



Tacoma Civil Service Board  
Meeting Minutes

**Date and Time:** September 7, 2023, at 5:00 PM  
**Location:** Council Chambers  
**Chair:** Eric Hansen  
**Coordinator:** Anna Burgos

**Call to Order:**

Chair Hansen called the meeting to order at 5:00 PM. All board members were present. Deputy City Attorney Jennifer Taylor was present.

**Chair Hansen:** Are there any amendments to the minutes?

**Board Member Wick:** I have a clarification, question. Some time ago we made a determination to not do verbatim minutes, yet they're continuing to happen, and I have concern over that.

**Chair Hansen:** Any other comments about the minutes?

**Board Member Heller:** I just have a question, what the concern is.

**Board Member Wick:** One, I don't believe that they umm present as very professional, cause right now its's going to say um they present as very professional. Additionally, is they become very lengthy and trying to get to the crux of what the actual subject matter, conversation, information provided can be very challenging and I don't see a need and this entire group determined that we weren't going to do that and yet we are doing that. So, I again would be a proponent that we stop doing that.

**Chair Hansen:** Any other comments about the...Yes, Director Fritz.

**Human Resource Director Fritz:** I am happy to take that to Civil Service Board Coordinator Wendy Hobson and check in with her on that topic.

**Chair Hansen:** Okay. Thank you. Do we have a motion to ...oh Board Member Heller.

**Board Member Heller:** I just have one more comment and that is while I agree summary minutes [are] more succinct, and I think they have been summarizing them somewhat but the caution I have is that; and I have made several corrections the last few months that sometimes things are summarized to the point that they're no longer accurate. And I felt that I wasn't paying attention to everyone else's statements just mine that were recorded, and I found several instances of that. So, you know, it's, it's a careful thing to just have balance on but to pay close attention to those. So that's just my two cents for what very one cent it might be worth.

**Chair Hansen:** Thank you. So do we have a motion for approval of the minutes for August 3<sup>rd</sup>.

**Board Member Sexton:** So, moved.

**Board Member Heller:** Second

VOICE VOTE: 4 AYES, 0 NAYS, 0 ABS. MINUTES FOR AUGUST 3, 2023, WERE APPROVED AS WRITTEN.

**Chair Hansen:** Communication for information.

**Coordinator Anna Burgos:** The Board will hold a study session on the topic of personnel rules following the meeting.

**Chair Hansen:** Thank you. We are going to move to item 8 because we have some people attending and I don't want to keep them here forever because we may be a couple of hours or so. So, I am going to ask for the Human Resource Director report and request.

**Human Resources Director Fritz:** Thank you Chair Hansen. First, I want to give you a couple of exciting updates. In my department, we have recently implemented a learning management system. It's very exciting because we've used paper for a very long time. And what that system does is give employees an overview of their training records, keeps track of their certifications and, shows them and allows them and to enroll in courses that they may be interested in for their professional development. So that was a big lift for our learning team and just want to share that with the Board as a new tool available to our employees.

The other really exciting thing we have going on is our Equal Employment Opportunity Officer has developed an EEO Community of Practice Program and basically what it is, is a supervisor's guide to creating and maintaining a culture of equity and equitable practices and creating a good environment for everyone in everything we do. I am in that cohort right now and several other leaders in the City have taken it as well and just wanted to pass that along.

In terms of my reports for this evening, I am going to invite Alissa McLain up to join us. She is going to talk to you about a request for extension of temporary employment for DeVonce Irving, Warehouse Technician.

**Alissa McLain:** Good evening, Chair Hansen, and Members of the Board. My name is Alissa McLain and I'm an HR Analyst that supports Tacoma Power. Tonight, I am asking for a one-year extension for Devonce Irving in the classification of warehouse technician. DeVonce started working for us November 2022. He was brought on as we had a domino effect in the group as we had as someone on leave of absence and it created an opening that needed to be filled on a temporary basis. Devonce is an integral part of the warehouse operations. He has extensive background of warehouse

experience where he did inventory and quality control amongst many other tasks that have made him highly successful in his current position. DeVonce is a team player, accountable and customer focused, and an extension of his position would benefit the warehouse and Tacoma Power as a whole. DeVonce is here tonight if you have any questions for him.

**Board Member Sexton:** I would like to move that we grant the City's request for an extension of temporary appointment for DeVonce Irving, Warehouse Technician

**Chair Hansen:** I just have one question. Is there a point at which the temporary appointment would become permanent if there's a need for that?

**Alissa McLain:** If there's a need for it, we do have a current eligible list that we would do a certification and go through the process. So, if the need does arise, we have an eligible list and DeVonce is on the list, and he would be considered.

**Chair Hansen:** Ok. Thank you. Yes, Board Member Heller.

**Board Member Heller:** Quick question. So, is this a temporary appointment inside of a permanent position or project position or...?

**Alissa McLain:** it's a temporary position inside of a permanent position. We had a domino effect in the warehouse. So, it opened a permanent position that we needed to be filled on it on a temporary basis.

**Chair Hansen:** Ok. Board member Sexton has moved to approve the request for extension of a temporary appointment for DeVonce Irving. Is there a second to that motion?

**Board Member Klein:** I second that.

VOICE VOTE: 4 AYES, 0 NAYS, 0 ABS. THE MOTION PASSED.

**Human Resources Director Fritz:** The final request I have for you this evening is one that I mentioned at our last meeting, and it is for some employees who are moving from appointive classifications to classified classifications as a result of our Class and Comp Study appeals process. There are 4 individuals in that position and I'm requesting both the waiver of competitive exam and probation for these folks since they're just being reallocated as part of the study. They are Deidre Patterson, Joshua Christy, Ken Burkhart and Joseph Dunaway.

**Board Member Sexton:** I move to grant the City's request for a waiver of competitive examination process and probation for employees allocated to positions in the classified service upon implementation of the appeals process as a result of the non-represented Employee Classification and Compensation study, for the following employees, Deidre Patterson, Joshua the Bill Christy, Kenneth A Burkhart and Joseph Raymond Dunaway.

**Board Member Heller:** Second

**Chair Hansen:** All in favor of the motion say aye.

VOICE VOTE: 4 AYES, 0 NAYS, 0 ABS. THE MOTION PASSED.

**Chair Hansen:** Do we have any employees that would like to make comments?

**Human Resources Director Fritz:** None under this category came.

**Chair Hansen:** Ok.

**Human Resources Director Fritz:** Devonce is here though.

**Chair Hansen:** Devonce, do you have a prepared speech?

**Board Member Sexton:** C'mon, come say hello.

**Chair Hansen:** Well, thank you for your service to the city. It looks like you are a highly valued employee so thank you very much.

**Board Member Sexton:** Thank you very much.

**Human Resources Director Fritz:** That concludes my report this evening.

**Chair Hansen:** Ok, thank you. The next item is the study session, which we're going to do after the residency issue. So, the next item on the agenda is the residency motion and vote. And as far as I can tell, we have four choices before us. Director Fritz wants to make a presentation on the point system preference that I believe was originally brought before us by Board Member Heller. I believe that was your idea and you've developed a process for that. And so, if you'd like to go ahead and make your presentation Director Fritz and then we can go forward from there.

**Human Resources Director Fritz:** Thank you. I'd like to introduce Cheryl Bidleman, Assistant Human Resources Director and Kat Flores, Human Resources Analyst to give you an overview of our presentation.

**Cheryl Bidleman:** Well, good evening, Chair Hansen, and Members of the Civil Service Board. I come before you again, Cheryl Bidleman, my partner here Kat Flores. So, we, We had hoped to have a presentation for you, but you do have the printed packet. So, I'm just going to walk through that and then see what questions you might have. How does that sound?

Okay, do you all have the presentation that we included in your packet? Okay. So, I'll tell you which page of the presentation that we're on and we'll just kind of work through it like that. I'm just going to go to page two. So, most of you are familiar with this portion of the personnel rules. We've talked about it a number of times, 1.24.450 that grants the Civil Service Board the authority to grant waivers to the residency requirement for the

two reasons that you see on the presentation there. Where the nature of the employment requires residents outside the city. I think we've talked about that a few times. It sounds like there's no debate that that is a logical and necessary waiver.

