

City of Tacoma

Charter Review Committee

April 15, 2024

5:30 p.m.

747 Market Street, Tacoma WA 98402, Conference Room 220-A

Dial: 253-215-8782 Meeting ID: 915 2560 1849

Webinar Link: <https://www.zoom.us/j/91525601849>

AGENDA

1. **Call To Order**
Roll Call
2. **Welcome**
3. **Approval of Minutes**
4. **Public Comment**
5. **Amendment Review – Action Item**
 - **Salary Commission RCW Conflict**
 - **Planning Commission**
 - **Initiative and Referendum**
 - **Campaign Finance**
 - **Ranked Choice Voting**
 - **Other Amendments**
6. **Staff Update**
7. **Other Business/Homework**
8. **Adjourn**

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Charter Review Committee

Recommendation Summary

Elections

Section 5.XXX Campaign Financing and Democracy Vouchers

Option 1

Brief Summary of Recommendation:

- Adds a new section 5.XXX to Article V, Elections, providing Council authority to enact ordinances to limit campaign contributions and expenditures.
- Specifies that the City has the authority consistent with state and federal law to enact ordinances to limit campaign contributions and expenditures.
- Requires enactment of ordinances related to limitations on campaign contributions and expenditures and to create a democracy voucher public financing program.
- Requires appointment of Elections Commission (or delegation of an existing body) by Council and Mayor to determine campaign the contribution limits and lobbying regulations and to implement the democracy voucher public financing program.

Committee Activity:

Amendment:

Section 5.XXX- Campaign Finance

In order to combat the potential for, and appearance of, corruption, and to preserve the ability of all qualified community members to run for public office, the City Council shall, in so far as is permitted by state and federal law, enact ordinances designed to limit contributions and expenditures by, or on behalf of, candidates for City elected office. Such ordinances may include but are not limited to:

- a) limitations on the amount, time, place, and source of financial and in-kind contributions to candidates, candidate committees and campaigns;
- b) financial or non-financial incentives in support of voluntary limitations on candidate, and candidate committee, and campaign expenditures; and
- c) development of public financing of campaigns, such as democracy vouchers.

The Mayor and Council shall appoint an Elections Commission or delegate an existing body to determine campaign contribution limits and lobbying regulations and to oversee the creation and implementation of a democracy voucher program.

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

Charter Review Committee

Recommendation Summary

Elections

Section 5.XXX Campaign Financing and Democracy Vouchers

Option 2

Brief Summary of Recommendation:

- Adds a new section 5.XXX to Article V, Elections providing Council authority to enact ordinances to limit campaign contributions and expenditures.
- Specifies that the City has the authority, to the extent consistent with state and federal law to enact ordinances to limit campaign contributions and expenditures and to create public campaign financing by democracy vouchers.
- Allows but does not require enactment of ordinances related to limitations on campaign contributions and expenditures and to create a public financing program.

Committee Activity:

Amendment:

Section 5.XXX- Campaign Finance

In order to combat the potential for, and appearance of, corruption, and to preserve the ability of all qualified community members to run for public office, the City Council may, in so far as is permitted by state and federal law, enact ordinances designed to limit contributions and expenditures by, or on behalf of, candidates for City elected. Such ordinances may include but are not limited to:

- a) limitations on the amount, time, place, and source of financial and in-kind contributions to candidates, candidate committees and campaigns; and
- b) financial or non-financial incentives in support of voluntary limitations on candidate, and candidate committee, and campaign expenditures; and
- c) development of public financing of campaigns, including democracy vouchers.

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

Section 2.3

Charter Review Committee

Recommendation Summary

Brief Summary of Amendment:

This amendment does the following:

- Changes the Salary Commission procedure to align with the requirements of RCW 35.21.015.

