



CIVIL SERVICE COMMISSIONS

Civil Service Commission
Commission Chair Mary Wideman-Williams
Commissioner Joshua Werner

Staff
Andrea Scheele, Executive Director
Teresa Jacobs, Executive Assistant

CIVIL SERVICE COMMISSION SPECIAL MEETING AGENDA

The agenda is subject to change to address immediate Commission concerns.

DATE: Monday, January 23, 2023

TIME: 2:00 p.m.

LOCATION: WebEx and CSC Hearing Room, 16th floor of Seattle Municipal Tower.

To attend in person, request access to the 16th floor from SMT security at building entry and follow the signs on 16.

Join from the meeting link

<https://seattle.webex.com/seattle/j.php?MTID=mc8cb1d560cadbbff7be4c0c87da0e20>

Join by meeting number

Meeting number (access code): 2490 000 2665 Meeting password: v3Z5FVw8GJ7

Tap to join from a mobile device (attendees only)

+1-206-207-1700,,24900002665## United States Toll (Seattle)

+1-408-418-9388,,24900002665## United States Toll

Join by phone

+1-206-207-1700 United States Toll (Seattle) +1-408-418-9388 United States Toll

Global call-in numbers

Join from a video system or application

Dial 24900002665@seattle.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

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**CIVIL SERVICE COMMISSION
MEETING AGENDA
January 23, 2023 @ 2:00 p.m.**

AUDIO/VIDEO TECH CHECK

CHAIR (CSC 2.05)

1. CALL TO ORDER
2. LAND ACKNOWLEDGEMENT
3. INTRODUCTIONS
4. PUBLIC COMMENT

ACTION/DISCUSSION ITEMS

5. APPROVAL OF MEETING MINUTES
 - November 7, 2022-Joint Meeting with PSCSC
 - November 21, 2022-Monthly Meeting
6. CASE STATUS REPORT and APPEALS UPDATE
7. CSC VALUES- Next steps
8. 2023 COMMISSION
 - Chair Nomination and Vote
 - 2023 Meeting Dates/Schedule Meetings that fall on a City holiday
9. COMMISSIONER EVAN CHINN- ACKNOWLEDGEMENT and THANK YOU CSC
 - Council Appointment Vacancy

STANDING ITEMS

10. DEPARTMENTAL AND BUDGET UPDATE
11. EXECUTIVE SESSION (May be cancelled if not needed)
12. OLD/NEW BUSINESS
13. ADJOURN

**NEXT CSC MEETING: February 20 @ 2 pm
END OF AGENDA**

CIVIL SERVICE COMMISSIONS

Public Safety Civil Service Commission

Commission Chair Stacy Connole

Commissioner Joel A. Nark

Commissioner Dorothy Leggett

Civil Service Commission

Commission Chair Mary Wideman-Williams

Commissioner Evan Chinn

Commissioner Joshua Werner

Staff

Andrea Scheele, Executive Director

Teresa R. Jacobs, Executive Assistant

Joint Special Meeting of the Public Safety Civil Service Commission and Civil Service Commission

November 7, 2022

Approved January 23, 2023 (PSCSC)

Approved January 23, 2023 (CSC)

1. CALL TO ORDER: Public Safety Civil Service Commission Chairs Stacy Connole and Civil Service Commission Chair Mary Wideman-Williams called the Special Joint meeting to order at 2:02 pm. The meeting was held via WebEx and in person at SMT 1679.
2. LAND ACKNOWLEDGEMENT: Commissioner Wideman-Williams opened with the land acknowledgement.
3. INTRODUCTIONS (In Attendance)

PSCSC Commissioners: Chair Stacy Connole, Commissioner Dorothy Leggett, Commissioner Joel Nark
CSC Commissioners: Chair Mary Wideman-Williams, Commissioner Evan Chinn, Commissioner Joshua Werner

Staff & Counsel: Andrea Scheele, Executive Director; Gary Smith, Assistant City Attorney
Teresa R. Jacobs, Executive Assistant