The other one is where it otherwise serves the best interest of the city. So, in these two alternatives that I'm going to talk to you about, we're going to really rely on that serving the best interest of the city. And so, we're going to talk to you about two possible alternatives that we want to encourage you to explore. We've expressed previously that the residence requirement is problematic for City recruitment due to the volume and complexity. And the competitive recruiting market that we're operating in. We hire hundreds of people every year, anywhere from 3 to 500 people. And so, you can imagine between the volume and the complexity of the positions that we have, we're concerned about limiting our access to candidates. We want to have access to the broadest number of candidates possible to ensure successful operations for the city. So, we want to strongly recommend this first alternative, which is the blanket waiver that has been in place for... we went back and did some historical research and since 1981 we've had this waiver in place for 34 of the past 42 years. So, it's been, you know, off and on a longstanding practice. We also want to point out we think it would be consistent with the existing waiver that City Council has approved for appointed positions. Again, it's about the flexibility and access to candidates. When I move into talking about the second one, you'll probably reflect on or hopefully will reflect on how this alternative one is a more simple approach than the one that I will propose, which is the point system. On the next slide, I'm going to talk about a timeline of how we would go about implementing either one of these alternatives. So, this one, if we kept the blanket waiver in place, it's pretty short and sweet. We would, for example, document the agreement between the city and the Civil Service Board. I would assume you would need another meeting to officially vote on it and memorialize it, so it would be a quick process. And then slide five just kind of reiterates, I think I kind of jumped ahead, but that's kind of the process, couple of steps to memorialize it and approve it. And then on slide six, here's where we're talking about the second alternative, and this is the blanket waiver with a residency preference point system. So, we think this is also a viable option, although not our first choice for reasons that I mentioned, but we think it does do a decent job of taking in preference, taking into account preference for City of Tacoma residents. I'm going to have Kat share an example with you of how a point system like this would work. So, what it would look like when a person is on a list without preference and then with preference. I'm going to turn it over to Kat for a couple slides here. We're going to be on slide seven that shows scenario one before points.

**Kat Flores:** Thank you very much, Cheryl. Good evening, Chair Hansen, and the rest of the Civil Service Board Members. My name is Kat Flores and I'm an HR Analyst here in Talent Solutions. What I'm bringing to you is kind of building the foundation and then going over the two scenarios. So, first, just to give you an idea that we're talking about a classified represented position. The one that I'm using as an example is financial assistant. So, what I recruit, and I've been recruiting for this position for several years, is I recruit for the classification to establish that eligibility list. And of course, the financial assistant position has minimum qualifications.

One of those steps that I need to make sure so we all the applicants. We have a pool of applicants and then I put them through in their screen for minimum qualifications, right?

High school diploma supplemented by one year of college accounting and two years of experience. That's bottom line what I require. Now, some of the applicants may not meet that, but those who do then they are invited to an online assessment.

An assessment with some financial assistant level and some Excel, basically just giving them that experience and training test that's required. Of course, when you test, you are required to pass at 70% or better. So, this scenario number one, I'm going to bring you is let's say, we have several people pass the test and in the far-left column it says rank. Of course, the rank is established based on the scores of those test results. So, in this scenario you see 10 and then I'll explain the reason for that and then you'll see it next to their name, the total score. So that's their result score for taking that experience in training and that's the resulting score. Now the ones that you see highlighted are our Tacoma residents. So, you see the residency plus points and the new score in far-right column. So that would be what they would be scored as. Now the reason I stopped at 10 is because there may be other people who also passed but didn't make that rank 10 marks because civil service rules are, ranks 10 and less go to the department with the first vacancy. So, this is just showing you what that would look like with all our top 10 ranked people as they sit with their current score on page 7. Now the second page, the scenario two is I've added those scores and if you can do a comparison. Omar who was on rank two is now ranked one and again as you see having added those scores, where they end up in the ranking system. Again, the far left says shows their new rank order. In this case, because I've moved up some with two points added for residency, you have some folks sharing now one of the ranks. So, in fact as you can see on the rank change on the far right, some of them even though I've added two because they may be capable of going higher in the ranks. And then Anna, who was in the first ranked ten, now because of that movement and the two-point residency is now at rank 7. So again, moving upward as that progresses and for more individuals to be able to be seen.

**Board Member Heller:** So, a couple quick questions. So, we no longer have the rule of three like we did in the past, the rule of five like we did in the past, we now have a rule of 10, correct?

**Kat Flores:** Well, there is still the rule of three if it's a promotional internal City recruitment.

**Board Member Heller:** Right, but for outside candidates, we have a rule of (talking overlapping)

**Kat Flores:** It's rule of 10.

**Board Member Heller:** So, question. It's ten ranks not ten people, right?

**Kat Flores:** Correct.

**Board Member Heller:** So, although it shows eight on your scenario, two after points, technically there would be all ten ranks that would be referred to the department, is that correct?

**Kat Flores:** Well, when you're placed in a rank on an established eligibility list, you remain at that rank, Of course, first vacancy, rule of 10. But again, second vacancy, rank eleven and up so it ultimately somebody could be considered at a lower rank.

**Board Member Heller:** So, I may have a misunderstanding. My understanding was it's not the first 10 people, it's the first 10 ranks.

**Kat Flores:** Yes.

**Board Member Heller:** And so, if you have people that are tied, at a rank like here you have an example of under the new you have a tie at rank four, all the fours would be referred as four. So, you might have 12 or 16, or 20 people that are referred within those ten ranks, right?

**Kat Flores:** Yes.

**Board Member Heller:** Ok, I just wanted to clarify that. And then with the ranks, the hiring manager is allowed to interview and hire anyone from any position within the rank, correct? There's no requirement that they start at the top or whatever, correct?

**Kat Flores:** No, there's no requirement. And you know again, somebody could have the ranks 10 and up, could be however many people, and hire the person in rank eight.

**Board Member Heller:** Right.

**Kat Flores:** To be reachable.

**Board Member Heller:** So, one other question. On average, can somebody ballpark on average when you refer 10 ranks to a hiring manager, how many people on average goes with those 10 ranks?

**Kat Flores:** That would be very hard to average. It very much is dependent on the type of position. My example is financial assistant. I could have 100 people in ranks 10 or up.

**Board Member Heller:** So, you might have 100 people referred to a hiring manager?

**Kat Flores:** yes.

**Board Member Heller:** Ok

**Kat Flores:** And again, just having that opportunity for them to be seen. Yeah, absolutely. But it could be something like a mechanic in a specific area and my pool may only be nine people

**Board Member Heller:** Yeah. I understand. Thank you.

**Chair Hansen:** I have a couple of follow up questions. And with regard to this, the actual interview selection, say you take the top 10 ranks, and you refer those, you give

those names and those of the people in those top 10 ranks to the supervisor or whoever is going to be doing the interviewing. So, do they interview all 10 or do they pair it down to three or how, how does that work?

**Kat Flores:** Again, that really depends on the position, the kind of position in my example of financial assistant where they're getting very, very large numbers, they would probably need to whittle it down. But we also have additional information saying what areas that financial aid person they identify whether they've been in payroll or accounts payable or something. And that's used by the hiring managers to sort by the kind of financial assistant they want, if they're payroll, then we can sort for them for individuals on the list who more fully meet those qualifications because of experience.

**Chair Hansen:** Ok. So, it's up to the hiring manager's discretion, is that what they're going to do with those, the people that are ranked in the top ten?

**Kat Flores:** Yes.

**Chair Hansen:** Ok. And then with regard to the total score, is that always based on a written test?

**Kat Flores:** No, no, it's not necessarily more so now, more so online. So, they could be technical but like in my example it's office support type of skills that they would be answering the questions to. There is a lot of online. However, the supplemental questions can be used as the experience in training the test for that classified position. So, there is another option. Sometimes it's narrative. A lot of my departments use that where they'll have certain questions related to that position that they that the individual needs to answer and those are scored by a subject matter expert. So that could be the ENT. Or and in some cases or one of my departments has questions, technical questions that they use for their operations department and those are scored based on the responses that they give. Multiple choice. That type of thing, true and false like you would see in an online test, but it's specific to that department's needs.

**Chair Hansen:** Ok, do you utilize an oral exam or anything of that nature as opposed to have always written?

**Kat Flores:** Well, the other thing that we'd also use, which is that video interview, which is sometimes our first screening for some of the candidates. For instance, I have a department who has eleven people that they're interested in and that's too many just sit down and do a face-to-face interview with. But what we use is what we call a spark hire, which is a way for the candidate. We give them three questions. They record themselves answering them. So that's a that's a little bit of a face to face. Especially when you have so many candidates who are qualified that you're interested in. It's hard for a department manager to, you know, to be able to move us. Cut it down if you would to a manageable number of candidates so that they can move them to interview and formal interview and so on.

