -- just to be clear, you know, we don't -- we don't
4 make this up as we go along. You know, we're -- we're
5 following, you know, state and -- and local procedure,
6 and lot of the laws and the charter and all the rules.
7 And we've -- we've done, you know, some rules before, you
8 know, since I've been here. But --

9 SHELBY FRITZ: Board Member Sexton?

10 DAN SEXTON: Yeah, go ahead.

11 SHELBY FRITZ: I don't mean to
12 interrupt you.

13 DAN SEXTON: I don't know if I ever
14 got back to you.

15 SHELBY FRITZ: That's okay. So this
16 is the first I'm hearing about a desire to do study
17 sessions and stuff. So if possible, let me gather some
18 information for us. I'll work with Ms. Lantz and kind of
19 map out a process forward.

20 I'd also love to send you a copy of our workforce
21 equity study. I think that would be a good place for us
22 to look at, you know, as a place to start on some of
23 these issues. There was a lot of employee input that
24 went into that study. It was done by some consultants.
25 And it really highlights some of problematic areas that

1 we've been hearing about for a long time in the personnel
2 rules. I don't think it'll be a surprise to you, either.
3 But I would love to partner on that.

4 And to Board Member Klein's point, we work so
5 closely with our unions, probably more close than
6 anywhere else I've ever been. They would definitely be a
7 stakeholder in this process, as well, because they hear
8 the issues that come up, you know, in recruitment
9 processes and such. So we definitely want to make sure
10 that those folks are included as desired.

11 MARTHA LANTZ: Could I --

12 DAN SEXTON: Well, what I was --

13 MARTHA LANTZ: Could I just add --
14 sorry.

15 DAN SEXTON: Well, what I was
16 thinking -- what -- what I was hearing and what I was
17 thinking was that we really needed a study session to
18 figure out what we were doing and how we were going to do
19 it, before we got to the study sessions of doing it.
20 That's what I was hearing and what I was recommending.

21 Does that work with what you were suggesting,
22 Ms. Fritz -- Director Fritz?

23 SHELBY FRITZ: Yes, absolutely.
24 Martha had --

25 MARTHA LANTZ: Vice Chair Sexton, if I

1 could just add to that. If Ms. Fritz and I could work
2 together, and if Board Member Heller is willing to join
3 us as -- on an individual basis to help walk us through
4 what we -- what we did before and how we could look for
5 that, I, for one, would really appreciate that.

6 DAN SEXTON: Sounds -- sounds good to
7 me. Of course, you can always all work together.

8 MARTHA LANTZ: And then -- and then
9 what I would think could emerge from that planning
10 session with staff and with -- with Board Member Heller's
11 consultation, is we could provide you with a proposed
12 agenda for this first planning study session, and you all
13 could react to it, of course, and get that shaped up --

14 DAN SEXTON: Here's what --

15 MARTHA LANTZ: -- and then go from
16 there.

17 DAN SEXTON: So here's what I'm going
18 to suggest now. Here's what I'm hearing now, is that you
19 come back with a recommendation to our next meeting, and
20 then we -- we plan the -- the study session, get together
21 from there.

22 Does that work for you, Ms. Fritz? Or do you think
23 we'd be ready to have the study session at our next
24 meeting?

25 SHELBY FRITZ: Unfortunately, I'm

1 going to miss our next meeting, because I'm in
2 chemotherapy. But let me see -- let me see what I can
3 pull together before then.

4 DAN SEXTON: When -- when I say, "our
5 next meeting," I mean whenever our next meeting may be.

6 SHELBY FRITZ: Yeah, definitely by
7 October. I will out of chemotherapy by then, and can --
8 I'm sure that I will there. But the September meeting, I
9 will miss.

10 MARTHA LANTZ: So then I would just
11 add, Vice Chair Sexton, we could use -- you could set a
12 study session on your agenda, which would just be a
13 little more free, not quite so much formal process --
14 meeting process around it. It's still open the public,
15 of course. But you could set a study session for the
16 sole purpose of planning --

17 DAN SEXTON: For October?

18 MARTHA LANTZ: Yeah, so you could do
19 that in October, and that study session would simply be
20 to start to plan out --

21 DAN SEXTON: Right.

22 MARTHA LANTZ: -- you know, the
23 scope -- the scope and the process. And you don't even
24 have to resolve it in that study session. You could just
25 use that time to plan it and then sharpen it up and go

1 forward from there.

2 DAN SEXTON: That's -- that's --
3 that's what I was thinking. Yeah.

4 Everyone thinks we kicked this around enough?
5 Anyone want to take another kick at it? So if -- if were
6 good -- if we're good with that, we'll move on.

