

TO: Elizabeth Pauli, City Manager
FROM: Kathryn Johnston, Budget Officer, and Nick Anderson, Principal Financial Analyst
SUBJECT: Considerations for Charter Review Fiscal Impact Memorandums
DATE: May 15, 2024

EXECUTIVE SUMMARY

Staff in the Office of Management & Budget (OMB) have provided Fiscal Notes based on the proposed amendments to the City of Tacoma Charter by the Charter Review Committee. OMB reviewed all proposed amendments and have identified that ten may require investments above \$50,000 to implement. Broadly, staff have used the guidance provided by the Office of Financial Management (OFM) for Washington State for this analysis ([Guidelines for Preparing Fiscal Notes](#)). This guidance is used by State agencies when drafting fiscal notes for the legislature. A few of these guidelines are:

- If the cost impact is indeterminate, provide some illustrative information or range of scenarios;
- Base your assumptions on the least expensive way to implement the legislation;
- Respond to the bill language;
- Be objective and factual;
- Starting point is today's investment level.

Staff will provide these fiscal notes as they are ready to share with City Council. The notes will be adjusted as the City Council continues through the legislative process. Updates will be based on additional information as it becomes available and/or changes in the proposed amendments by the City Council.

Some proposed amendments were described as permissive by the Charter Review Committee, meaning that the amendment gives the City of Tacoma the authority to eventually take on a service or action. These proposed amendments, therefore, do not have immediate fiscal impacts if adopted by City Council and, eventually, by voters. OMB notes the fiscal impact estimates here, even though further legislation and analysis is required for full implementation.

Financial costs would require budgetary decisions that may include options such as new revenue sources, offsets from expense reductions in other services, or use of savings for funding. All costs are shown as 2024 dollars and have not been adjusted to project for inflation. Costs are shown for staff time if new staff need to be added or could reasonably be added to accomplish the work (when the work was projected to take more than 50% of a staff members time).

Amendment Recommendation 1

Sec. 2.3 - Salary Commission

Brief Summary of Amendment

- Changes the Salary Commission procedure to align with the requirements of RCW 35.21.015 by removing the requirement that the Council adopt the Commission's salary changes.
- Changes the commission title from "Citizen Commission on Elected Salaries" to "Commission on Elected Salaries."

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: None

Abstain: None

Absent: Andre Jimenez

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.~~

Amendment Positions

Rationale for Amendment:

Washington law, RCW 35.21.015, allows salaries for elected officials in towns and cities to be set by salary commissions. In 2014, Tacoma voters approved a charter amendment creating a salary commission to determine the salary of the Mayor and Council Members. RCW 35.21.015(3) provides, "*Any change in salary shall be filed by the commission with the city clerk and shall become effective and incorporated into the city or town budget without further action of the city council or salary commission.*" (Italics added.) Section 2.3 of the current charter requires the Council to adopt the Commission's salary changes, which is inconsistent with the state law making such changes automatic. The 2024 Charter Review Committee recommends amending the charter to remove the requirement of formal Council adoption of such changes and to add language stating that such changes shall occur without further action by the Council.

Dissenting Position:

None

Amendment Recommendation 2

Sec. 2.35 - Term Limits

Brief Summary of Amendment

Limits the time a person may serve on the City Council and as Mayor to three full consecutive terms on the Council and two full consecutive terms as Mayor.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Melissa Malott, Andrea Reay, Rebecca Stith, Diamatris Winston

No: Bryan Flint, Andre Jimenez, Steve Wamback,

Abstain: Latasha Palmer

Absent: Jason Gauthier, Lok Yin Wu

Amendment

Section 2.35 – No person shall be allowed to serve on the Council or as Mayor for more than ~~ten (10)~~ consecutive years, ~~either as a Council Member, Mayor, or combination thereof~~ a total of three (3) full consecutive terms on the Council and two (2) full consecutive terms as Mayor.

Amendment Positions

Rationale for Amendment:

The current charter (Section 2.35) restricts council members and the mayor's service to no more than 10 consecutive years. This charter amendment would loosen these restrictions by permitting a maximum of 3 consecutive terms (12 years) for council members, and 2 consecutive terms (8 years) for the mayor. This recommendation would thus allow elected city officials to serve in their role for a longer period, which would allow the city's residents to benefit from the expertise and experience that comes with time in office. The recommendation also addresses the odd feature of "10 years" which corresponds with 2-1/2 terms, and can result in a council member having to resign before running for mayor.

Dissenting Position:

This proposed amendment effectively ends the current time limits that one person can serve on city council and as mayor, which represents a marked shift from our current charter. By doubling the allowable time in office, this amendment not only consolidates power among a select few over longer periods but could also significantly reduce new voices and diverse perspectives that are essential for inclusive governance. This amendment could lead to a city council less reflective of our community's demographics and less responsive to its evolving needs. A restriction on fresh ideas and leadership participation diminishes the opportunity for individuals from various backgrounds to contribute, undermining the council's representativeness and efficacy. Maintaining shorter term limits is crucial for fostering a dynamic, inclusive, and equitable political environment, which supports leadership that is continually refreshed and remains closely aligned with the interests and concerns of all residents.

Charter Review Committee Proposed Amendment

VERSION B

ARTICLE II; SECTION 2.35

Current Language in City Charter

Section 2.35 – No person shall be allowed to serve on the Council for more than ten (10) consecutive years, either as a Council Member, Mayor, or combination thereof.

Original Amendment Language, as Proposed by Charter Review Committee

Section 2.35 – No person shall be allowed to serve on the Council or as Mayor for more than ~~ten (10) consecutive years, either as a Council Member, Mayor, or combination thereof~~ a total of three (3) full consecutive terms on the Council and two (2) full consecutive terms as Mayor.

SUMMARY OF VERSION B

- Changes the 10 consecutive year limit for Mayor and/or Council to three consecutive terms
- Clarifies that only full terms apply to the limit

NEW LANGUAGE

(based on Council conversations at the special meeting on May 17, 2024)

Section 2.35 - No person shall be allowed to serve on the Council for more than ~~ten (10)~~ three (3) consecutive years full terms, either as a Council Member, Mayor, or combination thereof.

RATIONALE

This amendment would expand the term for Mayor and Council from 10 years to 12 years to allow additional time for Mayor and Council to work on longer-term issues, and clarifies that partial-term appointments do not count toward the term limit.

Charter Review Committee Proposed Amendment

VERSION C

ARTICLE II; SECTION 2.35

Brief Summary of Amendment

This amendment would exclude all current City Council members from the operation of the CRC- proposed amendments to term limits. Current Council Members would continue to be subject to the existing limits in Section 2.35.