**Chair Hansen:** Ok. Thank you. Board Member Heller.



**Board Member Heller:** So, is it fair to say that this scenario as you've envisioned it here, is it going to bump anyone out of consideration? But simply may, bump people up into consideration to give you a larger pool for the hiring manager to consider? Instead of not restricting it by giving you a bigger pool potentially with more ties in the 10 ranks?

**Kat Flores:** Yes, and those individuals would be majority of not all would be the residents of the City of Tacoma.

**Board Member Heller:** mmhmm, thank you.

**Chair Hansen:** Board Member, Wick.

**Board Member Wick:** In theory though, someone who is ranked 10th could be bumped out if someone who is at 11 has residence points applied, that would bump them up to 10 or no.

**Kat Flores:** Once you hold a rank, it remains your rank. So even if I moved up two, you know, if I, let's say I'm eleven. Right? I didn't make that 10 or less, right? But I'm ranked eleven. I'm a Tacoma resident. I get up and move up two points which would make me nine. That person at 10 remains at that rank. The only person who moves, the only people who would move are City of Tacoma residents and that would be upward.

**Board Member Wick:** So, if a nonresident ranked ten at say ninety percent, and a resident at number twelve moved up two up two points and moved one point ahead of them, it wouldn't bump them down, they would stay at number ten?

**Kat Flores:** That's correct. You remain at that that rank. And again, unless this preference two-point system goes into effect, the only people who would move are City residents and that would be two up.

**Board Member Heller:** And one other clarification just so that I make sure I have this right. So, and of those 10 ranks there is no structure requirement that the hiring manager go in any order. They could go I want to talk to number ten, and I want to talk to number one, and I want to talk to number three.

**Kat Flores:** Yes, that is correct. Those kinds of choices are made by the hiring manager based on their needs and the qualities of the people that they have to review.

**Board Member Heller:** It just gives the applicants more potential to be seen and considered potentially.

**Kat Flores:** yes

**Board Member Heller:** Okay. Thank you.

**Chair Hansen:** Board Member Wick

**Board Member Wick:** Thank you. In a testing process, how do you validate the address that they put on their application? To verify that they actually live there and are a resident?

**Kat Flores:** What we do, we don't verify, but we do have, within our Neo Gov applicant platform, there is a, we call it an advanced filter. So, anyone who passes the test, because of course they first have to pass a test and rank somewhere on that eligibility list. The advanced filter, filters for what they wrote down as Tacoma resident. So, it filters for whether they indicated they were a Tacoma resident.

**Board Member Wick:** And again, it's only on the date of application that that's even considered. The next day, even if they live there, the next day after they accepted the job, they could move.

**Kat Flores:** We wouldn't have any idea.

**Board Member Wick:** Ok, thank you.

**Human Resources Director Fritz:** They also could put whatever address, hopefully they're telling the truth, on there that they wanted. I mean it's not something that we actually go out and verify.

**Board Member Sexton:** Why, why would we assume that people are submitting false information?

**Human Resources Director Fritz:** I'm not assuming that at all.

**Board Member Sexton:** Alright. Thank you.

**Chair Hansen:** And Director Fritz, do you have a provision on your in your application materials that states that if you make a misrepresentation on your application that that could be grounds for termination?

**Human Resources Director Fritz:** I don't know that it says exactly that, but I believe there's a provision in there I'd have to double check. Like you must certify at the end that the information you've presented is accurate.

**Chair Hansen:** Board Member Klein

**Board Member Klein:** Miss Flores, could you explain in the context of how the veteran's preference plays with this? That is, does that that happen... in this scenario, that would already have been done before the Tacoma or would be done at the same time as the Tacoma?

**Kat Flores:** Of course, it would be done before we certify the list. So, it would be done, and I don't know what the what has been decided on, but let's say we move up all the individuals, you know a slide eight. Then if any of them are veterans, they could either

earn the 10% preference depending on if they were active-duty service in in the during a conflict or war or 5% If they were non active-duty comp, that's 5%. So, in other words like scenario two, let's look at Anna right, she moved up to 90. Let's say that she is a combat serving veteran. So, I would be giving her 10% which is 9.0. That would be added to that. Which comes first or second? Whether it's the residency or veterans? I don't know that determination, but that would be what would happen to Anna. So, you would it's our if our Tacoma residence would earn 2. But if they are a veteran and depending upon their veteran status then they would also achieve veteran preference.

**Board Member Klein:** It, it seems like, if I'm understanding from our earlier discussion where you established the rank and that and you stay at that rank if you're not a Tacoma person, but if you're a veteran, do you move or that's the thing you're saying was somehow when we if we went with this, you'd have to resolve the order of when the points get factored in

**Kat Flores:** It would, we would resolve the order. Because if somebody, let's say we were as I was mentioning before is that when you sit on a rank, you sit on the rank that's once we certify it. That means we've added Tacoma residency points. That means we've added the veteran preference for a resident or not, that's the standing. Once that becomes that list and we certify it, then they don't change, you know, obviously. But as before, if I held 10 and I'm not a resident, if somebody else who's the Tacoma resident sits on my same rank or even higher and then add veterans, that doesn't move me. I'm still Ok, because I passed the test at that rank for the EMT, the actual test.

**Board Member Klein:** Well, another key thing I see with this proposal, and you may or may not have mentioned it, is that you must pass in order to get any of these preference points. If you don't pass, you don't get veterans, or this proposed Tacoma.

**Kat Flores:** Yes. You wouldn't be eligible unless

**Board Member Klein:** You can't be moved from failing to passing

**Kat Flores:** No. Yeah, they would have to at least sit on what we call the eligibility list. Residents, veterans, that final list, that final rank is what stays for the whole life of that list

**Board Member Klein:** Great. Thank you.

**Board Member Wick:** Director Fritz, when you were first speaking to this, you obviously said the alternative one would be the preference for yourself and staff. I do believe you've also worked with labor relative to this package one, alternative one and two. Can you tell me some of their feelings in your workings with them of which alternative they believed was the right way to go as well?

**Human Resource Director Fritz:** Sure. Most specifically, I've engaged with Local 483 on this. Byron Allen is on the call, and I'll welcome him to chime in if you'd like to add anything. I think, not trying to put words in their mouths, they want to respect the residency requirement- would prefer, like us, the blanket waiver but feel that the points

preference system plus the blanket waiver could also be beneficial and we also talked through some other options like designating specific classifications is having the residency requirement, but the more we got into those discussions, the more kind of arbitrary the decision making became. So, I can confidently say that the 483 is in support of both the blanket waiver and the blanket waiver plus the residency preference points.

**Chair Hansen:** Mr. Allen, would you like to weigh in and follow up on Director Fritz's comments? Are you available?

**Mr. Allen:** Absolutely. I'm here, can you hear me?

**Chair Hansen:** Yes, we can. Loud and clear.

**Mr. Allen:** So, yes, Director Fritz does accurately reflect the conversations that we had on this. We did put a lot of discussion into the thought of just trying to identify certain classifications. She is correct it did get down to where it did feel very arbitrary and how do you make that determination. Ultimately what we felt was a good determining factor or a filter if you will, is the minimum qualifications for position. You know there's a lot of positions that have very strict qualifications that are necessary to be met some of the more journey level, trade position, that sort of thing where you're just not going to find every person walking down the street is being able to meet those minimum qualifications. So, we felt comfortable that having that as an initial determining factor to whether somebody was even eligible to move forward and begin the testing process was sufficient to keep in in a sense a waiver in place but it's a waiver that's created more by the fact that the person has to be qualified for the position and not just some sort of an artificial waiver. We do feel like the blanket waiver has worked quite well. We also respect the position that the Board has on this and that the citizens of Tacoma have taken on it with the with their vote and that they want to keep the charter in place and the requirements of the charter. So, because of that we do feel that if the blanket waiver is not all, the pick of the board that the point preference system has been outlined by Miss Bidleman and Miss Flores, we feel that that would be a workable solution.

**Chair Hansen:** Thank you Mr. Allen. And do you have anything else, Director Fritz? Ok, so at this point, I'd like to outline our four choices as I see it.