7 So we're going to -- we're going to have a study
8 session in October to see where we're at and what we're
9 doing.

10 Action on matters still pending/new business.

11 Ms. Hobson?

12 WENDY HOBSON: So the first item on
13 that is the vote on the process for the officer
14 elections. And that's -- that's you, Vice Chair.

15 DAN SEXTON: That's me. That's just
16 me. Is this all me? No, "C" would be back to you. Do
17 you to do -- tell us about the training?

18 MARTHA LANTZ: Vice Chair Sexton?

19 DAN SEXTON: Yes, I'm sorry.

20 MARTHA LANTZ: I think you need to do
21 the -- you have a two step --

22 DAN SEXTON: Yes, yes we do.

23 MARTHA LANTZ: -- (indiscernible) for
24 the officer elections.

25 DAN SEXTON: I am --

1 MARTHA LANTZ: I did --

2 DAN SEXTON: I am absolutely aware of
3 that. I just wanted -- I was just offering to Ms. Hobson
4 if she wanted to finish up her part of agenda before we
5 moved on to the election.

6 WENDY HOBSON: That completes my part
7 of the --

8 DAN SEXTON: Great.

9 WENDY HOBSON: -- communication for
10 information. So we're on to actions on matters still
11 pending, and that's you.

12 DAN SEXTON: Thank you. Thank you.

13 So according to our rules, we need to vote on the
14 procedure to have the elections. And -- and so what I'm
15 going to recommend to the body, is that I, as Vice Chair,
16 will open the floor up to nominations. And anyone can be
17 nominated. You can nominate any other Board Member, or
18 you may nominate yourself. And -- and I will ask if you
19 accept the nomination, and that will work as the second.

20 So everyone --

21 AMY HELLER: So moved.

22 THE COURT: Is there a second for
23 that?

24 KOREE WICK: Second.

25 THE COURT: Okay, thank you. So

1 that's other procedure. And now we can discuss it. Is
2 everyone clear on the procedure, or would you -- do you
3 want to suggest any change to that? Are you good with
4 that? What -- any discussion, let's do it now.

5 Hearing none -- hearing no discussion, I -- I
6 believe we are ready to open the floor up for
7 nominations. And so --

8 MARTHA LANTZ: Vice Chair -- Vice
9 Chair Sexton, I just wanted to clarify one thing.

10 DAN SEXTON: Yes.

11 MARTHA LANTZ: The process that you
12 all just agreed to is -- is really very similar to the
13 recommended or suggested bullet points that I outlined,
14 so that's -- that's great. There was just one thing, is
15 according to your rules, you can elect multiple officers.
16 So I think that you could --

17 DAN SEXTON: Yes.

18 MARTHA LANTZ: -- you should be just
19 clear as to what you -- what you all want to take
20 nominations for. Just Chair or Vice Chair, or does
21 anybody, for any reason, want to add any other officers,
22 because now would be the time.

23 DAN SEXTON: So hopefully you're all
24 familiar with the rules and procedure. And we -- we have
25 a vacancy for Chair. We need to elect a Chair, and so

1 then we need to elect a Vice Chair, and that's really all
2 we need to do. But any -- we can -- you know, we can --
3 we can all be Vice Chair if you want. We can make -- you
4 know, you make up any office you want and we can vote it
5 up or down.

6 Board Member Heller?

7 AMY HELLER: I'm going to recommend
8 that we take one office up at a time, and start with the
9 Chair. And I would like to nominate Eric Hansen for
10 Chair.

11 DAN SEXTON: Well, before -- before
12 you do that, we're going to follow the procedure. And
13 I'm going to open the floor up for nominations for Chair.
14 And I see Board Member Heller.

15 AMY HELLER: And I would like to
16 nominate Eric Hanson for Chair.

17 DAN SEXTON: We need a second. So I'm
18 going to say, Board Member Hansen, are -- are you okay
19 with this? Board Member Hansen, I don't see you.

20 ERIC HANSEN: Yes, I'm okay.

21 DAN SEXTON: You're okay. You accept?
22 I'm supposed to ask you, do you accept the nomination and
23 you say "yes."

24 ERIC HANSON: Yes. Uh-huh.

25 DAN SEXTON: Yes. Okay. So that's

1 our second. And going -- going once, going twice.
2 Hearing anymore nominations, once, twice, nominations are
3 closed. And I think we just elected -- Board Member
4 Hansen, I think we've just elected you. We'll go ahead
5 and make it official.