Public Safety Exams Unit: Rachael Schade, Police Exams Analyst, Yoshiko Grace Matsui, Fire Exams Analyst, Adelaide Alderks, Fire & Police Exams Analyst

Fire/Police/Guests: Dale Hitsman, Sr. Business Partner, SDHR, Anne Vold, Assistant City Attorney, Alyssa Pulliam, SPD HR Deputy Director

4. PUBLIC COMMENT: No members of the public requested to give public comment.

5. *Re:* EXECUTIVE DIRECTOR

- a. Performance Evaluation/Feedback-*Chairs Wideman-Williams & Connole*: Commission Chairs gave background on the annual evaluation of the Executive Director. Stakeholders and peers were invited to submit input on Ms. Scheele's work in 2022 and Ms. Scheele provided a self-evaluation. The commission agreed to meet with her again in six months to touch base on Ms. Scheele's performance.
- b. Merit Days Award (6 days max): Ms. Scheele described the City's merit days award program for employees in her classification. The merit days award is to reflect performance during the year. A maximum of 6 days may be awarded.
- c. Annual Wage Increase: Ms. Scheele described the Annual Wage Increase decision to the Commissions. The percentage increase has not been fully negotiated and agreed upon by the City and the Coalition of City Unions. The commission will decide by a yes or no vote on whether the Executive Director will receive the 2023 AWI.
- d. Salary Adjustment: Ms. Scheele stated a salary adjustment was requested to reflect the increased demands and level of contribution of her position.
- e. Reappointment of Term: The commission will consider reappointment of Ms. Scheele for a second three-year term.

6. EXECUTIVE SESSION

To discuss performance of a public employee (Performance Evaluation, Merit Leave, AWI/COLA, Salary Increase): The commission went into Executive Session at 2:21 pm The Executive Session ended at 2:45 pm an extension of the Executive Session began at 2:46 pm. The extension of the Executive Session ended and the commissions went back on the record at 3:11 pm.

ACTION ITEMS/ VOTES

- Executive Director Merit Leave (0-6 days): Commissioner Nark moved to award a Merit Leave of 5 days. Commissioner Leggett seconded the motion. The motion passed unanimously.
- Executive Director AWI/COLA (yes/no): Commissioner Werner moved to approve the AWI/COLA at 100%. Commissioner Nark seconded the motion. The motion passed unanimously.
- Executive Director Salary Increase: Commissioner Nark moved to increase the Executive Director salary by 3%. Commissioner Nark spoke on his own behalf and stated that by far and away Ms. Scheele is the best Executive Director the commissions have ever had.

Commissioner Nark stated Ms. Scheele came up to speed and that her body of work this past year during COVID was exemplary. The motion was not seconded. Commissioner Nark withdrew the motion. Commissioner Nark moved to increase the Executive Director salary by 2.75%. The motion was withdrawn. Commissioner Connole moved to increase the Executive Director salary by 2.0%. Commissioner Nark seconded the motion. The motion passed unanimously.

- Reappointment of Executive Director: Commission Chair Connole moved to reappoint Director Scheele. Commissioner Nark seconded the motion. The motion passed unanimously.

Ms. Scheele thanked the commission for their thoughtful deliberation and dedication to the commissions they serve. Dale Hitsman, HR business Partner stated he would submit the SPAF reflecting the changes to Ms. Scheele's salary.