Rationale for Amendment

This amendment would expand the term for Mayor and Council from 10 years to 12 years to allow additional time for Mayor and Council to work on longer-term issues, and clarifies that partial-term appointments do not count toward the term limit.

Further, this amendment seeks to clarify that it is not intended to and will not benefit the current City Council.

Proposed Amendment Language

Commencing with any Mayor or Council Member first elected in 2025, no person shall be allowed to serve on the Council for more than ten (10) three (3) consecutive years full terms, either as a Council Member, Mayor, or combination thereof. No person council member in office prior to the general election in 2025 shall be allowed to serve on the Council for more than ten (10) consecutive years, either as a Council Member, Mayor, or combination thereof.

Amendment Recommendation 3

Sec. 2.20 - Referendum

Brief Summary of Amendment

- Increases the number of days to collect signatures for a Referendum Petition from 30 to 90 calendar days.
- Changes the references from “citizens” to “residents who are qualified electors under state law.”

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Melissa Malott, Latasha Palmer, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: Andrea Reay

Abstain: None

Absent: Andre Jimenez

Amendment

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)~~ 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.

Amendment Positions

Rationale for Amendment:

In a vibrant democracy, citizen participation is the cornerstone of effective governance. Extending the timeframe for petitioners to gather signatures for a referendum from 30 to 90 days aligns with this fundamental principle. A 30-day window can be unduly restrictive, especially for grassroots movements and issues that require deeper community engagement. Providing petitioners with a 90-day period empowers diverse voices and ensures adequate time for meaningful dialogue, education, and outreach. A 90-day period mirrors the referendum signature timeframe allowed at the state level. This amendment fosters inclusivity, greater representation of diverse viewpoints, and an enhanced democratic process. It also acknowledges and corrects the sometimes insurmountable challenges petitioners now face, such as logistical and time constraints, given the need to reach a wide array of constituents in order to meet the 10% valid-signature threshold. Ultimately, this extension promotes a more democratic environment where residents can effectively exercise their right to participate in the referendum process.

Dissenting Position:

The current referendum process that allows Tacoma citizens the opportunity to refer Council adopted ordinances to the citizens of Tacoma for an up or down vote has worked well since it was placed in the charter. The current requirement of 30 days to gather referendum signatures establishes a reasonable and properly timed process. This is especially true since the Council typically takes many months from introduction to final passage of an ordinance where many hearings and much debate and compromise occurs before final passage. Given this significant amount of Council consideration time, coupled with the existing ballot title drafting process and petitioners' likely involvement, the current charter language gives petitioners sufficient time to prepare for and gather the necessary referendum signatures within 30 days from the date the ballot title is approved. This proposed amendment is a solution looking for a problem to solve where none exists.

Amendment Recommendation 4

Sec. 2.22 - Initiative

Brief Summary of Amendment

Prohibits the Council from submitting any proposed ordinance to the voters that contains provisions that would substantially conflict with an ordinance that has been proposed by an Initiative Petition filed with the City Clerk.

Committee Vote

Yes: Katie Baird, Maricres Castro, Patrick Fischer, Bryan Flint, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Lok Yin Wu

No: Jason Gauthier, Andrea Reay, Steve Wamback

Abstain: Nicholas Carr

Absent: Diamatris Winston

Amendment

Section 2.22 – The Council by its own motion may submit ~~any a~~ 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.~~

Amendment Positions

Rationale for Amendment:

The proposed amendment to the Charter specifies that while the City Council retains the authority to submit a proposed ordinance to the voters for approval or rejection, it introduces a safeguard concerning citizen-led initiatives. Specifically, ordinances proposed by the Council cannot contain provisions that substantially conflict with another proposed ordinance that has already been submitted to the City Clerk in the form of an Initiative Petition. This change is designed to protect the integrity of citizen-led initiatives, ensuring that such proposals are given a fair chance to be considered by voters without interference from conflicting Council-proposed ordinances. This adjustment ensures that the Council's power to propose ordinances directly to the voters does not undermine or negate the efforts of citizens interested in shaping policy through the initiative process.

Disenting Position(s):

Restricting the City Council's authority to place ordinances onto the ballot stifles a deliberative and democratic policy making process and undermines the Council's ability to effectively serve the interests of the broader community. By prohibiting the council from introducing similar ordinances, it sidelines elected officials and diminishes their mandate to govern.

This amendment sets a troubling precedent by prioritizing one form of civic engagement over another. While initiatives brought forth by citizens deserve respect and consideration, they should not serve as an absolute constraint on the council's legislative authority. Such a restriction risks entrenching gridlock and stifling productive dialogue within the legislative process.

Further, the language of the amendment lacks clarity and fails to define what constitutes a "substantially similar" ordinance, leaving it open to subjective interpretation and potential abuse. This ambiguity only adds to the uncertainty surrounding the proposed change and raises concerns about its implications for future governance.

Amendment Recommendation 5

Sec. 2.25 - Charter Review

Brief Summary of Amendment

- Clarifies that a charter review process must occur at least every ten years and last for a duration of at least six months.
- Adds that the Charter Review Committee shall be provided sufficient time to perform comprehensive review and clarifies that the comprehensive review is to include, but not be limited to: public outreach, anti-racist analysis, stakeholder and expert interviews, budgetary and fiscal impacts, and drafting of recommended changes.
- States that the Charter Review Committee may publish its findings.
- Changes word "citizen" to "resident" and designates the title of "elector" to the state mandated role of "freeholder."

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Lok Yin Wu

No: None

Abstain: None

Absent: Diamatris Winston

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 electors to serve as freeholders in the manner provided in state law. Any such electors ~~freeholders~~ 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.~~ The 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 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.

Amendment Positions

Rationale for Amendment:

Based on our collective experience reviewing the Charter in four short months, we believe this amendment is necessary so that the residents of Tacoma get the best review possible. The amendment simplifies the language to make it clear the review can take place more frequently than every ten years. It also clarifies that an

appointed charter review committee needs to have a minimum of six months to ensure a comprehensive review with thorough deliberation and analysis.

Providing the committee with adequate resources - staff, budget, and time - is paramount for conducting a comprehensive review. This includes engaging in public outreach, anti-racist analysis, and stakeholder and expert interviews. The committee's ability to understand the fiscal and budgetary impacts will only improve the end product. Granting the charter committee the clear authority to publish its findings will promote transparency and accountability. Additionally, this amendment updates language to be more inclusive.