6 All in favor of Board Member Hansen, say yea.

7 GROUP IN UNISON: Yea.

8 DAN SEXTON: And I believe that's
9 unanimous, or either way, Board Member Hansen,
10 congratulations. You're the new Chair. Would you --
11 would you like to gavel, or would you like me to finish
12 this meeting for you?

13 ERIC HANSEN: Well, yeah, if you would
14 go ahead and finish the meeting, that's be great.

15 DAN SEXTON: All right.
16 Congratulations, Mr. Chairman.

17 So -- so now moving on. Same procedure. I'll
18 asking the body -- I'll open the floor once again for
19 nominations for Vice Chair. Anyone -- someone's --

20 WENDY HOBSON: Vice Chair Sexton?

21 DAN SEXTON: Yes.

22 WENDY HOBSON: Board Member Klein has
23 his hand up.

24 DAN SEXTON: Oh, I'm sorry. I -- you
25 know, my -- my screen only shows so many boxes, and

1 sometimes you got to yell at me, I guess. I -- you're
2 not on my -- my screen, Board Member Klein, but I'm told
3 you're -- you're there somewhere. Go ahead.

4 STEVE KLEIN: I'm someone who sees
5 value in both the long term and seasoned people with the
6 experience, as well as getting the newer folks involved
7 and engaged, because they are potentially the future. So
8 I would nominate Board Member Wick for the Vice Chair
9 position.

10 DAN SEXTON: Which is, you know, how I
11 was -- I was brought in when I was first added to the
12 Board. And now -- now I can't see Board Member Wick, but
13 I'm going assume you're still there.

14 Board Member Wick, do you accept the nomination?

15 KOREE WICK: I do.

16 DAN SEXTON: All right. Ans is there
17 any other nominations? Going -- oh, there's -- there's a
18 wave.

19 Board Member Heller, go ahead.

20 AMY HELLER: I very much value Board
21 Member Wick's willingness to step up, but as I had
22 previously told you when we were discussing long ago that
23 I would certainly support you for Vice Chair, I would
24 hold to my promise, and nominate Vice Chair Sexton to
25 continue as Vice Chair.

1 DAN SEXTON: Well, in -- in light of
2 recent developments, I will decline your -- your most
3 gracious nomination. But thank you so much. I -- I
4 appreciate that very much.

5 Is there any other nominations? Going once, going
6 twice, nominations closed. All in favor of Board Member
7 Wick being elected Vice Chair of the Tacoma Civil Board
8 Service, please say aye.

9 GROUP IN UNISON: Aye.

10 DAN SEXTON: I think that was
11 everyone. Regardless, it's -- it's enough.

12 Congratulations, Board Member Wick. You're now Vice
13 Chair of the -- the Board. And if -- if the chair and
14 the Vice Chair don't mind, I'll -- I will finish off
15 what's -- what's left of this meeting.

16 Anyone else have any thoughts or any discussion on
17 that, or we'll continue.

18 AMY HELLER: Vice Chair Sexton?

19 DAN SEXTON: I see you go, Board
20 Member Heller. Awe head.

21 AMY HELLER: I'd just like to
22 congratulate new Chair Hanson and Vice Chair Wick. Thank
23 you very much. I appreciate your service.

24 DAN SEXTON: Yes, me too. Thank
25 you -- thank very much.

1 Our Coordinator, Ms. Hobson, did you have anything
2 on the OPMA training?

3 WENDY HOBSON: Ms. Lantz is going to
4 provide that training for all of you tonight.

5 DAN SEXTON: Okay. And I can't see
6 her.

7 Ms. Lantz, are you here.

8 MARTHA LANTZ: Yeah, I'm here. Does
9 that --

10 DAN SEXTON: Okay --

11 MARTHA LANTZ: Does that conclude the
12 elections, Vice Chair Sexton?

13 DAN SEXTON: Board Member Heller, just
14 a -- Board Member Heller, you raised your hand.

15 AMY HELLER: My only question was how
16 long us the OPMA training.

17 DAN SEXTON: I have no idea.

18 MARTHA LANTZ: About half hour, maybe.

19 DAN SEXTON: But that would
20 conclude -- I got to ask, is there any nomination --
21 before we move on, thinking back to anyone can make up
22 any office they want, and we could -- we can elect anyone
23 to any office we want. Is there any further nominations
24 for any other position? Going once, go twice.

25 Hearing none, the elections are concluded. We're

1 over. We're done. Congratulations to our new Chair and
2 our new Vice Chair.

3 (OPMA Training not
4 transcribed.)