7. OLD/NEW BUSINESS: There was no old or new business discussion.
8. ADJOURN: No other business was before the Commissions. Commission Chair Connole adjourned the meeting at 3:21 pm

Respectfully submitted 1/23/2023 for the PSCSC and CSC by:

Teresa Jacobs
Executive Assistant

Stacy Connole
PSCSC Chair

Mary Wideman-Williams
CSC Chair

End of Minutes

*Request for public records, including audio recording of meetings can be made through the City Public Records Request Center <http://www.seattle.gov/public-records>

City of Seattle Civil Service Commissions

Seattle Municipal Tower, 700 Fifth Avenue, Suite 1670 PO Box 94729

Seattle, WA 98124-4729 Tel (206) 233-7118, Fax: (206) 684-0755,

<http://www.seattle.gov/CivilServiceCommissions/>

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CIVIL SERVICE COMMISSIONS

Civil Service Commission
Commission Chair Mary Wideman-Williams
Commissioner Evan Chinn
Commissioner Joshua Werner

Staff

Andrea Scheele, Executive Director
Teresa R. Jacobs, Executive Assistant

November 21, 2022
Civil Service Commission Special Meeting Minutes
Approved: January 23, 2022

1. **CALL TO ORDER:**

Commission Chair Mary Wideman-Williams called the meeting to order at 2:00 pm. The meeting was held via WebEx and in person in the Commission's Hearing Room 1679 at SMT.

2. **LAND ACKNOWLEDGEMENT:**

Commission Chair Wideman-Williams opened the meeting with the Land Acknowledgment-*The City of Seattle Civil Service Commission acknowledges that we are on the traditional land of the first people of Seattle, the Duwamish. We honor with gratitude the land, and the Duwamish people, past and present.*

3. **INTRODUCTIONS**

Commission: Commission Chair Mary Wideman-Williams, Commissioner Evan Chinn, Commissioner Joshua Werner

Staff & Counsel: Andrea Scheele, Executive Director; Gary Smith, Legal Counsel, Teresa Jacobs, Executive Assistant

Guests: Annemarie Stewart, HR Interim Strategic Manager, Gabrielle Sivage

4. **PUBLIC COMMENT:** There was no written or verbal public comment.

5. APPROVAL OF MEETING MINUTES

1. September 19, 2022- Monthly Meeting
 - October 21, 2022- Monthly Meeting

Commissioner Chinn noted a correction to the spelling of his last name. Commissioner Werner moved to accept all minutes with that correction. Commissioner Chinn seconded the motion. The motion passed unanimously. The minutes for September 2022 and October 2022 were approved.

6. CASE STATUS REPORT and APPEALS UPDATE

- ***Clemons v. SDOT, CSC 22-01-015***: Ms. Scheele reported that Mr. Clemons' allegation of discrimination was being investigated by SOCR, so his appeal was being held in abeyance by the CSC.
- ***Sivage v. SDOT, CSC 22-01-014***: Ms. Scheele reported that she issued a 1st Order on Prehearing Matters. CSC staff would work with parties and commissioners to schedule the three hearing days. Staff will contact commissioners regarding availability. Commissioner Wideman-Williams expressed that it would be helpful to receive a training from the Executive Director to help prepare to hear the appeal. Ms. Scheele stated she will build that training into the hearing preparation timeline.

7. RETREAT VALUES DISCUSSION

- **CSC Values discussion**: This item was carried over from the September 2022 meeting. Each commissioner took on one component of values and gave a statement on what they believed that core value to be. The commission went over each of the core values and will revisit the final draft and take a vote at the December meeting.
- **December Meeting and 2023 Meetings**: The commission will hold its December meeting December 12 at 2:00. The commission will hold its next meeting on January 23rd due to the third Monday falling on the MLK holiday.

8. EXECUTIVE DIRECTOR REPORT

Departmental Work and Budget Update: Director Scheele provided an update to the commission on ongoing departmental work and budget. **PSCSC Rulemaking**: Ms. Scheele notified the commission that at its November 16th meeting the PSCSC voted on Rules of Practice and Procedure and the rules were approved. They will be filed with the Clerk's office and published to the website. **Additional Position**: Ms. Scheele notified the commission that she advocated to have the City Council reconsider the position for 2023. The request was

approved and will move forward to the Mayor's budget. The position will continue to move forward classification and establishing the scope of the work of the position. **PSCSC:** Ms. Scheele informed the commission that there are number of disciplinary appeals before the PSCSC. **Employee Elections:** Ms. Scheele notified the commission that new legislation will be put forth by the Clerk's office to change the Employee Elections for PSCSC and CSC Commissioners to Ranked Choice Voting and establish a threshold for recount and runoff. **Budget:** The commission reviewed the budget document.