Committee Activity:

Insert date of vote and voting record for approval of recommendation

Amendment:

Section 2.3 – A Citizen Commission on Elected Salaries will determine the compensation and salary of the Mayor and each Council Member. The Commission shall set the salary and any salary changes for the Mayor and Council Members. ~~The salary and any salary changes set by the Commission shall be adopted by the City Council.~~ Any change in salary shall be filed by the Commission with the City Clerk and shall become effective and incorporated into the City budget without further action of the City Council or Salary Commission.

(a) The Salary Commission shall consist of seven members appointed as follows:

- (1) Five of the seven Commission members shall be selected by lot by the County Auditor from among those registered City of Tacoma voters eligible to vote at the time the persons are selected for appointment to the Commission. There shall be one member selected from each of the City's Council districts. The Auditor shall establish policies and procedures for conducting the selection by lot to be forwarded to the City Council for appointment.
- (2) The remaining two of the seven Commission members must be residents of the City of Tacoma and shall be appointed by the Mayor and confirmed by the Council. One person shall have experience in human resource management. The second person shall have experience in the legal profession.

(b) Members of the Commission may not include any public office holder, filed candidate for public office, officer, official or employee of the City of Tacoma or any of their immediate family members. For the purpose of this section, the phrase "immediate family member" means the parents, spouse, siblings, children or dependent relative of any officer, official or employee whether or not living in the household of the officer, official or employee.

(c) The terms of the Commission shall be as follows:

- (1) The terms of office for the members shall be three years, except initial appointment to the Commission shall be for the following terms:

- (2) For the members selected by lot by the Auditor, two shall be appointed to serve a one-year term, two shall be appointed to a two-year term, and the remaining member shall be appointed to serve a three-year term.
- (3) For the members selected by the Mayor and confirmed by the Council, one shall serve a one-year term and one shall serve a three-year term.
- (d) Upon a vacancy in any position on the Commission, a successor shall be selected and appointed to fill the unexpired term in the same manner as outlined in this section.

The Commission shall meet each year beginning in 2015 in one or more regular or special meetings to carry out its duties set forth in this section. ~~Determinations for any change in the salaries of these elected officials shall be filed with the City Clerk and transmitted to the Council for adoption no later than September 1 of the calendar year.~~

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

Charter Review Committee

Recommendation Summary

Section 2.20 (i)

Brief Summary of Recommendation:

- Change to Section 2.20 (i) to increase the number of days to collect signatures for a Referendum Petition from 30 to 90 calendar days

Committee Activity:

Amendment:

Section 2.20 – Citizens of Tacoma may ask that ordinances passed by the City Council, except for ordinances which take effect immediately as allowed in Section 2.13 of the Charter, or as otherwise prohibited by state law, be referred to the voters for approval or rejection by the following process:

- (a) The petitioners shall file a Referendum Petition with the City Clerk not later than ten (10) calendar days after the City Council approved the ordinance.
- (b) The filing of a Referendum Petition, and progression by the petitioners through the steps outlined as follows, causes the suspension of the effective date of the ordinance.
- (c) The City Clerk shall forward the petition to the City Attorney within one (1) working day of receipt.
- (d) Within ten (10) working days of receipt, the City Attorney shall review the petition and make contact with the petitioner as necessary, and if the petition is proper in terms of form and style, the City Attorney will write a concise, true, and impartial statement of the purpose of the measure, not to exceed the number of words as allowed under state law for local referendums. The statement will be phrased in the form of a positive question.
- (e) The City Attorney shall file this concise statement with the City Clerk as the official ballot title.
- (f) The City Clerk shall assign a referendum number to the ballot title and notify the petitioner that the ballot title becomes final and signature gathering may begin in ten (10) working days if there is no judicial review. Notification of the ballot title shall be posted at City Hall and on the City's web page.
- (g) Persons dissatisfied with the ballot title prepared by the City Attorney may seek judicial review by petitioning Pierce County Superior Court within ten (10) working days of the notification of the ballot title having been posted as required under (f). The Court shall endeavor to promptly review the statements and render a decision as expeditiously as possible. The decision of the Court is final.
- (h) Petitions must include the final, approved ballot title, referendum number, the full text of the ordinance that the petitioners seek to refer to the voters, and all other text and warnings required by state law.
- (i) Petitioners have ~~thirty (30)~~ ninety (90) calendar days to collect signatures from registered voters.
- (j) The number of valid signatures shall be equal to ten percent (10%) of the votes cast in the last election for the office of Mayor.