Dissenting Position(s):

None

*For additional context on Fiscal Memos, refer to
“Considerations for Charter Review Fiscal Memorandums”
found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 5
Sec. 2.25 Charter Review

During the 2024 Charter Review process, staff’s estimate of time is 1,500 hours for administrative and legal support of the committee. Based on this estimate and other outreach processes, such as Home in Tacoma, staff estimates that this proposed amendment will result in additional staff time of approximately 2,500 hours, roughly equivalent to 2.5 FTEs. These additional hours could be distributed among existing staff or supported by project staff (which could cost **\$150,000** for six months of support). Additional costs include outreach, communications, and meeting materials estimated between **\$55,000 and \$75,000**. The General Fund pays for the costs associated with the charter process. The cost range for this proposal is between **\$55,000 and \$225,000**.

Background and Assumptions

The current Charter language includes that the review of the Charter is provided with sufficient staff and budget to conduct a comprehensive review. This proposed amendment may result in a longer period in which sufficient staff and budget are provided and the definition of the review process create a minimum expected support cost like this years’ experience. Additional outside resources, such as facilitation and analysis, which may be requested by the Charter Review Committee, would increase this estimate. The language presented in the proposed amendment suggests such a request may be required.

Amendment Recommendation 6

New Section 2.26 - Neighborhood Council

Brief Summary of Amendment

- Establishes the Neighborhood and Community Councils in Charter.
- Establishes an Equity Committee within the Community Council to create a more inclusive and equitable environment for Tacoma residents.
- Charges the Neighborhood Councils and Community Council to act as advisory entities to City Council, Mayor, City Departments, and City boards, commissions, and committees and to have periodic meetings with City officials.
- Requires City Council to set Neighborhood Council boundaries by resolution in recognition of neighborhood groups and City service delivery.
- Requires the City to make a good-faith effort to notify relevant Neighborhood Councils and Community Council of matters of local concern and to the extent allowed by law to request and incorporate Neighborhood and Community Council input prior to making a final decision on matters of local concern.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: Andrea Reay

Abstain: None

Absent: None

Amendment

NEW SECTION. Section 2.26 -- In order to foster communication and promote resident-based neighborhood involvement in the policies and operations of the City, there shall be independent Neighborhood Councils and a Community Council. The Community Council shall include an Equity Committee for the promoting of diversity, equity, and inclusion, to proactively identify and address bias or discrimination, and for the creation a more inclusive and equitable environment for all Tacoma residents.

The Neighborhood Councils and Community Council shall act as advisory entities to the City Council, Mayor, City departments, boards, commissions, and committees and shall have periodic meetings with appropriate City officials. The City of Tacoma shall provide training on grant-writing and policy for the Neighborhood Councils and Community Council to fulfill and advance their mission and advisory role.

The City Council shall, by resolution, determine the boundaries of the Neighborhood Councils. Boundaries will be determined with the intention of recognizing neighborhood groups and monitoring the delivery of City services in the respective areas.

The City will make a good-faith effort to notify the relevant Neighborhood Councils and the Community Council of matters of local concern to include but not be limited to any significant policy matters, projects, proposals, events, or services that directly impact the neighborhood. Notice should be provided as early in the planning or review process as possible. Subject to applicable law, the City Council and relevant city departments shall request and incorporate Neighborhood Council and Community Council input prior to

making a final decision on any matter of local concern.

Amendment Positions

Rationale for Amendment:

The proposed amendment would incorporate Neighborhood Councils (NCs) and the Community Council of Tacoma (CCOT) into the City's charter, which would align with the Tacoma 2025 community vision of enhanced civic engagement, prioritizing resident-based engagement and effective communication channels. This proposed amendment would restore the advisory role of NCs, promote timely collaboration with the city, and secure adequate training for them to fulfill their role effectively. Maintaining NCs' independence also fosters inclusive civic engagement, enabling them to offer valuable assistance to the City Council. Additionally, the amendment highlights key elements of the new CCOT Equity Committee, which include promoting diversity, creating clear mission statements, encouraging open communication, and providing ongoing training on equity issues. These measures will bolster diversity, equity, and inclusion within NCs and enhance Tacoma's governance structure's integrity and responsiveness to the community.

Dissenting Position(s):

As voluntary organizations serving Tacoma's local neighborhoods, Neighborhood Councils are an important part of Tacoma's political and community engagement scene. Their status is embodied in ordinances; any change, addition, or modification to their status can likewise be handled through ordinances. The charter, on the other hand, should not be used to promote organizations that lack democratic oversight, nor should it provide such organizations with an advisory role. The inclusion here of financial support for Neighborhood Councils is better handled by ordinance, where City Council can consider and weigh competing resource needs across the city when making budgetary decisions.

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Charter Review Fiscal Note
Proposed Amendment 6
Sec. 2.26 Neighborhood Councils

Centralized support to ensure compliance with the charter’s directive and implement the grant writing and policy training requirements would require additional staff time. Staff estimates that additional personnel of 1 FTE would be needed to manage the overall program plus additional administrative support through a part-time position (0.5 FTE). These two positions together cost **\$214,500**.

Additional costs include one-time costs of **\$18,000** for office space and technology and ongoing costs such as maintenance and operations expenses and fixed costs would add an additional **\$37,500**. Altogether, the fiscal impact of this proposed amendment is estimated at **\$270,000**. The Neighborhood Council Program is currently funded through the City’s General Fund.

Background and Assumptions

The two main impact areas of this proposed amendment include the support and administration of the Neighborhood Councils and the notification and advisory requirements. The City currently supports the Neighborhood Council program with a \$88,000 annual budget. The City sends leadership staff and direct service staff to many Neighborhood Council meetings with the intent of early communication. Much of the City’s staff support, outreach, and communication with Neighborhood Council is done as part of a staff members work.

Amendment Recommendation 7

New Section 2.XX - Council – Full-Time; Staff; Investigative Authority

Brief Summary of Amendment

- Requires Council Members to serve on a full-time basis.
- Authorizes Council Members to employ or contract for personnel to directly report to and advise or assist the Council.
- Authorizes the Council to audit and conduct investigations into the affairs of the City and the executive branch.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Andrea Reay, Steve Wamback, Diamatris Winston

No: None

Abstain: None

Absent: Jason Gauthier, Lok Yin Wu

Amendment

New Section. Section 2.XX – Council Members shall serve on a full-time basis and shall have the authority to employ or contract for personnel who will directly report to and advise or assist the Council Members.

New Section. Section 2.XX -

The Council may as a whole or by committee, conduct public hearings on matters of public concern and, further, may audit and make other investigations into the affairs of the City and the conduct of the executive branch including any City department, office, agency, board, commission, or committee, and for this purpose may retain special counsel and subpoena witnesses, administer oaths, take testimony, and require the production of evidence.

