

# Charter Review Committee

## Recommendation Summary

### New Section 3.XXX

#### **Brief Summary of Amendment:**

The amendment does the following:

- Adds a new Section to Article III to require the City to establish a carbon budget designed to reach net zero emissions by 2050.
- Adds a new section to Article III to create a Climate and Sustainability Commission.
- Provides for an eleven-member commission and establishes criteria for the appointment of the members, including diversity, experience, and expertise.
- Requires the Climate and Sustainability Commission to track and report on the City's progress on its climate action plan, including monitoring the carbon budget and other sustainability goals.

#### **Committee Activity:**

*Insert date of vote and voting record for approval of recommendation*

#### **Amendment:**

**Sec. 3.XXX** -- The City shall include, within its climate action plan, a carbon budget, defined as the allocation or limitation of greenhouse gas emissions within a certain timeframe, set at a local and regional scale, and which sets targets for reducing emissions to mitigate climate change and which is designed to reach net-zero emissions by 2050.

**Section 3.XXX** –A Climate and Sustainability Commission shall be created to replace the existing Sustainable Tacoma Commission. The Climate and Sustainability Commission shall be composed of eleven members, appointed by the City Council for three-year terms.

The Council must ensure the appointments provide for membership diversity of the Commission. The diversity shall include race, ethnicity, gender, backgrounds, experiences, and expertise, and must not be over-represented in any areas of expertise or experience. The members shall be residents of the City of Tacoma. One member shall be appointed for each of the five council districts. Four members will have expertise or experience that may include, but not be limited to the following:

- (a) climate science;
- (b) environmental policy and justice;
- (d) green economies; and
- (c) overburdened communities.

The remaining two positions may have expertise or experience in the areas listed above, but should additionally include, but not be limited to, those with expertise or experience in any of the following:

- (a) transportation;
- (b) housing;
- (c) public health;
- (d) the small business community as defined by the Small Business Administration;
- (e) the labor community;
- (f) maritime industries;
- (h) the education community; and
- (i) the building industries.

At least one of the eleven positions must be filled by a youth member (age 17-25).

The City shall assign at least two staff members to support the Commission and the Commission shall have such duties and responsibilities as are provided below and by ordinance. The Commission's duties shall include advising, providing oversight, and reporting to the Council on the City's progress in meeting the goals of its climate action plan, including, but not limited to by:

- (i) monitoring the carbon budget;
- (ii) reporting on climate goals and other sustainability measures, including impediments to such goals and measures;
- (iii) monitoring Council's existing and future resolutions and ordinances and advising on their operational alignment with the climate action plan;
- (iv) monitoring the City's departmental budgets and advising on their alignment with the climate action plan; and
- (v) carrying out such other duties and responsibilities as may be set forth in ordinance.

A majority of the voting members of the Commission will constitute a quorum for the transaction of business. The Commission is authorized to adopt rules for the transaction of its business not inconsistent with this charter or ordinances of the City of Tacoma.

**Rationale for Amendment:**

**Dissenting Position(s):**

Insert summary of CRC dissenting opinion

# Charter Review Committee

## Recommendation Summary

### Section 2.25

#### **Brief Summary of Recommendation:**

- Replaces the term freeholder with elector where appropriate.
- Rejects the historical definition of the term freeholder as requiring the ownership of real property.
- Eliminates the word citizen.