- (k) The City Clerk shall forward the signatures to the County auditor to be verified. Based on the Auditor's review, the City Clerk shall determine the validity of the petition. If the petition is validated, the City Council shall immediately reconsider the ordinance, and if it does not repeal the ordinance, submit the proposal to the people at the next Municipal or General Election that is not less than ninety (90) days after the date on which the signatures on the petition are validated.

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

Charter Review Committee

Recommendation Summary

Section 2.22

Brief Summary of Recommendation:

- Change to Section 2.22 to prohibit Council from submitting a proposed ordinance to the voters if that proposed ordinance contains provisions that would substantially conflict with an ordinance proposed by an Initiative Petition filed with the City Clerk.

Committee Activity:

Amendment:

Section 2.22 – The Council by its own motion may submit any proposed ordinance to the qualified electors for their approval or rejection in the same manner as provided for its submission upon petition- except that any proposed ordinance submitted by the Council may not contain provisions that would substantially conflict with any proposed ordinance that has been provided to the City Clerk in the form of an Initiative Petition.

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

Charter Review Committee

Recommendation Summary

Section 3.8

Brief Summary of Amendment:

The amendment does the following:

- Increases the membership of the Planning Commission from 9 to 11.
- Changes the composition of the Planning Commission to require diversity of membership.
- Changes the six positions that are not appointed to represent a district to general appointments that provide more flexibility and diversity of appointments. The six positions should be filled with members with diverse experience and provides a list of potential membership expertise.
- Eliminates the Charter prohibition on Planning Commission members receiving pay.

Committee Activity:

Insert date of vote and voting record for approval of recommendation

Amendment:

Section 3.8 – There shall be a Planning Commission, composed of ~~nine (9)~~ eleven (11) members, with such powers and duties as are provided by ordinance. The ~~nine~~ eleven members shall be residents of the City of Tacoma and be appointed and confirmed by the City Council for terms of three (3) years each.

The Council must ensure the appointments provide for diversity of planning commission members. The diversity should include race, ethnicity, gender, backgrounds, experiences, and expertise and must not be over-represented in any areas of expertise or experience. The membership of the commission shall include ~~One member shall be appointed by the City Council for each of the five council districts and the Council shall appoint to the four~~ six remaining positions an individual from each of the members appointed by the Council with experience that may include, but is not limited to, the following:

- (a) the development community;
- (b) the environmental community, including environmental sustainability;
- (c) public transportation, ~~and~~
- (d) ~~a designee with background of involvement in architecture, or historic preservation, and/or;~~
- (e) urban design;
- (f) affordable housing;

(g) public health; or

(h) the business community.

A majority of the voting members of such Commission shall constitute a quorum for the transaction of business. The Commission shall be authorized to adopt rules for the transaction of business not inconsistent with this charter or ordinances of the City of Tacoma. ~~Said Planning Commission members shall serve without pay.~~

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion

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Charter Review Committee

Recommendation Summary

Section 5.5 Elections

Brief Summary of Recommendation:

- Amends Charter Section 5.55 to specify that ranked choice voting is among the election related matters that the City Council may set forth in ordinance.
- Does not require that ranked choice voting be used or adopted.

Committee Activity:

Amendment:

Other Provisions

Section 5.5 – All matters pertaining to elections and not provided for in the charter or by law, which may include ranked choice voting, shall be as provided by ordinance. No informalities in conducting municipal elections shall invalidate the same if they have been conducted fairly and in substantial conformity with the requirements of this charter.

Rationale for Amendment:

Insert summary of CRC rationale for the amendment

Dissenting Position(s):

Insert summary of CRC dissenting opinion