Amendment Positions

Rationale for Amendment:

One of the primary consensus goals of the 2024 Charter Review Committee has been empowering the City Council by affirming that its members serve on a full-time basis, authorizing the Council to hire its own staff (e.g., a chief of staff, policy advisors, and legal advisors), and allowing the Council to audit and investigate the affairs of the City and the conduct of its administration. The proposed investigatory power is recommended as a best practice in the National Civic League’s 2021 Model City Charter, Section 2.10, and draws further support from RCW 35.18.060, which permits a city council to audit any city department or office. A strengthened Council will be in an enhanced position to serve its constituents under either the council-manager or the mayor-council form of government.

Dissenting Position:

None

Charter Review Committee Proposed Amendment

VERSION B

Full-Time

Brief Summary of Amendment

This amendment would clarify the priorities and time investment necessary for Council Members to carry out their duties.

Rationale for Amendment

The proposed amendment avoids conflict and confusion over the meaning of “full-time” while emphasizing the priorities and time investment necessary for Council Members to fulfill the duties of their office.

Proposed Amendment Language

NEW SECTION. Section 2.XX – Council Members shall serve on a full-time basis prioritize their City Council work and shall devote sufficient time to fully carry out their obligations and duties and shall have the authority to employ or contract for personnel who will directly report to and advise or assist the Council Members.

*For additional context on Fiscal Memos, refer to
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found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 7

Sec. 2.xxx Council – Full-Time; Staff; and Investigative Authority¹

City Council

New Section 2.XX provides that City Council members “shall” serve on a full-time basis. Pursuant to Tacoma City Charter Section 2.3, the compensation and salary for the Mayor and Council is determined by the Citizen Commission on Elected Salaries. Designation of the Council as full-time in the City Charter could result in an increase in the salaries for Councilmembers.

Salary and benefits as of May 2024 for the Mayor, Deputy Mayor, and Council Members are as follows:

City Council Salary and Benefits				
Current Personnel Costs (as of 5/24)	Quantity	Salary	Benefits	Annual Cost
Mayor	1	\$117,000	\$47,000	\$164,000
Deputy Mayor	1	\$70,000	\$38,000	\$108,000
Council Members	7	\$63,000	\$37,000	\$700,000
Total Staffing	9			\$972,000

The estimated range for the salary and benefit total for Mayor and Council Members based on this proposed amendment is **\$972,000 - \$1,721,000**. The low end of the scale represents current costs and assumes no increase, and the upper end represents a doubling of the salary (similar to the current salary for the Seattle City Council), and a proportionate increase to benefits. This represents an increase of **\$749,000** over the current costs for Mayor and Council salaries.

Council Staff

New Section 2.XX Provides that City Council members “shall have the authority to employ or contract for personnel who will directly report to and advise or assist Council Members.”

Currently staffing support for Mayor and Council consists of 7 FTEs with a total salary and benefit cost of **\$1,026,000**, depicted in the following:

City Council Support Staff Salary and Benefits				
Current Personnel Costs (as of 5/24)	Quantity	Salary	Benefits	Annual Cost
Policy Analyst (City Council)	1	\$113,000	\$47,000	\$160,000
Senior Policy Analyst (City Council)	1	\$121,000	\$48,000	\$169,000
Senior Policy Analyst (Mayor)	1	\$121,000	\$48,000	\$169,000
Senior Community Services Analyst (Constituent Services)	1	\$105,000	\$45,000	\$150,000

¹Updated to reflect Ordinance 28459 which referenced that benefits are set assuming that Council serves as 0.9 FTE and updated Deputy Mayor salary projection.

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Office Administrator (City Council)	2	\$85,000	\$41,000	\$252,000
Office Administrator (Mayor)	1	\$85,000	\$41,000	\$126,000
Total Staffing	7			\$1,026,000

The estimated fiscal impact of adding hiring authority to the City Council ranges from no impact (\$0.00 additional cost), if the staffing level does not change, to **\$1,368,500** under a model that would retain existing staff positions and add 6 new staff members assigned to Council members and 1 Chief of Staff. This total includes one-time costs of \$9,500 and on-going costs of \$20,000. To allow consideration of alternative staffing models, the cost per position is outlined as follows:

Position	Salary	Benefits	Ongoing Costs (approx.)	One-Time Onboarding Cost	Total Cost
Chief of Staff	\$147,000	\$55,000	\$20,000	\$9,500	\$202,000
Policy Analyst	\$113,000	\$47,000	\$20,000	\$9,500	\$189,500
Senior Policy Analyst	\$121,000	\$48,000	\$20,000	\$9,500	\$198,500
Senior Community Services Analyst	\$105,000	\$45,000	\$20,000	\$9,500	\$179,500
Office Administrator	\$85,000	\$41,000	\$20,000	\$9,500	\$155,500

Investigative Authority

New Section 2.XX provides that the Council, or Council committees may “audit and make other investigations ... and may retain special counsel...”

The estimated fiscal impact of this proposed amendment is a range of **\$350,000 to \$550,000** audit and/or investigation based on recent experience with audit costs, management studies (such as the TPU management study) and hiring of outside legal counsel. This range is highly dependent on the nature, length, and complexity of any investigation.

Amendment Recommendation 8

New Section 2.XX – Policing Accountability

Brief Summary of Amendment

- Establishes an Office of Policing Accountability for the purpose of providing oversight to the Tacoma Police Department.
- Establishes that the Director of the Office of Policing Accountability is appointed by, reports to, and is supervised by the Council.
- Mandates appointment and removal of the Director of the Office of Policing Accountability is a majority of the Council.
- Assigns powers and duties to the Office of Policing Accountability to be provided for by ordinance.
- Establishes a civilian Community Oversight Committee for Policing Accountability consisting of the existing Community's Police Advisory Committee or successor committee to review, advise, and report on the activities and effectiveness of Office of Policing Accountability.
- Assigns membership, powers, and duties to Community Oversight Committee to be further implemented by ordinance.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Jason Gauthier, Andre Jimenez, Latasha Palmer, Rebecca Stith, Steve Wamback, Diamatris Winston

No: Patrick Fischer

Abstain: Andrea Reay

Absent: Bryan Flint, Melissa Malott, Lok Yin Wu

Amendments

NEW SECTION. Section 2.XX.

An Office of Policing Accountability shall be established for the purpose of independent oversight of the Tacoma Police Department. The Director of the Office of Policing Accountability shall be appointed by the Council subject to qualifications established by ordinance. The Director shall report to and be supervised by the Council, and may be removed at any time for cause. Appointment of the Director shall be by a majority of the Council and removal of the Director shall require the affirmative vote of no less than two-thirds of the members of the Council. The Office shall have the authority to hire and supervise its staff or contractors and shall be provided with a sufficient budget to carry out its powers and duties.