9. **EXECUTIVE SESSION (MAY BE CANCELLED IF NOT NEEDED):** The commission did not go into Executive Session
10. **OLD/NEW BUSINESS:** There was no Old/New Business.
11. **ADJOURN:** All other business before the Commission having been considered, Commission Chair Wideman-Williams adjourned the meeting at approximately 3:13 pm

Respectfully submitted on **January 23, 2023**, for the CSC:

Approved

Teresa Jacobs, Executive Assistant

Mary Wideman-Williams, Chair

FILED/OPEN:

CASE NUMBER	APPELLANT	RESPONDENT DEPARTMENT	DATE FILED	RULE/CODE	ISSUE	STATUS	PRESIDING OFFICER
23-01-001	Rogers	SDOT	12-21-2022	1.3.2 (D) Justifiable Cause	Discharge	TBD	
22-01-015	Clemons	SDOT	8-24-2022	5.01B, Personnel Rules	Discharge Appellant Alleges Discrimination	CSC Appeal In Abeyance until completion of Investigation by SOCR	TBD Discrimination Referred to SOCR
22-01-014	Sivage	SDOT	4-2-2022 (extension granted until June 10, 2022)	5.01B, Personnel Rules (multiple), SMC 4.04.070	Discharge	Under review by ED for jurisdiction and timeliness	TBD

DISMISSED/CLOSED:

CASE NUMBER	APPELLANT	RESPONDENT DEPARTMENT	DATE FILED	RULE/CODE	ISSUE	DISPOSITION
22-01-013	Griffith	SPU	3-28-2022	5.01B	Discharge	Settled / Dismissed
21-01-041	LaBelle	Parks	10-15-2021	5.01B	Discharge	1 st Prehearing held December 10, 2021 Respondent filed a Motion to Dismiss. ED sent an Order Granting Motion Dismiss-1-28-2022
22-05-001	Garza	SDOT	1-13-2022	P.R. 1.4, 1.5, 2.1, 2.2, 2.3, 3.2, 3.3, 3.5, 4.1, 4.3, 11; SMC 4.04.260(A) & PR 5.8.100 Abuse of Employee Evaluation Procedures, retaliation for concerted and protected employment activity	Performance Evaluation	Withdrawal requested. Dismissed

11-21-2022 CSC Values Discussion, continued

Our Values (Draft)

The principles that guide our work

- **Integrity** - We fulfill our charge as an independent quasi-judicial body committed to ensuring fair administration of our responsibilities
- **Equity** - We pledge to treating employees appearing before the commission with impartiality, fairness, and justice. The commission recognizes implicit bias and inequities are present in all social systems and works to eliminate them.
- **Accessibility** – We are open, available, and engaged with all employees who feel harmed by violation of the personnel rules and appeal to the Commission. We seek to reduce barriers to being heard and listen to employees who seek fairness in appeals of demotions, terminations, suspensions, and violations of personnel rules.

Rules of Practice and Procedure

City of Seattle

CIVIL SERVICE COMMISSION

Adopted: May 22, 2014

2.03 SELECTION OF CHAIR

The Chair shall be elected from among the Commissioners by majority vote for a one year term. A Commissioner may serve two consecutive terms as Chair.

2.04 DUTIES OF THE CHAIR - The Chair:

- A.** Shall preside over Commission meetings.
- B.** Shall rule on matters of parliamentary procedure.
- C.** Shall act as primary supervisor for the Executive Director.
- D.** May sign correspondence on behalf of the Commission.

2.05.1 ACTIONS OF THE CHAIR

The Chair's actions are subject to review and modification by a majority vote of the full Commission.

2.05.2 DELEGATION OF CHAIR'S DUTIES

In the absence of the Chair, the Chair's authority shall be delegated to another member of the Commission.