**Board Member Sexton:** Chair Hansen

**Chair Hansen:** Oh yes, Board Member Sexton.

**Board Member Sexton:** Yeah, if I may, you know, a big problem I still have is the charter and I don't see that language here anywhere. But you know it it's, I don't see how we get around the charter and nothing that is proposed or that we're going to do here is going to change the charter in any way. So, I don't see you know how that works. The other thing I don't see, you know is the information I requested on the on the population of the City of Tacoma and the workforce of the city of Tacoma. You know I tossed out there what I believed them to be you know 80% white workforce. It's highly

male too, and I don't have recent numbers on that. If you can help me out on that I would appreciate it. And I know the, the population of the City of Tacoma is 40% nonwhite and that's, you know, really been my big, you know, driving issue that what we're doing is not working and that's why I think that the waiver, the blanket waiver isn't working. You know, if I may talk about the first alternative, you know I agree completely with item number one that where the nature of employment requires residents outside the city that's very reasonable and it's not reasonable to do anything else there. You know, I would support this if that was all it said. Item number two serves the best interests of the city. That is just way too broad and undefined for me. You know, that's going to mean we hire anyone we want, whenever we want. We put any kind of meaning to it we want. It would have to be defined. I think you know I would support another option of going forward with alternative number one, just item number one and striking item number two out. Then you'd probably want to look at, you know the point system, which was first proposed in my recollection, dealing with this by former HR Director Joy St. Germain before the charter committee and the charter committee worked on it. They liked the idea. They were going to adopt it. And the last thing they said, check the minutes of the charter committee; the last thing they said was it would be easier for the Civil Service Board to implement it than for them to do it. You know they would have to pass a recommendation and then it would have to go to the voters and everything, whereas they thought, you know, we could just do it. So that's my thoughts on that. Thank you. So still looking for that information.

**Human Resources Director Fritz:** And I will make sure that you get that. I will say just for a point of clarification that the code language that Cheryl quoted matches what's in the charter. So, it does provide for that option of waivers and for the reasons that Cheryl described. So, we kind of use them interchangeably, but the charter also provided that option for waivers as well. So, thank you for that. I also wanted to make sure that Cheryl got to finish the presentation that she has.

**Board Member Sexton:** Sure. Can I just follow up on that point? I don't think anyone ever envisioned an indefinite blanket waiver in the language in the charter. And you know, maybe you know, if you can pull that out of there, it's maybe it's my misunderstanding, but I don't think it was ever intended to be, you know, this is for all time. I think it was it was meant to be you know more of a case-by-case matter. I don't know exactly how that's spelled out and I don't know exactly if it says there but I believe we always thought it was the intent. Thanks.

**Human Resources Director Fritz:** Thank you very much. I think what we're trying to do is live in the spirit of that, but modernize it from the June 1st, 1953, version because the employment market and recruiting has changed so much. It has good intent and trying to live in the spirit of that intent while making sure that we can be agile in our recruitment. So, I appreciate that point as well.

**Chair Hansen:** Ok. At this point I'd like... Did you have a comment Director Wick or Board Member Wick? (Laughing in the background)

**Board Member Sexton:** (joking) You got a promotion.

**Board Member Wick:** I think I believe she had some more to say, and I just wanted to allow that to be done. But then I did have something I would like to say.

**Chair Hansen:** Ok. Go ahead Miss Bidleman.

**Cheryl Bidleman:** Thank you. So, I did have two other slides in the slide deck. I wanted to just quickly walk through those just so we like full transparency about what you know potential process would look like for alternative two. So, I'm on slide nine.

**Board Member Sexton:** These aren't numbered.

**Cheryl Bidleman:** Ok, this is right after the set that was the scenario one and two that was the example of what would happen if we gave points, and it says alternative two tentative timeline. Ok. So, this is a high-level timeline showing what we estimate would be like full implementation of a point type system. We've clearly not done a system like this before, and we recognize that there are many steps in the process of creating such a program. And so that slide, the tentative timeline is very highlighted timeline. The next slide, that says process steps, breaks that down so you could understand what we think is involved in fully working through, because at this point the point system is a concept, right? And we wanted to ensure that we would have your support to move forward before we then go deeply into creating a system like this. So, I I'm happy to speak to each of those items or if you're comfortable with just you know having read that and understanding that you know.

**Board Member Sexton:** I've got some questions. You know, first thing made me think of was, you know, I remember, HR Director St Germain explaining of a point system to the charter committee. And that you know it's exactly what the City does right now with the veteran's preference and her point was you know, no one's remaking the wheel here. We know how to do this. You know so that was my thoughts on that. But you know the other thing that struck me about this, was that alternative number one, it's like, it's like a rubber stamp. It's like one step it's done. And alternative number two, you know it, it's almost like someone didn't want alternative two to happen because it's so lengthy and there's so many steps and there's so much to it. And the, you know, the City Council has to study it, and read it, and vote on it, and think about it. And there's just all these other steps. I don't understand why alternative one, which you all support is so simple and easy and alternative two, which you don't support is so much more complicated.

**Chair Hansen:** My understanding is that if we were to approve a point system that we would have to enact a personnel rule and that in order to do that you'd have to go through some pretty; all these steps in order to enact the rule and one of which is to provide stakeholders with an opportunity to provide input. And of course, that's very important. But yeah, that what they've basically done is outlined the steps that we would need to take to enact a new personnel rule. Is that correct, Director Fritz?

**Human Resources Director Fritz:** That is correct. And just for the record, we're not saying we don't want to do number two. We think number two is we presented that because we know that you're less interested in a blanket waiver or continuing that. And

we feel like number two really meets the compromise between continuing to have a full residency requirement and meeting the needs of the city and its recruitment.

**Cheryl Bidleman:** Yes, thank you, Director Fritz. I would also add to that that when compared to the veterans point system, you're correct that's in place. It's a legal requirement that we have that system. We would be changing the personnel rules, adding such a system, and then making sure that it's not potentially an illegal option that it meets the requirements in the interest of government. And so, we don't take it lightly. We do want to be careful if we move into that space to make sure that whatever type of system, we create is sound and is not challenged later and that our staff and the community understand how it would work and that it has the intended benefit.

**Board Member Sexton:** Mr. Chairman one last point, if I may? I appreciate all your comments on that very much. I appreciate what you're saying, and I hear what you're saying, I agree with the intent that you're trying to get to, I guess. I'll leave it at that. Thank you.

**Chair Hansen:** Thank you. So, at this point, I'd like to outline the four what I believe are the four choices that we have. Board Member Wick.

**Board Member Wick:** Thank you. First, I want to make sure that you understand. I don't believe that y'all made this look horrifying for any particular purpose other than to outline what would be required. So, I want to make that clear and I appreciate your work on that. I do want to remind everyone that some time ago we were provided a study by an outside company that spent a lot of time, energy, resources, money, which outlined that the residency requirement is not equitable, it's not inclusive and I feel like we have not talked about that in a number of months, and it was very substantial, significant, and very clear on the results. I want to outline that for appointed positions, police and fire, there's no residency requirement. I want to address the issue that you can put any address on an application. And I'm not saying people are going to purposely cheat, but in an economy where people are desperate for work, sometimes people do desperate things. So that can happen. In veterans preference, there is a federal document that comes to you to verify and prove that you are due veterans preference versus writing an address on an application. I want to talk about even the ability to live in the City of Tacoma is unaffordable for a large portion of the population, because they've been priced out and so because they can't afford to live here, they wouldn't be able to work here. I want to talk about the fact that labor supports alternative one and to continue a blanket waiver. I want to talk about the fact that for the vast majority since this existed, we have had a blanket waiver. We have been undergoing this study since July of last year. And I feel like we are going down rabbit holes that really aren't applicable to the actual question at hand. And I think we need to get back to that question and I think we need to take action because I believe we've wasted enough of staff's time.

**Chair Hansen:** Ok

**Board Member Sexton:** Mr. Chairman, I remembered where I was going earlier. If I may just wrap up? My only point, my last point was that you know, I appreciate all the

work and everything you've said and done and the comments by the board. Here's the one thing though, the big thing for me I think is, so I appreciate what you said about the process for alternative two. You know, we've really got to maintain the high standards in the process and go through everything and do everything right. I appreciate that. I don't know why we don't see that for alternative one, you know, oh, it's a blanket waiver stamp. It's done. You know, I don't see why we don't have the same process, you know of review and study and send it to the City Council and everything else that we do with alternative two. Why aren't we doing that with alternative one? Thanks.