The powers and the duties of the Office of Policing Accountability shall be as provided by ordinance and shall include, but not be limited to the following:

- (a) manage and administer an external and accessible civilian complaint process;
- (b) review and analysis of conduct of sworn Tacoma Police Department officers that have been the subject of a complaint;
- (c) review and analysis of use of force conduct by sworn Tacoma Police Department officers whether or not the use of force it has been the subject of a complaint;
- (d) review and analysis of internal investigations conducted and disciplinary action taken by the Chief of Police regarding conduct or use of force by sworn Tacoma Police Department officers;

- (e) make and publish findings, conclusions and recommendations related to the Office of Policing Accountability's oversight of the Tacoma Police Department; and
- (f) recommend specific disciplinary actions to be implemented by the Chief of Police.

The Office has the following access and authority:

- (a) independent investigatory powers;
- (b) full access to and cooperation from the Chief of Police and Tacoma Police Department internal affairs staff; and
- (c) access to all relevant information and authority, including, but not limited to, the following:
 - (1) review and copying of relevant Tacoma Police Department files;
 - (2) subpoena of witnesses, documents and other evidence;
 - (3) administration of oaths;
 - (4) inspection of crime scenes;
 - (5) conduct of interviews;
 - (6) conduct of investigations; and
 - (7) holding hearings.

The implementation of disciplinary recommendations made by the Office of Policing Accountability shall be monitored and evaluated by the Council subject to a systematic and transparent process provided by ordinance. Any witnesses subpoenaed by or appearing before the Office of Policing Accountability shall have the right to be represented by counsel.

NEW SECTION. Section 2.XX.

The Community Oversight Committee for Policing Accountability shall be established. The Oversight Committee shall consist of the existing Community's Police Advisory Committee or successor committee. The Community Oversight Committee shall review, advise, and report on the activities and effectiveness of Office of Policing Accountability. The membership, qualifications, process for appointment, powers, duties, and procedures of the Community Oversight Committee for Policing Accountability shall be provided by ordinance and shall include but not be limited to:

- (a) review the Office of Policing Accountability's reports, findings, and recommendations prior to finalization and presentation to the Council by the Office of Policing Accountability;
- (b) conduct community outreach to seek input on equity and social justice matters, services, programs, policies, procedures, rules, training, and issues of public safety;
- (c) advise the Chief of Police and the City Council on opportunities for systemic improvement in the law enforcement practices of the Tacoma Police Department; and
- (d) provide advice and recommendations to the Mayor, City Council, City Manager, Chief of Police, and the Office of Policing Accountability on equity and social justice matters, services, programs, policies, procedures, rules, training, and issues of public safety.

Amendment Positions

Rationale for Amendment:

The proposed amendment would establish an Office of Policing Accountability in Tacoma, which is responsible for overseeing the Tacoma Police Department in use of force investigations. Operating under the supervision of the Council, the Office would manage an external civilian complaint process, review police conduct and use of force, conduct parallel internal investigations, and recommend disciplinary actions. It would have powers to conduct independent investigations, access police files, subpoena evidence, and hold hearings. An Oversight Committee, consisting of the existing Community's Police Advisory Committee, would review the Office's findings and conduct community outreach to influence policing policies. The Oversight Committee would also have the power to advise the Chief of Police, the City Council, and the Mayor on opportunities for systemic improvement within the Tacoma Police Department. This amendment aims to enhance accountability and transparency in police operations in Tacoma and end the practice of police investigating themselves.

Dissenting Position(s):

The establishment of an Office of Policing Accountability as presented adds significant layers of oversight that don't appear necessary and is most certainly not inexpensive. In early discussions it was envisioned that this Office would report to the City Council but also contained the proviso that it could be expanded by the Council in the future to provide for oversight to other divisions and departments of City Government. Given that this proviso has been omitted, the structure proposed in this amendment is not cost effective. Additionally it was troubling that an impetus for creation of this board seemed to contain a "presumption of guilt" as a reason it is needed. Such a presumption, of course, is contrary to a basic tenet embedded in the way this country is governed. For these reasons I have opposed this charter provision.

*For additional context on Fiscal Memos, refer to
“Considerations for Charter Review Fiscal Memorandums”
found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 8
Sec. 2.XX Policing Accountability

The Policing Accountability Amendment has two main sections. The first establishes an Office of Policing Accountability and the second establishes a Community Oversight Committee for Policing Accountability. The fiscal note will assume implementation as proposed. The fiscal note will not include an analysis or make assumptions concerning the timelines or process for implementation which may entail additional costs.

Office of Policing Accountability

New positions in the Office of Policing Accountability would include a Director, as outlined in the amendment. The proposed amendment also contemplates other positions to carry out the duties it outlines. These duties and powers will be outlined in a future ordinance, according to the proposed amendment. Thus, any duties highlighted below could be clarified or changed during the ordinance drafting process.

Below is a summary of incidents, complaints, and investigation data led by Internal Affairs for 2023. This data is presented to help scope the level of work for the Office of Policing Accountability. To support this work, the City currently has a team of 5 FTE in Internal Affairs and relies on the administrative support, technical analysis, and management support of many other positions throughout TPD and the legal department.

Type	Number
Use of Force Incidents by Tacoma Police Officer	322
Complaints against TPD staff	138 (of which 114 originated from a community member)
Internal Affairs Investigations*	7 conduct investigations and 2 preliminary investigations
*Complaints that if sustained would result in economic sanctions are sent to Internal Affairs and the remaining complaints are sent to the bureau supervisor for investigation	

The proposed amendment states that the Office shall be provided with a sufficient budget to carry out its powers and duties. The amendment also provides that the office would have full access and cooperation by the Chief of Police and the TPD internal affairs staff. This provision may have workload and time impacts to the current staffing levels at TPD and may require additional staffing over time. However, these impacts are not included in this analysis due to the uncertainty of the impacts.

The amendment states that any witness subpoenaed by the Office shall have access to counsel. This fiscal note does not include an assumption for any costs of providing counsel to witnesses.

*For additional context on Fiscal Memos, refer to
 “Considerations for Charter Review Fiscal Memorandums”
 found towards the beginning of this binder*

A full staffing model will be dependent on the implementation ordinance. Potential positions and their related cost include:

Office of Police Accountability					
Position	Salary	Benefits	Ongoing Costs (approx.)	One-Time Onboarding Costs	Total Cost
Director of the Office (Police Chief, Deputy)*	\$254,000	\$69,000	\$30,000	\$9,500	\$362,500
Ombudsperson (Dep. City Attorney, Senior)*	\$148,000	\$54,000	\$30,000	\$9,500	\$241,500
Office Administrator	\$85,000	\$39,000	\$20,000	\$9,500	\$153,500
Clerks Staff (Records Support)	\$77,000	\$40,000	\$20,000	\$9,500	\$146,500
Business Service, Manager	\$128,000	\$50,000	\$20,000	\$9,500	\$207,500
Crime Scene Technician*	\$78,000	\$40,000	\$30,000	\$9,500	\$157,500
Business Services Analyst, Senior	\$103,000	\$45,000	\$20,000	\$9,500	\$177,500
Deputy City Attorney (Legal Counsel)*	\$138,000	\$51,000	\$30,000	\$9,500	\$228,500

*Given the training, certification, and equipment needs of these positions, additional ongoing costs are shown

The Office of Policing Accountability would entail creating a new office; this process as outlined in other memos would include the hiring of new positions, one-time and ongoing costs for those positions including training, equipment, and supplies, creation of office space for these positions, and potential legal and management consulting services to assist in the creation of the processes and frameworks for conducting this work.

