



City of Tacoma Residency and Recruitment

February 5, 2014

Charter Review Committee

Joy St. Germain, Human Resources Director

Existing Charter Language

City Charter - Section 6.3

“ ...No person shall be eligible for employment in the classified service who is not a resident of the city at the time of his appointment, and all officers and employees of the city appointed after this charter takes effect shall reside within its corporate limits during their employment in the city service; provided that the Civil Service Board may waive such residence requirements for employees in the classified service and the City Council may waive such residence requirements for appointive employees in the unclassified service when such waiver is deemed to be in the best interests of the city for such reasons and under such conditions as may be prescribed in the personnel rules.”

Recommended Change to Article VI: Section 6.3: City Officers & Personnel, Eligibility for Employment

- **“No person shall be eligible for employment in the City’s classified service as a police officer or firefighter who is not a citizen of the United States.”**

Rationale for change to citizenship requirement

- Currently, pursuant to State law, police officers and firefighters in the City's classified service are required to be United States citizens.
- All other employees must provide proof of employment eligibility as required under federal law, but citizenship is generally not required.
- The proposed change therefore eliminates the citizenship requirement for classified employees other than police officers and firefighters, consistent with current laws and practice.

Conflict with Washington State Law

Police Officers & Fire Fighters are exempt from the City's residency requirements (RCW 41.12.075 & 41.08.075) in order to increase the availability of qualified applicants for employment in positions of public safety in municipal government

Court Cases ruled that Washington State Legislature's authority preempts local laws that conflict with the residency prohibition

- Mosebar v. Moore
- Eggert v. City of Seattle

Other Municipalities

The data indicates that only Tacoma requires residency for employment in classified positions (2010 Census).

<i>Residency Requirements</i>			
City	Population	Requirement	Level
Pierce County	795,225	NO	N/A
Auburn	70,180	NO	N/A
Bellevue	122,363	NO	N/A
Kennewick	73,917	NO	N/A
Kent	92,411	NO	N/A
Lakewood	58,163	NO	N/A
Olympia	46,478	NO	N/A
Richland	48,058	YES	Police & Fire Chief, City Manager
Seattle	608,660	YES	Department Heads
Spokane	208,916	NO	N/A
Tacoma	198,397	YES	All classified positions and City Manager

History – Classified Residency

- Blanket residency waivers have been extended intermittently in recent history
 - 1981-1997: residency extended to include all of Pierce County (16 years)
 - 1999-2002: blanket waiver to include Puget Sound corridor
 - 2007-2009: blanket waiver for specific positions in T&D, TPU
 - 2008-2009: blanket waiver, City wide
 - May 2010: indefinite blanket waiver, City wide, pending Charter Review

Issues Impacting Recruitment

- Increasing demand for specific competencies, specialization and educational requirements
- Applicants don't want to commit to moving to Tacoma when employer has not yet committed to a secure job offer
- Dual income families choosing to live in between workplaces & schools to reduce commute and increase quality of life issues
- Creates a "pseudo enforcer" role for Human Resources - a requirement difficult to enforce
 - No penalties for a department not following residency requirements
 - One situation where employment was terminated

City Demographics –Education levels (2010 Census data)

- **4.4%** **Less than 9th grade**
- **7.7%** **9-12 without diploma**
- **31.3%** **HS graduate/G.E.D. ***
- **24.2%** **Some college – No degree**
- **8.6%** **Associate degree**
- **15.1%** **Bachelors degree**
- **8.7%** **Graduate or professional degree**

*minimum requirement for all City of Tacoma classifications

12.1% of Tacoma's population is not eligible for employment consideration

City Demographics –Occupations (2010 U.S. Census)

- 33% Management, business, science & arts occupations
- 20.6% Service occupations
- 25% Sales and office occupations
- 9.2% Natural resources, construction and maintenance occupations
- **6.7% *** **Construction**
- 12.2% Production, transportation and material moving occupations

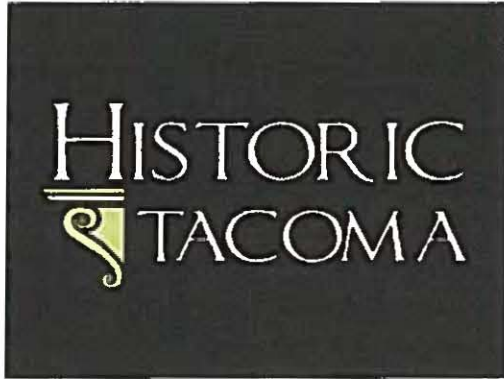
* Public Works, Water, Power require construction experience for entry level positions.

Ongoing City of Tacoma recruitment and outreach activities

- Local Employment and Apprenticeship Training Program (LEAP): partnership with public and private sectors – Construction Career Day
- Job fairs and pre-apprenticeship programs
- Tacoma Public Library community job fairs
- Internships with local schools, colleges and universities

Questions





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MAR 04 2014

CITY CLERK'S OFFICE

March 2, 2014

Mr. Bill Baarsma, Chairman
City of Tacoma Charter Review Committee
Office of the Tacoma City Clerk
747 Market Street
Tacoma, WA 98402

**Re: Tacoma City Charter Inclusion of
Landmarks Preservation Commission**

Dear Mr. Baarsma and Members of the Committee,

The Landmarks Preservation Commission (LPC) is currently defined in the City Code but is not prescribed in the City Charter; LPC thus lacks the standing of other Commissions like the Planning and Civil Rights commissions. We ask that the Charter Review Commission consider the following recommendation and rationale for including LPC in the revised City Charter.