**Chair Hansen:** At this point I would like to outline the four choices as I see them as to what we have to vote on tonight. If someone sees some other alternatives, then let me know. So, before us, we have so far, no blanket waiver, a blanket waiver, a point system preference and then the ongoing waiver for certain positions only, which sounds at this point to be maybe a bit unworkable. I don't know if others agree with me on that point or not. But my impression of the list was that the list seemed to swallow the; the acceptance seemed to swallow the rule. And you're saying we really worked at that and tried to pare it down and it just didn't seem like it was something that that we could do then with any kind of credibility. So, we might want to eliminate that one unless someone objects to that. So, we have three. And what I'd like to do is kind of open this up and let us continue with this discussion if there's some further comments on these issues. And I basically as far as I'm concerned, I would echo Board Member Sexton's comments. You know, I'm not trying to wave the flag and talk about truth, justice, and the American way, but I do believe that that the that we should follow the will of the voters. The voters voted in favor of this by a 67% majority to me, we live, we live in a democracy. We have to follow the will of the voters and I know it; it creates problems. It's not my personal preference, but it's something that that I believe that we have to follow because it was put before the voters and the voters voted on it. That's going to require some more time if that did pass and we don't know that yet obviously that would require more time for us to meet perhaps you know, two times a month instead of once a month. And I, you know I'm thinking and I, I made down the road ask if we want to vote on meeting more often because we're doing a lot more now than we did before. You know before my experience was, we voted on waivers, and we were in and out of here in about 10 minutes. We are doing more work at this point, and I know Director Fritz has a considerable number of issues that she wants to begin discussion on, but those are my feelings. Do we have some other comments about the other alternatives the blanket waiver or the point preference? So, anyone want to speak in favor of...

**Board Member Klein:** I do have a question of clarification based on a statement that the Chair made because I believe I've heard a little bit different interpretation and maybe Director Fritz is the person to answer. But wasn't the vote question a convoluted question where you could have been voting on should we be hiring American citizens that happen to live in Tacoma. To absolutely say people voted specifically on Tacoma people should get, you know, should have to live in Tacoma. That wasn't the question.

**Human Resources Director Fritz:** My recollection is that it was a package in 2014. The vote was let me ask my legal expert who probably really remembers.



**Deputy City Attorney Jennifer Taylor:** Thank you. Yes, 2014. I'm looking at the proposed amendment now. I pulled out my War and Peace that I wrote on residency a few years ago. 2014 voters were asked to eliminate section 6.3 in its entirety, and that would have eliminated both citizenship and residency as a requirement for City employment. They were both in the same subject question. So, if I understand the board members question, Board Member Klein, yes, they were both in the lump with the same question. So, I don't know...

**Board Member Klein:** And we don't know whether the majority the reason it passed is because people thought working in my community you should be an American citizen and it, they might not have even. The other part of the question wasn't as driving to them as that was and we don't know.

**Deputy City Attorney Jennifer Taylor:** But I would agree with that. I don't think that there's any way of knowing given the way that the question was worded on the ballot. I would also like to say I understand we have a city appointed and labor appointed, but three folks were also elected.

**Chair Hansen:** Board Member Wick

**Board Member Wick:** I would also like to say I understand we have a city appointed and labor appointed, but three folks were also elected by our city to represent your best interests, knowing that you all are going to have more in-depth information than them as well to make an informed decision.

**Board Member Sexton:** If I may, it's just to clarify that the three, the three of us on my on my end here, we were elected by the public, by the people, by the residents of the City of Tacoma. I don't represent the City of Tacoma. I represent the residents of the City of Tacoma. I try to work in their best interest. You know, I love the city. I live here. I would never do anything to hurt or to harm the city, but I operate in the best interest of the residents of the city.

**Board Member Heller:** Thank you, Chair Hansen. Just a couple questions. And maybe my first is for Jennifer. Miss Taylor, uh, you talked about the 2014 ballot proposal based on the charter commission's work. Wasn't there a prior proposal of the Charter Commission prior years? What was that 2008 or something?

**Deputy City Attorney Jennifer Taylor:** There was a first initially in 1992 there was a charter amendment which was proposed which would have eliminated citizenship as a requirement for eligibility of employment. Then there was also an amendment which would have eliminated the prohibition against hiring City employees or against from City employees holding other public offices. Residency was not put before the voters in 1992. The citizenship component of 6.3 remained. Removing that did not pass in 1992. In 2004, the amendment to there was a proposal to amend 6.3. That again was just to address the narrower question of whether City employees could hold other public offices. And then there was some gender-neutral changes to the charter. That one did pass, so therefore City employees could hold other public offices. And then and again residency was not addressed on that and then we had the 2014. But again, when I

looked at that again because the language in that question was tied to citizenship and then you have the history that the voters the vote in 1992. So yeah, so residency itself as a standalone proposition and whether that should remain in the charter has never been put to the voters as a standalone question.

**Board Member Heller:** Thank you. And my second question, I just want to clarify, I think that this chart is and the chart I'm referring to is the alternate two process steps is very comprehensive and covers everything that we should probably even ever think about. And I think it was well thought out and put together, but for the absolute bare bone requirements, and maybe Miss Taylor can correct me if I'm wrong, but it's my understanding for the bare bone requirements that any the City can put forward a rule change proposal, any Board Member can put forward a rule change proposal and it needs to go through a first hearing, first reading of the Board, a second reading of the Board, a of vote of the Board. And then should it pass, it would then go to the City Council for a similar type format.

**Deputy City Attorney Jennifer Taylor:** You're taxing my memory of the rules, but as I recall, and I'm sure that I'll be flagged down wildly by HR, once the Board has passed its own process as outlined in its rules on a proposed change, it goes to the clerk's office and then the clerk's office will put it on to the City Council. Again, this is my memory of the charter, the city council's agenda. They will have the authority to either pass it or they can by 2/3 amend, reject, add to and their process will be followed. So, because as you know they ultimately will make the decision on the personnel rules, even if it's whether they generate it, and it comes to you for review or whether you generate it and send it to them for review.

**Board Member Heller:** Absolutely.

**Deputy City Attorney Jennifer Taylor:** And it's been a while

**Board Member Heller:** It's been a while since we've done this. And our process at the minimum requirement is to have a first reading, a second reading, and a vote of the Board.

**Deputy City Attorney Jennifer Taylor:** I believe. So, yes, I think I would have to look at our rules, which I don't have in front of me. But if you give me five minutes, I'll see if I can't pull them up online.

**Board Member Heller:** Thank you.

**Chair Hansen:** Ok. I haven't heard a lot about a blanket waiver. Is anybody in favor of that? And would they like to speak to that issue?

**Board Member Wick:** I'm in favor of that. And I believe my prior comments speak to that.

**Chair Hansen:** Ok. So, we have the three things to vote on, now this is going to be tricky.

**Board Member Sexton:** Mr. Chairman

**Chair Hansen:** Yes.

**Board Member Sexton:** Is there any chance that the board would consider my alternative to number one? Just the first item where the nature of the employment requires residents outside the city and then dropping the best interest of the city.

**Deputy City Attorney Jennifer Taylor:** May I speak to that very briefly? That would be you taking power away from the Board is authorized specifically in the charter. The charter specifically gives the Board the authority to waive the residency requirement. So, you would actually be taking a tool out of your toolbox. And then you would be running, risking running afoul of the charter if you were to do that on that amendment 1 to alternative one, thank you.

**Board Member Sexton:** Well, so what's the difference between taking out the best interest of the city or leaving it in?

**Deputy City Attorney Jennifer Taylor:** You wouldn't be hearing any; the only time that they would be able to come to you then is if the under your proposal, if I'm understanding what you're saying correctly, is if ...

**Board Member Sexton:** So, so, all I wanted to do was just make it so we're just talking about umm, people that worked outside of the city. I believe that's what it says, right?

**Deputy City Attorney Jennifer Taylor:** If I'm understanding you correctly, and I may not be understanding what you're aiming at, but I'm trying to understand. If you take out and that the Civil Service Board may waive residence requirements only when the nature of employment requires residents outside the city. That is what I'm hearing. Your proposed alternative blanket waiver be, which means that that

**Board Member Sexton:** Well, no, no.

**Deputy City Attorney Jennifer Taylor:** Ok then, then I'm, I'm misunderstanding what I thought you said you wanted to take off that one. Otherwise serves the best interest of the city.