*For additional context on Fiscal Memos, refer to
 “Considerations for Charter Review Fiscal Memorandums”
 found towards the beginning of this binder*

Transition Cost Considerations		
Physical Spaces	Alterations of physical space to accommodate the Office with at least 9 new positions.	Range from \$63,000 for workstation refreshes to \$1 million for comprehensive renovations
Professional Services	Legal services may be required to examine contracts, agreements, and other legal documents. Will also require existing staff time not included in the estimate.	Estimates for this service range between \$200,000 and \$350,000
Technology Services	Given the sensitive nature of the information, relationship with crime records, and staff experiences with records requests, there may be the need to purchase technology systems and services to support these efforts.	Estimates range from \$100,000 to \$400,000
Management Consulting Services	Examples include work processes for investigations, information sharing, and legal support.	Consulting may range between \$200,000 to \$350,000.

Community Oversight Committee for Policing Accountability

Currently, the Community Police Advisory Committee (CPAC) is supported through the use of existing staff (executive level support and administrative support). The proposed amendment expands the role of the committee and the creates the office discussed above. To support the expanded role of the committee, staff estimates that the equivalent of two full time positions would be needed to support the work of the committee. Below is a table of position costs for roles that might be used to support the committee. The Committee may require additional resources for outreach, training, and other support.

Community Oversight Committee Support					
Position	Salary	Benefits	Ongoing Costs (approx.)	One-Time Onboarding Costs	Total Cost
Ombudsperson (Dep. City Attorney, Senior)*	\$148,000	\$54,000	\$30,000	\$9,500	\$241,500
Office Administrator	\$85,000	\$39,000	\$20,000	\$9,500	\$153,500
Clerks Staff	\$77,000	\$40,000	\$20,000	\$9,500	\$146,500
Policy Analyst	\$96,000	\$43,000	\$20,000	\$9,500	\$168,500

*Given the training, certification, and equipment needs of these positions, additional ongoing costs are shown

Amendment Recommendation 9

New Section 3.XX – Climate Commission

Brief Summary of Amendment

- 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 Accountability 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 Accountability 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 measures.

Committee Vote

Yes: Nicholas Carr, Maricres Castro, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Diamatris Winston

No: Katie Baird, Patrick Fischer, Andrea Reay

Abstain: Steve Wamback

Absent: Bryan Flint, Lok Yin Wu

Amendment

NEW SECTION. Sec. 3.XX -- 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.

NEW SECTION. Sec. 3.XX –A Climate Accountability and Sustainability Commission shall be created to replace the existing Sustainable Tacoma Commission. The Climate Accountability 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. Members should have expertise or experience that may include, but not be limited to the following:

- (a) climate science;
- (b) environmental policy and justice;
- (c) green economies; and
- (d) overburdened communities.
- (e) transportation;
- (f) housing;
- (g) public health;
- (h) the small business community as defined by the Small Business Administration;
- (i) the labor community;

- (j) maritime industries;
- (k) the education community; and
- (l) 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 and sustainability measures, including, but not limited to by:

- (i) monitoring the carbon budget;
- (ii) reporting on climate goals, including impediments to such goals;
- (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 department budgets and advising on their alignment with the climate action plan;
- (v) monitoring and advising on sustainability measures with broad public interest and long-term impact; and
- (vi) 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.

Amendment Positions

Rationale for Amendment:

Despite being an existential threat to human society, climate change is not mentioned in the City code or charter. Council intentions on climate to not make it to code. The Sustainable Tacoma Commission was created in 2008 by Resolution No. 37631. A resolution does not have the same legislative impact as an ordinance. As such, it has since never been added to the municipal code or Charter.

The City's climate emergency resolution (2022 -Resolution No. 40776) committed the city to reduce municipal operations emissions, especially restricting natural gas use in existing municipal buildings and new capital investments, decarbonize transportation, and conduct studies that identify strategies for success and assess impact. This resolution has also never been added to code.

The city must effectively track and hold accountable its commitments to sustainability and climate goals. Our intent is for this Commission to inform Council, improve climate policy and prioritize long term sustainability.

Dissenting Position(s):

This recommendation alters the city's charter to direct Tacoma's government around actions to take to reduce the region's greenhouse gas emissions, and how to undertake these actions. It includes creating and staffing a committee charged with monitoring and ensuring that the city carries through on its new charter obligations.

No place in the charter prescribes policy making in such detail. For good reason. The legislative process is the best way to set the city's priorities and assess tradeoffs when allocating the city's budget. Reducing greenhouse gas emissions in Tacoma is expensive, especially as detailed here. Halting climate change and cutting greenhouse gas emissions absolutely calls for immediate and coordinated actions worldwide. However, any unilateral city effort will have no impact on this global problem. The City Council should retain the ability to determine how residents' concern over climate change fits into all of the City's other pressing challenges.

Charter Review Committee Proposed Amendment

VERSION B

Climate Commission

Brief Summary of Amendment

This amendment eliminates the language requiring certain backgrounds or qualifications for appointments beyond Council district requirements.

Rationale for Amendment 9B

This amendment eliminates the language requiring certain backgrounds or qualifications for appointments beyond Council district requirements, to allow the Council flexibility in determining the most relevant backgrounds and requirements by resolution or ordinance.

Proposed Amendment Language

NEW SECTION. 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.

NEW SECTION. A Climate Accountability and Sustainability Commission shall be created to replace the existing Sustainable Tacoma Commission. The Climate Accountability 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. ~~Members should have expertise or experience that may include, but not be limited to the following:~~

- ~~(a) — climate science;~~
- ~~(b) — environmental policy and justice;~~
- ~~(c) — green economies; and~~
- ~~(d) — overburdened communities.~~
- ~~(e) — transportation;~~
- ~~(f) — housing;~~
- ~~(g) — public health;~~
- ~~(h) — the small business community as defined by the Small Business~~

~~Administration;~~

- ~~(i) — the labor community;~~
- ~~(j) — maritime industries;~~
- ~~(k) — the education community; and~~

~~(1) — 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 and sustainability measures, including, but not limited to by:

- (i) monitoring the carbon budget;
- (ii) reporting on climate goals, including impediments to such goals;
- (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 department budgets and advising on their alignment with the climate action plan;
- (v) monitoring and advising on sustainability measures with broad public interest and long- term impact; and
- (vi) 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.