#### **Committee Activity:**

#### **Amendment:**

**Section 2.25** – The City Council shall commence a review of this charter ~~no less frequently than once at~~ least every ten years, by appointing, for a duration of at least six months, citizens Tacoma residents to a charter review committee, or by the election of a board of qualified electors to serve as freeholders as ~~such term is used in the manner provided~~ in state law. Any ~~freeholders~~ electors shall be nominated and elected by position and by district. This charter rejects any historical requirement of ownership of real property as prerequisite to service on such board of electors. ~~The~~ Any charter review committee, ~~which~~ shall be provided with sufficient staff, ~~and budget, and time~~ to perform a comprehensive review, which includes, but is not limited to, public outreach and education, an anti-racist analysis, stakeholder and expert interviews, an estimation of fiscal and budgetary impact, and drafting of proposed amendment and ballot language. Any charter review committee shall report any recommended amendments to the City Council and may publish its findings. The City Council may accept, reject or modify the recommended amendments reported by a charter review committee and may submit any recommended charter amendments to the voters in the manner provided in state law. The recommendations of a board of ~~freeholders~~ electors shall be placed before the voters in the manner provided in state law. Nothing in this section shall limit the right ~~of citizens~~ to initiate amendments to this charter in any other manner allowed by state law.

**CHARTER OF THE  
CITY OF TACOMA**

PREPARED BY A BOARD OF FIFTEEN  
FREEHOLDERS ELECTED MARCH 11, 1952

SUBMITTED TO AND ADOPTED BY THE  
QUALIFIED ELECTORS AT A SPECIAL ELECTION  
HELD NOVEMBER 4, 1952

FREEHOLDER'S CERTIFICATE

State of Washington,    )  
County of Pierce,       ) ss.  
City of Tacoma         )

We, the undersigned freeholders of the City of Tacoma elected at the general municipal election held in said city on the eleventh day of March, 1952, under the provisions of the constitution and laws of the State of Washington, to prepare a new charter, by altering, changing, revising, adding to, or repealing the existing charter of the City of Tacoma, do hereby certify that the foregoing charter has been prepared by us, and is hereby submitted as the charter for said city.

IN WITNESS WHEREOF, we have hereunto set our hands this third day of September, 1952.

**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

### Brief Summary of Recommendation:

This amendment:

- Eliminates or replaces use of the word “citizen” when the word is used to describe the status or activity of a Tacoma resident.

### Committee Activity:

### 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.

(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.

**Section 2.19** — ~~Citizens~~ Residents of Tacoma who are qualified electors under state law may by initiative petition ask the voters to approve or reject ordinances or amendments to existing ordinances, subject to any limitation on topics in state law, by the following process:

- (a) The petitioners shall file an Initiative Petition with the City Clerk.
- (b) The City Clerk shall forward the petition to the City Attorney within one (1) working day of receipt.
- (c) 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 initiatives. The statement will be phrased in the form of a positive question.
- (d) The City Attorney shall file this concise statement with the City Clerk as the official ballot title.
- (e) The City Clerk shall assign an initiative 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.
- (f) Persons dissatisfied with the ballot title prepared by the City Attorney may seek judicial review by petitioning the Pierce County Superior Court within ten (10) working days of the notification of the ballot title having been posted as required under (e). The Court shall endeavor to promptly review the statements and render a decision as expeditiously as possible. The decision of the Court is final.
- (g) Petitions must include the final, approved ballot title, initiative number, the full text of the ordinance, or amendment to existing ordinance, that the petitioners seek to refer to the voters, and all other text and warnings required by state law.
- (h) Petitioners have one hundred and eighty (180) calendar days to collect signatures from registered voters.
- (i) 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.
- (j) 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 may enact or reject the Initiative, but shall not modify it. If it rejects the Initiative or within thirty (30) calendar days fails to take final action on it, the City Council shall 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.

(Amendments approved by vote of the people November 2, 2004 and November 4, 2014)

**Section 2.20** – ~~Citizens~~ Residents of Tacoma who are qualified electors under state law 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) 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.

**Section 2.25 \*** – The City Council shall commence a review of this charter no less frequently than once every ten years, by appointing citizens to a charter review committee, or by the election of a board of freeholders in the manner provided in state law. Any freeholders shall be nominated and elected by position and by district. The charter review committee, which shall be provided with sufficient staff and budget to perform a comprehensive review, shall report any recommended amendments to the City Council. The City Council may accept, reject or modify the recommended amendments and may submit any recommended charter amendments to the voters in the manner provided in state law. The recommendations of a board of freeholders shall be placed before the voters in the manner provided in state law. Nothing in this section shall limit the right of citizens to initiate amendments to this charter in any other manner allowed by state law.