**Board Member Sexton:** So, ok, ok, look, maybe cutting and pasting doesn't work there, I don't know. But my intent is what I was thinking was I'm Ok with the blanket waiver if it's just for the people that don't work inside the city.

**Deputy City Attorney Jennifer Taylor:** So, you're requiring, then you would be requiring HR to come before you every other time.

**Board Member Sexton:** Yes, yes, yes and everything else would stay the same.

**Deputy City Attorney Jennifer Taylor:** Again, you have the authority under the charter specifically to waive when it is in the best interest of the City. In taking off attorney hat and putting counselor hat on, there is a natural outcome of that where somebody might be the best candidate because they've been in a temporary position. They're coming in for an appointment.

**Board Member Sexton:** I was just...

**Deputy City Attorney Jennifer Taylor:** But they're not

**Board Member Sexton:** (talking over each other) just looking at the people that were working outside the city. That's all I was thinking about.

**Deputy City Attorney Jennifer Taylor:** Ok

**Board Member Sexton:** It's just that the interest of the city just seems too broad to me. It seems like that can mean anything they want it to mean whenever they want it to mean something. This hire was in the best interest of the city. This hire was in the best interest of the city. If we can narrow that down. You know I can't support that the way it is, it's just too wide open.

**Chair Hansen:** Well, let's talk about the motions though for the alternatives right now. Did you want to articulate a motion at this point, Board Member Sexton?

**Board Member Sexton:** you know counsel has me confused here.

**Chair Hansen:** Why don't you articulate a motion and have counsel tell you whether its legally kosher

**Board Member Sexton:** Where the nature of the employment requires residents outside the city. I'm fine with that. I'm fine with that. You know if we could cut that out...

**Chair Hansen:** I don't think that's something that we can address because that is codified, isn't it? That phrase, I mean, we can't change that in this process, right?

**Deputy City Attorney Jennifer Taylor:** Well, 6.3 again, when it's deemed in the best interest of the City, yeah, that's when you have the authority.

**Chair Hansen:** Is that 6.3, the charter?

**Deputy City Attorney Jennifer Taylor:** Yes

**Chair Hansen:** So, we can't mess with that. Ok, so just let's just take that off the table, Ok?

**Board Member Klein:** If I could change direction from a moment. It's just something that has been on my mind in relation to this that I just would like to emphasize from my own experience. I think some comments were made earlier that were heartfelt and valid

in terms of concern about the City of Tacoma meeting its diversity, equity, and inclusion responsibilities. But what I found working for the city for the many years I did when we attempted often times to go outside the area because we could not find line electricians, meter techs would go to Oregon, California find people of color that were interested in the job and the benefits. But when they find and specifically when they found out, it would require them to live in the City of Tacoma. And often times they had spouses that if they moved up here would look for employment and that employment might be in Seattle, it might be in Olympia, where they would want to live midway between. We continued to lose over and over again what would have been great additions of people of color to the utility because of this requirement. So, I don't when somebody conflates that this is a great requirement for helping to add people of color to the city, I think it's actually a detriment.

**Board Member Sexton:** So if I may Mr. Chairman. Let me let me try to address that. I appreciate your concerns Board Member but let me say my concerns have been you know the population of the City of Tacoma is not represented by the City of Tacoma. If the population of the City of Tacoma is 40% nonwhite and right now the workforce of the City of Tacoma is 80% white, I think the issue you're addressing you know Mr. Allen, I think addressed by qualifications. You know, if you have to, you know, look outside of the city to find someone qualified for the job, that's one thing. But if there's people inside the city that are qualified for the job, I think we should look there first. That's all I'm saying.

**Chair Hansen:** Do we have a motion on any of these three alternatives from any board member?

**Board Member Wick:** I have a motion.

**Chair Hansen:** Thank you.

**Board Member Wick:** I make a motion that we continue with a permanent blanket waiver.

**Chair Hansen:** Is there a second to that motion?

**Board Member Klein:** I'll second.

**Chair Hansen:** All in...

**Board Member Heller:** Discussion.

**Chair Hansen:** Oh, well, Ok. I thought we, I thought we had discussion, but Board Member Heller

**Board Member Heller:** Now that we have a motion on the floor, I just have a couple questions. Hopefully our legal counsel can provide some guidance on this one. For a permanent blanket waiver rather than a time limited or temporary or in case by case would we not need a rule change as well?

**Deputy City Attorney Jennifer Taylor:** I don't think you do. If you adopt a waiver that actually says that you've deemed it to be in the best interest of the city to do, to keep it in place, that is memorialized. It's part of the minutes. I do not think that requires a rule change. Moreover, the residency thing is really part of the charter. So, it wouldn't require a change to 1.24. And as you know, because of your longevity on this board and having been through it, there is pretty much a permanent waiver in place for the appointive positions. The only time I think in the last; that's been in place for like 23 years, the current one.

**Board Member Heller:** Yeah. But the appointive positions are part of the classified service.

**Deputy City Attorney Jennifer Taylor:** That is that is correct. That is correct. But I think I'm only using it as an illustration that there would not be any correlating change because if the Board were to adopt the waiver or extend the waiver, you simply need to have it outlined and it can be done and memorialized in a document that Miss Lance would probably have the pleasure of finalizing for the Board, but I would certainly be happy to assist. But yes, so I don't think it requires a rule change on that.

**Board Member Heller:** And while I have you, did you have time to look at my question about the streamlined what's required of the process of the Board?

**Deputy City Attorney Jennifer Taylor:** No, because I don't have access to that online and I have them upstairs on my computer, and if you're going to do a study session, I'm going to ask for 5 minutes to run up to my office and print out the last copy I have of the of the Board's internal rules. And I apologize, I don't keep it a notebook for the Board anymore, and I should probably put one together with all that. And I will do that for any future meetings where I have to cover. But I can certainly go up and get. If there have been no changes to your internal rules, I should have the most current copy.

**Board Member Heller:** Did we get you back regularly now?

**Deputy City Attorney Jennifer Taylor:** No. Well, I'm going to be flattered by that. That look on your face. No, Miss Lance is doing a great job and will continue to do a great job. But I'm always happy to fill in as needed.

**Deputy City Attorney Jennifer Taylor:** Right. I would have gone for that, but no. So. But I will certainly, I do want to loop back and get the answer to the question on the timeline. I just don't, as I sit here today, remember the specifics and I want to be able to give you an accurate response.

**Chair Hansen:** Any further discussion on Board Member Wick's motion? Do we have a second to that motion? Oh, I'm sorry. Ok. I'm sorry. Yeah. All in favor of the motion to enact a blanket waiver or permanent blanket waiver, say aye.

VOICE VOTE: 2 AYES, 3 NAYS, 0 ABS. THE MOTION FAILS.

**Chair Hansen:** Do we have another motion on the remaining two alternatives? Which is the blanket waiver and the point preference system.

**Board Member Wick:** Chair Hansen. Would the option one still stay in play if the word permanent were removed from; because it becomes a different animal if we just continued the blanket waiver for periods of time to be analyzed every three years or something like that? That's still, in my opinion, a blanket waiver remains an option with a different variable than permanent.

**Chair Hansen:** Well, that we didn't vote on that particular. So, you're actually, you're amending your motion, amending your motion and you want to; do you want to make another motion?

**Board Member Wick:** No. Well, you were striking that and moving on to the next one. So, I just wanted to say that blanket waiver from my perspective shouldn't be off the table, and I am happy to make an amended motion and state that I would make a motion to continue with a blanket waiver with intervals to be determined by the Board of some set time where we reevaluated on an ongoing basis and remove the word permanent.

**Chair Hansen:** Ok. Do we have a second to that motion?

**Board Member Klein:** Sure, I second.

**Chair Hansen:** Ok. Do we have discussion on that amended motion as articulated by Board Member Wick?

VOICE VOTE: 2 AYES, 3 NAYS, 0 ABS. THAT MOTION FAILS.

**Chair Hansen:** Do we have another motion for the two remaining alternatives, which is to have no blanket waiver, I think I misstated that initially before. So, the two remaining alternative that we have to vote on are, to not have a blanket waiver or to have a point preference system. Do we have a motion for one of those two alternatives?

**Board Member Klein:** Chair Hansen, I would make a motion that would continue the blanket waiver but establish a residency preference system.