*For additional context on Fiscal Memos, refer to
“Considerations for Charter Review Fiscal Memorandums”
found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 9
Sec. 3.XX Climate Commission

The main fiscal impact of this proposal would be increased staff time. Based on the staffing requirements for the current Sustainable Tacoma Commission and the additional requirements outlined in the proposed amendment, the equivalent of 0.5 FTE would be needed to implement this new commission (**\$62,000**). Maintenance and operations costs, fixed costs, and other employee costs, and communications materials—are estimated at about **\$41,000**. Together with the estimated staff time, the total estimated fiscal impact for this proposal is **\$103,000**. Currently, costs associated with the policy related actions for the City as an organization are shared across funds and portions are paid directly by the General Fund.

Background and Assumptions

This proposal assumes the replacement of the Sustainable Tacoma Commission with the new proposed Climate Accountability and Sustainability Commission. There would be additional work to create and monitor the carbon budget contemplated by this proposed amendment. The fiscal note assumes this work would be accomplished by existing staff, with increased time. There is the possibility that some of this work could be contracted at additional cost; that is not included in this estimate. Also not included in this estimate is actions or policies recommended to implement the carbon budget; evaluation of those policies would occur when they are proposed. Since the City currently has a greenhouse gas inventory and Climate Action Plan, those costs are not shown as additive, but this amendment may require updates to those plans and inventories on a regular basis.

Amendment Recommendation 10

Sec. 3.10 – Humane Society

Brief Summary of Amendment

Removes Section 3.10, which authorizes a contract with the Tacoma Humane Society or other similar animal control agencies, from the Charter.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: None

Abstain: None

Absent: None

Amendment

Tacoma Humane Society

~~Section 3.10~~—The City Council is hereby authorized to enter into a contract with the Tacoma Humane Society, or any other agency or agencies performing similar duties and functions, granting to said society, agency, or agencies the control and operation of all city pounds and delegating certain duties and responsibilities with reference to the control of animals. Such contract(s) shall provide, among other things, that said society or agency (agencies) shall faithfully operate said pounds, shall pay all expenses in connection therewith, shall receive all licenses, fines, penalties and proceeds of every nature connected therewith, and such other sums as may be legally appropriate therefor, subject only to accounting as provided by law. The Council is further authorized, notwithstanding the provisions hereof, to determine that the City shall operate its own city pounds or detention facility and otherwise regulate and control animals within its corporate limits. Any contract entered into pursuant to the authority hereof shall be subject to cancellation by the City for good cause.

Amendment Positions

Rationale for Amendment:

The Charter Review Committee recommends removing Section 3.10, Tacoma Humane Society, in its entirety. As the primary governing document of the City, the charter should not name any private entity as a contractor of the City, thereby giving it preferential treatment over all other organizations. This recommendation is not passing judgement on the Humane Society, but rather implementing a principle-of fairness into the Charter. This section was added in 1973, more than fifty years ago. Deleting Section 3.10 will not impact the Council's ability to contract for animal-control services from THS or any other legally qualified animal-control entity. See TMC 17.01.010.6, "Animal shelter means a facility operated by the Humane Society or another facility that contracts with the City to provide for the care of animals;" *see also* RCW 16.52.015, 16.52.020, 16.52.025.

Dissenting Position(s):

None

Amendment Recommendation 11

Sec. 3.13 - Landmark Preservation Commission

Brief Summary of Amendment

- Modifies membership of the Landmarks Preservation Commission to require members be appointed from each of the five council districts and requires certain expertise or experience of appointed members other than those appointed by Council district.
- Adds an exception to the requirement the members be residents of the City of Tacoma to allow the Council to provide otherwise by ordinance.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: None

Abstain: None

Absent: None

Amendment

Section 3.13 – There shall be a Landmarks Preservation Commission, composed of members with such powers and duties as are provided by ordinance. The members shall be residents of the City of Tacoma, except as otherwise provided by ordinance, and be appointed and confirmed by the City Council.

One member shall be appointed from each of the five (5) council districts and the remaining members shall consist of individuals with current or prior professional experience in historic preservation or cultural resources, with a priority for those with architectural or design expertise or experience.

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.

Amendment Positions

Rationale for Amendment:

The Landmarks Preservation Commission has been in ordinance for 20 years and enshrined in the Charter for a decade. When added to the Charter in 2014, membership was limited to residents of the city of Tacoma. This has created a difficult situation in recruitment of professional expertise. Additionally, the Commission is over-represented by more affluent areas of the city. This modest change does two things: 1) allows for more flexibility in recruitment of professional expertise by modifying the resident requirement to allow for considerations based on potentially expansive ordinance language, and 2) diversifies the Commission by requiring Council District representation in the overall membership. It does not prohibitively change the overall mission or function of the Commission.

Dissenting Position(s):

None

Amendment Recommendation 12

Sec. 3.2 - Council – “Purposes of Inquiry”

Brief Summary of Amendment

- Eliminates the references to Council engagement with staff “for purposes of inquiry”.
- Clarifies role of Council with respect to City Manager staff.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Steve Wamback, Diamatris Winston

No: Andrea Reay

Abstain: None

Absent: Jason Gauthier, Lok Yin Wu

Amendment

Section 3.2 – The Manager shall be responsible to the Council for the administration of all units of the City government under the Manager’s jurisdiction. ~~Except for the purpose of inquiry, the Council and its members shall deal with administrative officers and employees under jurisdiction of the Manager solely through the Manager.~~ Neither the Council nor any member thereof shall give orders to the Manager’s subordinates or otherwise interfere with managerial functions through such means as directing or requesting the appointment or removal of any of the Manager’s subordinates, or the making of particular purchases from or contracts with any specific individual or organization. Outside of these prohibitions, the Council is permitted to make direct inquiries of and receive relevant and timely information from staff for the purposes of the formation of budget and policy. The Manager shall have the right to attend all meetings of the Council and to take part in the discussion of matters coming before the Council, but not the right to vote.

Amendment Positions

Rationale for Amendment:

The City Council is allowed contact with City staff under a provision known as “for purpose of inquiry.” This means that the Council is able to communicate with staff only for such purposes as those for “inquiry.” Yet, the language fails to define exactly what such inquiry encompasses, and is therefore left as a subjective determination by the City Manager, which can lead to miscommunication and a lack of transparency. This edit simplifies the language and process for both the Council and staff by defining exactly what explicit communication prohibitions exist between the Council and staff, while conversely outlining what direct communication is allowed and even encouraged.