Memo

To: Civil Service Commissioners
From: Teresa R. Jacobs
Date: January 16, 2023
Re: 2023 Meeting Dates

Commissioners:

Below are the CSC meeting dates through December of 2023. As in the past, the Commission can accept the dates for the meetings and if conflicts arise, change the meeting date, or cancel. If the commission decides to defer a meeting, it can be addressed prior to the meeting date. Thank you.

February 20, 2023 (Presidents' Day Holiday)
Other Mondays 6, 13, 27

March 20, 2023

April 17, 2023

May 15, 2023

June 19, 2023 (Juneteenth Holiday)
Other Mondays 5, 12, 26

July 17, 2023

August 21, 2023

September 18, 2023

October 16, 2023

November 20, 2023 (Thanksgiving is November 23)

December 18, 2023

See attached for your information:

Office of the Attorney General; Chapter 3 Open Public Meetings Act

<https://www.atg.wa.gov/open-government-resource-manual/chapter-3>

WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL

Chapter 3 OPEN PUBLIC MEETINGS ACT

Chapter last revised: October 31, 2016

3.6 The OPMA Requires Notice of Meetings

A “meeting” under the OPMA is either a “regular” meeting or a “special” meeting, with different notice requirements for each. So, for example, a meeting designated as a “retreat,” “study session,” or “workshop” is, for OPMA purposes, either a regular or a special meeting, depending on how it is held.

A. Regular Meetings

The OPMA requires agencies to identify the time and place their governing bodies will hold regular meetings, which are defined as "recurring meetings held in accordance with a periodic schedule declared by statute or rule." [RCW 42.30.075](#). State agencies subject to the OPMA must publish their schedule in the [Washington State Register](#), while local agencies (such as cities and counties) must adopt the schedule "by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body." [RCW 42.30.075](#); [RCW 42.30.070](#). Although the OPMA does not require local agency governing bodies to meet inside the boundaries of their jurisdiction, there is general agreement that agencies should not schedule meetings at locations that effectively exclude the public. Other statutes may require certain entities to hold their meetings at particular locations, such as [RCW 36.32.080](#), which requires a board of county commissioners to hold regular meetings at the county seat, or at the alternate locations specified in that statute.

If a scheduled regular meeting falls on a holiday, it must be held on the next business day. [RCW 42.30.070](#).

The OPMA requires agencies with governing bodies to make the agenda of regular meetings available online at least 24 hours in advance of the meeting. [RCW 42.30.077](#). This requirement does not apply if the agency does not have a website or if it employs fewer than 10 full-time equivalent employees. Also, an agency can modify the agenda after it is posted online. A failure to comply with the notice requirement with respect to a regular meeting will not invalidate an otherwise legal action taken at the meeting.

Other laws and local governing body rules may require additional regular meeting notice and publication and/or posting of a preliminary agenda. See, e.g., [RCW 35.23.221](#), [RCW 35A.12.160](#).

B. Special Meetings

Whenever an agency has a meeting at a time other than a scheduled regular meeting, it is conducting a "special meeting." [RCW 42.30.080](#). For each special meeting, the OPMA requires at least 24 hours' written notice to:

- the members of the governing body, delivered personally, or by mail, fax, or email;
- media representatives (newspaper, radio, and television) who have filed a written request for notices of a particular special meeting or of all special meetings, delivered personally, or by mail, fax, or email; and
- the public, by posting on the agency website and by prominently posting it at the main entrance of the agency's principal location and at the meeting site if the meeting will not be held at the agency's principal location.

An agency is not required to post the public notice on its website if it does not have one, if it has fewer than 10 full-time equivalent employees, or if doesn't employ personnel whose job it is to maintain the website.

The OPMA does not provide any guidance as to whether the media's written request for notice must be renewed; it is advisable, however, to periodically renew such requests to ensure that they contain the proper contact information for the notice and have not been misplaced or inadvertently overlooked due to changes in agency personnel.