\*Section 2.25 has been previously approved for amendment to address charter review committee process and use of "freeholder".

## **Public Records**

**Section 9.2** – All records and accounts of every office, department, or agency of the City shall be open to inspection by any citizen requester, to include but not be limited to any representative of any citizen's organization, or any representative of the press, at all reasonable times and under reasonable regulations established by the City Council, except records and documents the disclosure of which would tend to defeat the lawful purpose which they are intended to accomplish. All such records and accounts shall be City property and be kept as such by the proper officers and employees during their continuance in office, and then delivered to their successors.

\*note that this section is already caveated in existing charter by a reference to RCW 42.56, the Public Records Act.

### **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 6.3

#### Option 1

#### **Brief Summary of Recommendation:**

- Eliminates Section 6.3.
- Eliminates the requirement that City employees be United States citizens.
- Eliminates the requirement that City employees be Tacoma residents.

#### **Committee Activity:**

#### **Amendment:**

#### **Eligibility for Employment**

~~**Section 6.3**— No person shall be eligible for employment in the City service who is not a citizen of the United States; provided that, as to laborers, this requirement may be waived by the Human Resources Director when laborers who are citizens are not available. No person shall be eligible to employment in the classified service who is not a resident of the City at the time of appointment, and all officers and employees of the City appointed after this charter takes effect shall reside within its corporate limits during their period of employment in the City service; provided, that the Civil Service Board may waive such residence requirements for employees in the classified service and the City Council may waive such residence requirements for appointive employees in the unclassified service when such waiver is deemed to be for the best interests of the City for such reasons and under such conditions as may be prescribed in the personnel rules.~~

#### **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 6.3

#### Option 2

#### **Brief Summary of Recommendation:**

- Eliminates only the portion of Section 6.3 containing the requirement that City employees be United States citizens.
- Gives voters option to eliminate requirement that City employees be United States citizens but to retain requirement that City employees be Tacoma residents.

#### **Committee Activity:**

#### **Amendment:**

#### **Eligibility for Employment**

**Section 6.3** ~~No person shall be eligible for employment in the City service who is not a citizen of the United States; provided that, as to laborers, this requirement may be waived by the Human Resources Director when laborers who are citizens are not available.~~ No person shall be eligible to employment in the classified service who is not a resident of the City at the time of appointment, and all officers and employees of the City appointed after this charter takes effect shall reside within its corporate limits during their period of employment in the City service; provided, that the Civil Service Board may waive such residence requirements for employees in the classified service and the City Council may waive such residence requirements for appointive employees in the unclassified service when such waiver is deemed to be for the best interests of the City for such reasons and under such conditions as may be prescribed in the personnel rules.

#### **Rationale for Amendment:**

*Insert summary of CRC rationale for the amendment*

#### **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

### Option 3

#### **Brief Summary of Recommendation:**

- Eliminates only portion Section 6.3 containing the requirement that City employees be Tacoma residents.
- Gives voters option to eliminate the residency requirement but to retain the requirement that City employees be United States Citizens.

#### **Committee Activity:**

#### **Amendment:**

##### **Eligibility for Employment**

**Section 6.3** – No person shall be eligible for employment in the City service who is not a citizen of the United States; provided that, as to laborers, this requirement may be waived by the Human Resources Director when laborers who are citizens are not available. ~~No person shall be eligible to employment in the classified service who is not a resident of the City at the time of appointment, and all officers and employees of the City appointed after this charter takes effect shall reside within its corporate limits during their period of employment in the City service; provided, that the Civil Service Board may waive such residence requirements for employees in the classified service and the City Council may waive such residence requirements for appointive employees in the unclassified service when such waiver is deemed to be for the best interests of the City for such reasons and under such conditions as may be prescribed in the personnel rules.~~

*Insert amendment language*

#### **Rationale for Amendment:**

*Insert summary of CRC rationale for the amendment*

#### **Dissenting Position(s):**

Insert summary of CRC dissenting opinion