5 DAN SEXTON: All right. Consideration
6 of matters set for public hearing.

7 WENDY HOBSON: None this evening.

8 DAN SEXTON: Ms. Hobson, none this
9 evening? Thank you.

10 Now, Civil Service Coordinator's report.

11 WENDY HOBSON: I do have one item to
12 report. I am going to turn the transcription of the
13 meeting minutes over to B&A Litigation Services, so I
14 just wanted you to be aware that they're going to be
15 typing up the minutes going forward. My staff and I have
16 taken on a rather large project, and it's just consuming
17 a huge amount of our time, so we're going to have these
18 done by a firm on the outside now.

19 DAN SEXTON: All right.

20 WENDY HOBSON: And, Martha, did -- did
21 you mention before you started your training that we were
22 not going to have the actual OPMA training --

23 MARTHA LANTZ: Yeah, I did say I was
24 going to do that, and I forgot, so I apologize. Bu I --
25 Wendy did not transcribe my comments and your comments.

1 Instead, we'll simply place the slide deck into the
2 meeting minutes, and that will be -- and then the agenda
3 item will just show that the training was provided.

4 DAN SEXTON: Okay.

5 MARTHA LANTZ: Sorry. I meant to do
6 that.

7 DAN SEXTON: All right. Ms. Lantz --
8 no, Ms. Fritz. Human Resources Director's report.

9 SHELBY FRITZ: Thank you.

10 DAN SEXTON: There you are.

11 SHELBY FRITZ: Good evening, again,
12 Vice Chair and members of the Civil Service Board. As
13 you know, I'm Shelby Fritz, Human Resources Director, and
14 I have a brief report for you this evening. And it is
15 just an update on our classification and compensation
16 study that's going on right now.

17 For new members of Board, the city has been engaged
18 in a class and comp study for it's non-represented
19 positions, which includes both classified and
20 unclassified positions, just for your information. And
21 the consultant is looking at the current classification
22 system, analyzing how the those positions compare to
23 market, and measuring the benefits that we offer for all
24 of our classifications.

25 If you'd like, I can provide you with additional

1 background and history, should that be of interest.

2 Right now, we are in the final phases of the study.
3 The consultant is finalizing their recommendations on the
4 clarification structure, and have been working hard to
5 conclude the compensation portion of the study. Given
6 the current labor market, as you're aware, this has also
7 had to include a refresh of market data, to ensure that
8 our proposed market structure is competitive.

9 The study is anticipated to be completed next month.

10 So that is the report this evening. I'd be happy to
11 answer any questions you might have.

12 DAN SEXTON: I don't see any.

13 SHELBY FRITZ: Thank you very much.

14 DAN SEXTON: Thank you very much. I
15 don't believe we have any public here tonight. So is
16 that -- so there's no public. There could be that I
17 don't see.

18 Is there any comments from the public? I don't
19 think there's any public, so I don't think there's any
20 public -- any comments from the Board.

21 Hearing none, is there a motion to adjourn?

22 AMY HELLER: So moved.

23 KOREE WICK: Second.

24 DAN SEXTON: Okay. Congratulations
25 again to our new Chair and our new Vice Chair.

1 See you all whenever we meet again. Goodnight.

2 (End of recording.)

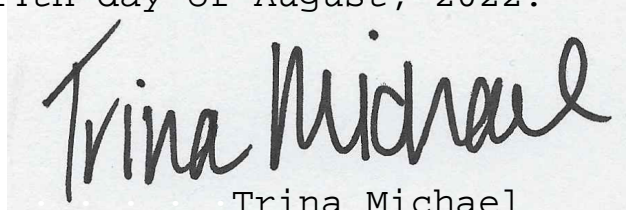
C E R T I F I C A T E

I, Trina Michael, certify that the foregoing transcript is a full, true and accurate transcription of the proceedings and testimony taken in the matter of the above-entitled cause.

That the foregoing was transcribed from audio recording. The foregoing was transcribed to the best of my ability, taking into consideration poor sound quality, simultaneous speaking, background noise, quality of second-party telephone, audio, video recordings.

That I am not a relative, employee, attorney or counsel of any party to this action, or relative or employee of any such attorney or counsel, and that I am not financially interested in the said action or the outcome thereof;

IN WITNESS WHEREOF, I have hereunto set my signature on the 14th day of August, 2022.

A handwritten signature in black ink that reads "Trina Michael". The signature is written in a cursive, flowing style. It is positioned above the printed name "Trina Michael" and the case number "CET-1390".

Trina Michael

CET-1390

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