* LPC plays a key role in urban design and is increasingly a key part of the City's design review process. A large number of projects, including the Pacific Ave. streetscape redesign, the Prairie Line Corridor, and the MLK and South Tacoma sub-area planning and EIS processes, include significant historic preservation elements. Important, far-reaching work of the LPC, established in 1976, includes establishment and subsequent design review for the historic UW-T campus (part of the Union Station/Warehouse district), the North Slope and Wedge Historic Districts, and the Old City Hall Historic District. Historic preservation is a valuable strategy in Tacoma and an important underpinning for property values and urban design.

* LPC and the Historic Preservation Office sit within the Planning Department. This is appropriate because preservation is more than an asset to be managed or advertised, it is an element of many projects undertaken by the City; that role and relationship are worthy of greater formalization.

* With the minimum building code and "demolition by neglect" code changes, and responsibility for signage regulation in historic districts, the work of the LPC includes elements of code enforcement that no other commission (other than Planning) is tasked with.

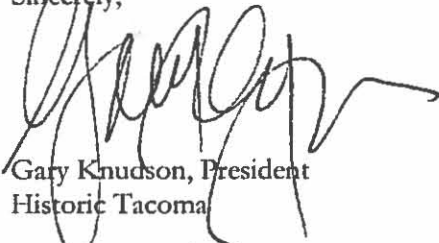
Mr. Bill Baarsma
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* The City has defended LPC decisions to the State's highest Court (Tacoma v. Zimmerman/Elks Bldg.) as an extension of its authority. But we have recently seen nearby jurisdictions declare landmark preservation ordinances, and the establishment of citizen landmarks commissions, an over-extension of authority, with all Register designations vacated. (Lakewood City Attorney v. Lakewood Landmarks Commission).

* Members of the LPC are appointed by the City Council and should be an extension of City Council authority not subject to overrule by administrative process. Several years ago, former City Manager Eric Anderson and the City Engineer bypassed the LPC and City Council in ordering the demolition of the Register-listed Luzon Building, at City expense, without LPC review. Because the LPC process deals often and directly with non-public property, its role and operation should be firmly established in the City Charter as citizen-based.

All cities are different in terms of civic values and proven methods of success. Tacoma, as one of the Washington's earliest metropolitan areas, has a rich collection of quality older buildings and has relied on their reuse potential for economic development and growth. We believe that adding the Landmarks Preservation Commission to the City Charter would place the Commission on firmer footing within city government and acknowledge the key role that preservation plays in Tacoma's unique identity and urban design.

Sincerely,



Gary Knudson, President
Historic Tacoma

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GKsw
Encl: Attachment A

Attachment A

Suggested draft language for proposed City Charter section for the Landmarks Preservation Commission, modeled after language and placement for that used in Tacoma City Charter re: the Planning Commission.

Landmarks Preservation Commission

Section 3.x – There shall be a Landmarks Preservation Commission, composed of eleven (11) members, with such powers and duties as are provided by ordinance. The members shall be residents of the City of Tacoma and be appointed and confirmed by the City Council for terms of three (3) years each. Membership is composed of three (3) architects, four (4) individuals with professional expertise in preservation related fields, one (1) representative from the Tacoma Arts Commission of Tacoma, and three (3) interested citizens. Nonvoting ex-officio members may be appointed to represent property and business owners within Tacoma's historic districts. A majority of the voting members of such Commission shall constitute a quorum for the transaction of business. The Commission shall be authorized to adopt rules for the transaction of business not inconsistent with this charter or ordinances of the City of Tacoma. Said Landmarks Preservation Commission members shall serve without pay. (The Landmarks Preservation Commission is established by Tacoma Municipal Code 1.42. Tacoma's Landmarks and Historic Districts are regulated by TMC 13.07.)

Charter Review Subcommittee Draft Process and Report Structure: 3/10/2014

1. Review section
2. Review each concern that may have been raised thus far.
3. Review general criteria as a guide.
4. Research (eg: model city charters, comparatives, best practices, and ideas developed by the committee.)
5. Develop alternative solutions where warranted by concerns OR as determined by the committee.

Do we want to document responses to all concerns or not?

6. Committees should review developed solutions where warranted and consider developed criteria as a basis for recommending a change be elevated to the voters via the city council.

6. Reporting:

- Summary of area being reported on.
- List each area where a change or changes (there may be more than one alternative) is recommended
 - List or discuss existing challenges citing research
 - List benefits of change citing criteria
 - Include any minority reports within the committee

7. Full Committee will review all reports and also use and articulate criteria to determine which issues are elevated to the city council in our final report for consideration of forwarding to the voters for approval.

-Improve life for residents	HR
-Provide clarity/accessibility of language	HR
-Consider best practice	HR
-Stand the test of time	HR
-Remove barriers to service	HR
-Increase civic engagement	HR
-Put in the charter or ordinance/code	HR
· Accountability	PU
· Transparency	PU
· Diversity	PU
· Organizational Clarity	PU
· Responsiveness	PU
· Sustainability	PU
· Impacts – Fiscal, Customer, Relationships, Efficiencies	PU
· Reliability of Service	PU
· Fair Value	PU
· Innovation	PU
· Competitiveness	PU
· Charter vs. Operations	PU