**Chair Hansen:** Ok, do we have a second for that motion.

**Board Member Wick:** I second that

**Chair Hansen:** Do we have discussion on that motion? Board Member Heller.

**Board Member Heller:** So, I believe that the point preference system can complement but that's not required to be a linked to a residency waiver. I think it makes sense to consider it that way. I, like you have many concerns about doing away with residency. I think that the most appropriate way to do that, and I would fully support it is should the city put a ballot measure together and put it forward and give the voters the opportunity

to vote on a very clearly written charter change to make that point and not, you know, muddle the whole piece by confusing it and mudding the waters with multiple different points, but to have a single point residency only initiative put forward and let the people, the residents of the City of Tacoma speak. And you're right, many of you have spoken to, and I don't disagree, that our hiring process has changed dramatically since the 1950s and it's time to maybe consider it. But I know I sworn oath to uphold the charter as part of my role, and I'm not going to be here much longer, and whoever sits in my chair can vote however they so desire. But I feel obligated to uphold the oath of office that I took and taking on this role, if the people of the City of Tacoma vote to change that, I'm very happy to see that. I think it would give more flexibility. I think our hiring processes have changed, but until that happens, I have a hard time doing anything other than voting against a blanket waiver. However, that said, I did bring with me a potential rule change that I would like the Board to consider for a first reading.

**Board Member Klein:** And could, could we stick with the motion?

**Chair Hansen:** Yeah, we're not ready for that.

**Board Member Klein:** Yeah, yeah, could. If. If I could though I want to address what Board Member Heller said because I should have given her credit because as I understand this concept of this preference, you were one of the people that thought of at least exploring that. And then you also raised some interesting points about the fact that we would be going into an area that is untested. We haven't done it before. You have some other ideas for some longer term, better approaches to solving a problem. So, then I thought of Board Member Wick's motion. What if I amended my motion to put in place of ...continue with the blanket waiver for up to three years at the discretion of us but establish a residency preference system. So, the idea is we would try the residency preference thing. Get some experience with it while we explored, say, this next topic or issue that is being brought up.

**Chair Hansen:** Well, before we get deeper into this, I think we do need a legal clarification from Miss Taylor. Is that can we have a point preference system without a blanket waiver?

(Talking over one another)

**Deputy City Attorney Jennifer Taylor:** There's a whole bunch of things moving on right now. First of all, there's no, there's nothing on the agenda about a proposed rule change to be voted on tonight. So not that I see. I know that there's a study session. So, I want to put that concern out there and I would like an opportunity to be more fully prepared how to advise this Board to be acting legally. As you know, I'm stepping in and I haven't done this for three years at least. So, I want an opportunity to get some more information from my office to address this putative motion that's coming up.

**Chair Hansen:** We're not going to do a real change tonight. No.

**Deputy City Attorney Jennifer Taylor:** Thank you. I appreciate that. Second, yes, you can certainly time limit the blanket waiver and however you want to structure it as Board



Member Klein is outlining to allow time for a residence preference system to be developed, passed put into play and data to be gathered from that. I don't know when the next charter change; I don't know, is there one in place right now, next year? I don't know whether it's already the topics have already been decided.

**Chair Hansen:** Can I ask you real quick; so, if legally we don't need the blanket waiver to have the point system, then why worry about the three-year limitation?

**Deputy City Attorney Jennifer Taylor:** Well, I'm just answering Board Member Heller's I'm sorry, Board Member Klein's question, but you don't you don't necessarily need one. I will leave it to HR to just to explain whether they might feel one would be helpful as they're developing this so. Because in the meantime, you'll have people having to be coming before this, this body.

**Chair Hansen:** Ok. Thank you.

(Talking over one another)

**Chair Hansen:** So, are we going to have an amendment to this? Just let me Ok, are we going to have an amendment to this motion? Is that what we're looking for?

**Board Member Klein:** I have a sense it will go down and so I tried to find a compromise to address Board Member Heller's concern that she thinks a better long-term solution. But this would give us an interim solution, give us the experience of seeing if there's any value to this which could inform a committee that's looking at revising the charter. But I would only want to revise it if I had a sense that it anybody cared. If they don't then let's just vote it down and move on.

**Board Member Heller:** So, I just want to clarify two things. One, I don't think we can put a point system in place without a rule change. We can't do that by motion. We have to have a rule change that would allow us to do it. Am I wrong Miss Taylor?

**Chair Hansen:** Well, I mean I we have to vote on the alternative that we're going to follow. So, we're not that we're not going to, we haven't voted on this yet, right?

**Board Member Heller:** No, we can't vote on this. So, what I was intending in passing this out was to put it before the board so that it could be set forward for a first reading at our next meeting.

**Deputy City Attorney Jennifer Taylor:** I'm not prepared to give you legal advice on that as we sit here to right at this moment.

**Board Member Heller:** I hear you.

**Deputy City Attorney Jennifer Taylor:** Ok.

**Board Member Heller:** So, by passing it out though, for the Board's review, we've not put it on the agenda. We're just reviewing something I've drafted for purposes of putting

it on the agenda at our next meeting, should we be able to do that? Once you review that?

**Chair Hansen:** Well, it seems to me that we're putting the cart before the horse because we haven't even decided if we're going to be using the point system and that's what we're going to be voting on.

Deputy City Attorney Jennifer Taylor: Well, a point system ultimately would have to be put into place by a personnel rule change. Trying to look at something now, I agree with your characterization. You are putting a cart in front of a horse that hasn't even been born yet. So, you may want to allow, and I understand, you know, there may be some time is of the essence from your standpoint. However, they have to come up with a system that has to be vetted first so that you can adopt a rule which has been put on the agenda and that has been vetted in conjunction with HR and their legal staff, and you and your legal advisor that the rule is going to withstand legal challenge because we have talked about some of the risks inherent in these kind of things.

**Board Member Heller:** So just a point of clarification on that. Is that not what the process of the first reading and second reading and process is, so that it can be pulled off at any given time as well? Because until we vote, until we vote, at the end of that process, that whole process is put in place as part of the vetting, shall we say? So that if there are any issues, it can be pulled back because until we vote on it, it's not a thing.

**Deputy City Attorney Jennifer Taylor:** No, you can have an appropriate study session so that you've ironed out your kinks without having a first reading. The Council does that once they you know, if there's going to be a complicated thing, you're aware of, you know, I don't do a lot of legislation with the council. I try to avoid it if I can help it. But I will say they don't just throw something on for a first reading without it having been reviewed by legal, without it having been drafted ahead of time in conjunction with their advisor. It's vetted around when it goes on for first reading. Certainly, council members may have changes, but just to get it on for a first reading, there's an immense amount of back work that's done.

**Chair Hansen:** You know I'm sorry but we're going to have to vote on this. And I, we just can't hold it up any longer. And if we get down to the point where we don't like the way it's designed or like the rule then we're going to revisit this, and we'll have to go back to square one. But I'm sorry, we're just we're just going to have to vote on this and get this done.

**Board Member Klein:** So, my original motion, I didn't amend it, so it stands.

**Chair Hansen:** Ok. So, let's just have you restate your original.

**Board Member Klein:** Simply continue the blanket waiver but establish a residency preference system.

**Chair Hansen:** Ok, and we did have a second to that. Do we have any further discussion, before we get a vote on it. Ok, all in favor of the motion just articulated by Board Member Klein, say aye.

VOICE VOTE: 2 AYES, 2 NAYS, 1 ABS

**Chair Hansen:** Ok, well, that's just in an interesting position here because we don't have a decision.

**Board Member Heller:** A tie fails though

**Chair Hansen:** Ok. So, the next alternative is a blanket waiver. I'm sorry, not a blanket waiver. No blanket waiver. Do we have a motion in favor of the no blanket waiver option?

**Board Member Heller:** I would move not to pass a blanket waiver. I know that's double negative. I mean, do we need a motion to not make a motion to not pass a rule? We don't have a blanket waiver right now.

**Chair Hansen:** We're voting on whether or not to have no blanket waiver and for us to consider whether or not we should waive the residence requirement for a particular position. So, we're voting on whether or not we want to do that.

