

ITEM 3A

Jacob Barde
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Via Email: HolguinML@elpasotexas.gov

Attn: Mary Holguin, CSC Recorder
The City of El Paso
Civil Service Commission
300 N. Campbell
El Paso, Texas 79901

Dear Commissioners,

As you will recall, at our previous meeting we (i) voted to adopt the substance of that certain policy proposal related to formal counselings (the "Policy"), (ii) asked Mrs. Ruhmann to draft the Policy as a CSC rule, and (iii) planned to ask the City Council to adopt the rule.

Next Thursday, I intend to discuss why we should not yet ask the City Council to adopt the rule. Thereafter, I intend to move the Commission to adopt the Policy, effective as soon as possible, and agree to ask Mrs. Ruhmann to convert the policy into a rule only after the Policy has been in place for at least six months.

It is my understanding that the sentiment driving the position that we should adopt this rule as soon as possible is that formal counselings have been a perennial concern of the CSC and certain concerned citizens and the CSC has previously failed to proffer a solution that balances the concerns of CSC, the City of El Paso and the citizens of El Paso (including members of the Civil Service). Therefore, the argument goes, we must grasp at as much progress as is possible as soon as possible, because if we don't, then we have somehow perpetuated the failure of our predecessors.

It is my position that instead of seeking to adopt a new rule, at this time we should implement the Policy as amended in our previous meeting, and as may be further amended next Thursday. We should continue to implement the Policy and continue to tweak the Policy as we see fit over the next six months or so. And then, only after we are comfortable that the Policy appropriately balances the interests of all relevant parties should we move the City Council to convert the Policy into a rule.

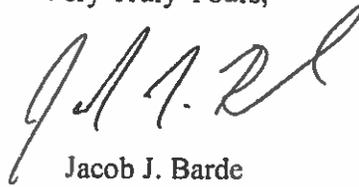
I take this position because I am concerned that without sufficiently testing the Policy, reflecting upon its effects, inviting interested citizens and the City of El Paso to comment thereupon, and tweaking the policy as a result of such testing, reflection, and comment, we may be on the verge of making law that does not accomplish its intended purpose.

Ultimately, I worry about unintended consequences and I am convinced that we can make progress immediately by adopting the Policy but waiting to make it a rule. Furthermore, I believe that we can improve the Policy through implementation and reflection over a period of months.

I do not write this letter to change your mind. Instead, it is my intention that this letter will give you a chance to consider my position in advance of our meeting. I hope that this will lead to a more healthy deliberation about the Policy and that we will ultimately arrive at a conclusion that appropriately balances the interests of all interested parties.

Thank you for taking your time to read this letter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'J. J. Barde', written in a cursive style.

Jacob J. Barde