The notice of a special meeting must specify the time and place of the meeting and "the business to be transacted," which would normally be an agenda. At a special meeting, final disposition by the agency is limited to the matters identified as the business to be conducted in the notice. The statutory language suggests that the governing body could discuss, but not finally dispose of, matters not included in the notice of the special meeting.

A member of the governing body may waive the required notice by filing a written waiver or by simply appearing at the special meeting. *Estey v. Dempsey* (1985). The failure to provide notice to a member of the governing body can only be asserted by the person who should have received the notice, not by any person affected by action at the meeting. *Kirk v. Pierce County Fire Protection Dist. No. 21* (1981).

C. Emergency Meetings

The OPMA provides that, in the event of an emergency such as a fire, flood, or earthquake, meetings may be held at a site other than the regular meeting site, and the notice requirements of the OPMA are suspended during the emergency. [RCW 42.30.070](#). An agency should, however, provide special-meeting notice of an emergency meeting, if practicable. [RCW 42.30.080\(4\)](#).

The courts have found that an agency must be confronted with a true emergency that requires immediate action, such as a natural disaster, for its governing body to hold an emergency meeting that does not comply with the OPMA. It has been held that a strike by teachers did not justify an "emergency" meeting by the school board. *Mead School Dist. No. 354 v. Mead Education Ass'n* (1975).

D. Adjournments, Cancellations and Continuances

The OPMA establishes procedures for a governing body to adjourn a regular or special meeting and continue that meeting to a time and place identified in an order of adjournment. [RCW 42.30.090](#).

Less than a quorum of a governing body may adjourn and continue a meeting under these procedures, or the clerk or secretary of the body may do so if no members are present. Notice of the meeting adjournment must be the same that is required for special meetings in [RCW 42.30.080](#), and a copy of the order or notice of adjournment must be posted on or near the door of the place where the meeting was held. Although the OPMA does not address cancellations, presumably the same process could be followed in cancelling a meeting.

Public hearings held by a governing body may be continued to a subsequent meeting of the governing body following the procedures for adjournment in [RCW 42.30.090](#). [RCW 42.30.100](#).

See also [adjournment discussion](#) in [MRSC's Open Public Meetings Act publication](#).

Department Expenditures by Account and Month

Year (Multiple Items)
 Department CIVIL SERVICE COMMISSIONS
 BSL - Budget All Projects
 Fund ID An All Funds

		Values																	
		Adopted	Revised	January -	February -	March -	April -	May -	June -	July -	August -	September -	October -	November -	December -	YTD	Encumbrances	Available Balance	Percent Used
Account Grouping	Level Two	Budget	Budget	Expenses	ances	Balance	Used												
Expendit	Labor	406,411	445,399	29,025	38,538	52,304	32,405	32,409	29,278	25,653	47,605	32,836	32,829	32,474	43,255	428,612	0	16,787	96.2 %
	Non-Labor	195,146	310,146	11,295	15,051	17,626	14,930	15,700	14,834	16,672	15,515	14,245	14,711	14,908	16,598	182,085	0	128,061	58.7 %
Grand Total		601,557	755,545	40,320	53,590	69,930	47,335	48,109	44,112	42,325	63,119	47,081	47,540	47,382	59,853	610,697	0	144,848	80.8 %

Year 2023
 Department CIVIL SERVICE COMMISSIONS
 BSL - Budget All Projects
 Fund ID An All Funds

		Values																	
		Adopted	Revised	January -	February -	March -	April -	May -	June -	July -	August -	September -	October -	November -	December -	YTD	Encumbrances	Available Balance	Percent Used
Account Grouping	Level Two	Budget	Budget	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	ances	Balance	Used
Expendit	Labor	0	0	4,024	0	0	0	0	0	0	0	0	0	0	0	4,024	0	(4,024)	
Grand Total		0	0	4,024	0	0	0	0	0	0	0	0	0	0	0	4,024	0	(4,024)	