**Deputy City Attorney Jennifer Taylor:** If you have a blanket waiver already in place, if I may

**Chair Hansen:** No, we don't have a blanket waiver or we're voting on not to have the blanket waiver.

**Deputy City Attorney Jennifer Taylor:** I was told you have a waiver in place currently.

**Chair Hansen:** Right

**Board Member Sexton:** So, we need to repeal the blanket waiver if we want to not have a blanket waiver.

**Deputy City Attorney Jennifer Taylor:** Right.

**Board Member Heller:** So, I would move to repeal the blanket waiver.

**Chair Hansen:** Ok

**Board Member Sexton:** Second.

**Chair Hansen:** Ok, any discussion on that motion?

VOICE VOTE: 3 AYES, 2 NAYS, 0 ABS. MOTION PASSED.

**Chair Hansen:** So, we're repealing the blanket waiver. And that's our decision it looks like. So, like I say, that may require us to meet more often than once a month. And the problem that HR will have is that they will offer a position to someone, say on September 1<sup>st</sup>, and then; that's not a good example. Let's say you know they offer a position September 8<sup>th</sup> and the next time we meet is October 8<sup>th</sup>. And so that's going to be difficult for them because a person is not going to want to wait a month to find out whether or not they're going to get the position. So there has to be we're going to have to probably meet at least twice a month in order to allow you to have less than a month before someone can find out whether or not they're going to have a position. Director Fritz.

**Human Resources Director Fritz:** Is there an alternative to the, well, first I'd love to ask you to reconsider to see if there is another compromise that we could potentially discuss. But if we're moving forward with requesting residency waivers, is there some alternative that we could put in place to get a more rapid review by the Board without having to call a special meeting every time?

**Chair Hansen:** My understanding from our legal advisor, I think Miss Lance said that we had; maybe I did not recall that correctly, but I thought she said we'd have to have a meeting to enact a waiver for a particular position. I'm not sure if I'm correct on that or not.

**Deputy City Attorney Jennifer Taylor:** You have to have a meeting. Well, I think the Board has to take a vote if you're going to be adding more meetings. I will need to double check the rules the rules to see whether you need to change your rules to meet more than once a month because you may have changed those. So that will also require additional time to get that done if you're going to be meeting more.

**Chair Hansen:** I think just look; I'm just going to go through. I think if we did decide to actually have a regularly scheduled meeting twice a month that that's something that we should vote on as a group obviously. And but how about having special meetings?

**Deputy City Attorney Jennifer Taylor:** You can have special meetings as long as they're noted in accordance with the OPMA. You have to give 24-hour notice. Because then the city has to notify the paper of record, which I believe is Tacoma Daily Index. And so, you can set a special meeting and as you know, you can only do no business beyond what is on the agenda for that special meeting. So, if it is for a waiver of a residency requirement, that is the only business that will be before the Board on that at that special meeting.

**Chair Hansen:** And then we could all meet by Zoom.

**Deputy City Attorney Jennifer Taylor:** I don't think there's any prohibition to that. Ok, we do have. Ok yeah, I was not your advisor during COVID, so I know that a lot of those processes were vetted, but I think that you could meet via Zoom, but there will have to be staff here to open up even if all the board members are on Zoom because the emergency has ended. So, we have to have a room. And then I don't know in terms of what kind of; I know that the Board has had some hybrid meetings where some have

been some Board Members have been present. I don't know what kind of procedures the Board developed for that.

**Board Member Heller:** So, I think it makes sense to have more meetings. I don't believe, but I could be wrong as well, that we have any prohibition about how often we meet.

**Deputy City Attorney Jennifer Taylor:** I just have to look at the rules.

**Board Member Heller:** Right. So, it makes sense to me that truly, I don't think the goal is to hamstring the HR department in their hiring processes and we know we've had very brief meetings for purposes of just passing through the bare minimum of what there needs to be and doing a special meeting. I mean, we've had five-minute, seven-minute meetings in the past and doing one via Zoom, and it also doesn't have to be so late in the day as well. Doing one via Zoom, or TEAMS or whatever online format is functioning. We could creatively try to, you know, make it more functional. Weekly special meetings with a monthly or bimonthly. Not bimonthly, monthly, or twice a month in person meeting as needed. If we announce those and do those for the time being until we get all this stuff ironed out, we can always cancel them if we don't need them. That's easy. And then you have them should you need them. A thought.

**Human Resources Director Fritz:** I would like to respectfully ask for some time for us to work with our hiring managers and others in the HR Department to figure out how this is going to work and make sure that we have a good system in place for reviewing residency and making sure that we're bringing forward good proposals to you as well. Would the Board be willing to extend the blanket waiver until the end of the year? To allow us to do this?

**Chair Hansen:** I have no objection. Does any other board member have an objection?

**Board Member Heller:** I think I can live with that as well. Truly, my issue is not to make life more difficult but to get to the process and make sure that we're both A upholding the charter and B doing what's necessary. So, I think I could live with that. That's a very limited time, temporary blanket waiver that I could support.

**Board Member Sexton:** That's a set period of time till the end of the year or the 1st of next year, yeah.

**Deputy City Attorney Jennifer Taylor:** So just the motion has been amended. Is there somebody moving to amend it just to extend the blanket waiver?

**Board Member Sexton:** I will move that we grant the city's request to extend the blanket waiver throughout 2023 till the end of the year.

**Chair Hansen:** Do we have a second to that motion?

**Board Member Heller:** I'll second it.

**Chair Hansen:** Do we have any discussion on the motion?

VOICE VOTE: 5 AYES, 0 NAYS, 0 ABS. THE MOTION PASSED.

**Board Member Heller:** I still would like to pass out my idea so that people have a chance to look at it and consider it and think about it, so that we can then look at what our rules are and consider setting it forward at our next meetings. Full meeting.

**Chair Hansen:** Ok, thank you. I appreciate that. And, maybe for the agenda I think we should vote on...

**Board Member Wick:** Chair Hansen, weren't we advised by legal counsel that this probably isn't what we should be doing?

**Chair Hansen:** No, we're not. We're not voting on this. This is just something for informational purposes only at this point.

**Board Member Wick:** No, I understand that. But I thought that we still heard from her that this was not the appropriate process.

**Deputy City Attorney Jennifer Taylor:** I think it is not the appropriate process, but if she wants to provide it to you for information only, the Board's not taking action on it.

**Board Member Heller:** Absolutely.

**Deputy City Attorney Jennifer Taylor:** I've advised that I don't think it's on the agenda and it's not appropriate.

**Board Member Heller:** I have a copy for you Shelby

**Chair Hansen:** And I would, but the court; I'm sorry I don't know your name. If, if you could put on the agenda for next time voting on whether to have meetings twice a month and I do like Board Member Heller's idea of having scheduled meetings and then we can always cancel them. But I think we should all vote on that issue because it is changing our schedule. And so, I'd like to have all the Board Members vote on that. So, if you could make sure that that's on the agenda for next month, I'd appreciate that.

**Board Member Heller:** And I would say that you know as a board member I certainly have the ability to express myself and I could read this into the record, but I will spare us all and simply share it for informational purposes rather than go on a soliloquy and read it into the record. So plus, we just don't need to waste that much time.

**Chair Hansen:** No, I think it's important that we all have the opportunity to voice our opinions and maybe we're not all going to agree, we haven't agreed tonight, but we should be able to voice our opinions about everything. So, I appreciate your comments in that regard. Thank you.

**Board Member Sexton:** Mr. Chairman? Are we still going to have that study session?

**Chair Hansen:** No, I think it's important that we all have the opportunity to voice our opinions and maybe we're not all going to agree, we haven't agreed tonight, but we should be able to voice our opinions about everything. So, I appreciate your comments in that regard. Thank you.

**Board Member Sexton:** Mr. Chairman? Are we still going to have that study session?

**Chair Hansen:** Yeah. I mean, unless people are so worn out that they are, and you're not in your head and you've worked; been working all day, Director Fritz, I know that. And if we're all just burned out, maybe we all are. Everybody's nodding in their head.

**Deputy City Attorney Jennifer Taylor:** It's my daughter's first day of school, so I'd like to go home and see her.

**Chair Hansen:** Yeah, I understand that. Yeah. Having my own. I remember that myself with my daughter. So that's a very important day. So, do we have a motion to adjourn?

**Board Member Klein:** So moved.

**Board Member Heller:** Second.

**Chair Hansen:** All in favor say aye.

**Board Member Sexton:** Ok. I never heard from our coordinator.

**Anna Burgos:** Nothing this evening.

Meeting adjourned: 6:50 PM

ATTEST:



Eric Hansen, Chair



Wendy Hobson, Coordinator