Dissenting Position:

In order to execute the most effective, efficient, accountable and transparent form of government for the citizens of Tacoma, the areas and lines of governance and operations must be clear and well defined between Council and staff. A healthy and clear Council/staff relationship and lines of communication are critical to executing the work and ensuring accountability. Any blurring of those lines or adding or aiding to ambiguity

between whom or what authority and process or hierarchy thereof could potentially create confusion and an ineffective work environment.

Charter Review Committee Proposed Amendment

VERSION B

ARTICLE III; SECTION 3.2

COUNCIL-MANAGER RELATIONSHIPS

Original Amendment

Section 3.2 – The Manager shall be responsible to the Council for the administration of all units of the City government under the Manager’s jurisdiction. ~~Except for the purpose of inquiry, the Council and its members shall deal with administrative officers and employees under jurisdiction of the Manager solely through the Manager.~~ Neither the Council nor any member thereof shall give orders to the Manager’s subordinates or otherwise interfere with managerial functions through such means as directing or requesting the appointment or removal of any of the Manager’s subordinates, or the making of particular purchases from or contracts with any specific individual or organization. Outside of these prohibitions, the Council is permitted to make direct inquiries of and receive relevant and timely information from staff for the purposes of the formation of budget and policy. The Manager shall have the right to attend all meetings of the Council and to take part in the discussion of matters coming before the Council, but not the right to vote.

The following proposal is based upon council conversations at the special meeting on May 17, 2024:

NEW AMENDMENT

Section 3.2 – The Manager shall be responsible to the Council for the administration of all units of the City government under the Manager’s jurisdiction. ~~Except for the purpose of inquiry, the Council and its members shall deal with administrative officers and employees under jurisdiction of the Manager solely through the Manager.~~ The Council and its members are permitted to make direct inquiries of staff; provided that, Neither neither the Council nor any member thereof shall give orders to the Manager’s subordinates or otherwise interfere with managerial functions through such means as directing or requesting the appointment or removal of any of the Manager’s subordinates, or the making of particular purchases from or contracts with any specific individual or organization. ~~Outside of these prohibitions, the Council is permitted to make direct inquiries of and receive relevant and timely information from staff for the purposes of the formation of budget and policy.~~ The Manager shall have the right to attend all meetings of the Council and to take part in the discussion of matters coming before the Council, but not the right to vote.

Amendment Recommendation 13

Sec. 3.5 - City Attorney

Brief Summary of Recommendation

- Requires Council to review and approve candidates for City Attorney.
- Requires Council approval of City Manager's removal of City Attorney.
- Allows a majority of the Council to approve retaining special counsel in the event of City Attorney's potential or actual conflict of interest.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Diamatris Winston

No: Steve Wamback

Abstain: Andrea Reay

Absent: Jason Gauthier, Lok Yin Wu

Amendment

Section 3.5 – The City Manager shall appoint a City Attorney, who only after a Council review of candidates, and subject to the Council's approval of the final candidate. The City Attorney shall be an attorney admitted and qualified to practice in the Supreme Court of the State of Washington and who shall have practiced the profession within the State of Washington for not less than five years next preceding the appointment. The City Attorney shall have power to appoint and remove, subject to the approval of the Manager, professional assistants who shall also be attorneys admitted and qualified to practice in the Supreme Court of the State of Washington. The City Manager shall have the power to remove the City Attorney only upon the approval of the Council. Upon approval of a majority of the City Council, special counsel may be retained in the event a potential or actual conflict of interest arises in the City Attorney's representation.

Amendment Positions

Rationale for Amendment

The proposed amendment is a component of the ongoing initiative to strengthen the City Council's authority, enabling it to fully engage in its legislative functions and advance equity more effectively. Presently, concerns persist regarding the potential for disproportionate influence wielded by the City Manager over the City Attorney, which could compromise the Attorney's impartiality in situations of conflicting viewpoints between the Manager and Council.

This amendment gives Council the responsibility to scrutinize City Attorney candidates and approve the Manager's selection and dismissal of the Attorney. Its principal aim is to empower the Council, ensuring alignment between the Attorney's actions and the Council's objectives in scenarios where disparities in priorities or perspectives arise between the Manager and Council.

Moreover, the amendment affords the Council the prerogative to engage special counsel should conflicts of interest arise between the Council and the Attorney, further reinforcing transparency and accountability within our governance framework.

Dissenting Position:

Under the Council-Manager Form of Government, the City Council hires the City Manager "to be responsible to the Council for the administration of all units of the City government under the Manager's jurisdiction" (Section 3.2) and to "supervise and be responsible for the effective management of the administrative affairs of the City." (Section 3.3) Charter Section 3.4 already requires Council confirmation of "department heads".

Sections 3.3 and 3.4 of the Charter provide the City Manager with the responsibility to remove a department head if that is necessary "for the proper execution of the policies set by the Council and the enforcement of all laws and ordinances." This amendment politicizes that responsibility by requiring Council concurrence to terminate the City Attorney.

Charter Review Committee Proposed Amendment

VERSION B

Article III; Section 3.5

Original Amendment

Section 3.5 – The City Manager shall appoint a City Attorney, ~~who only after a Council review of candidates, and subject to the Council’s approval of the final candidate.~~ The City Attorney shall be an attorney admitted and qualified to practice in the Supreme Court of the State of Washington and who shall have practiced the profession within the State of Washington for not less than five years next preceding the appointment. The City Attorney shall have power to appoint and remove, subject to the approval of the Manager, professional assistants who shall also be attorneys admitted and qualified to practice in the Supreme Court of the State of Washington. The City Manager shall have the power to remove the City Attorney only upon the approval of the Council. Upon approval of a majority of the City Council, special counsel may be retained in the event a potential or actual conflict of interest arises in the City Attorney’s representation.

NEW AMENDMENT

Section 3.5 – The City Manager shall appoint a City Attorney, who shall be an attorney admitted and qualified to practice in the Supreme Court of the State of Washington and who shall have practiced the profession within the State of Washington for not less than five years next preceding the appointment. The City Attorney shall have power to appoint and remove, subject to the approval of the Manager, professional assistants who shall also be attorneys admitted and qualified to practice in the Supreme Court of the State of Washington. The City Manager shall have the power to remove the City Attorney only upon the approval of the Council.

*For additional context on Fiscal Memos, refer to
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found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 13
Sec. 3.5 City Attorney

There is a range of possibilities to retain special counsel for a potential or actual conflict of interest. A retainer fee would be required, at minimum, in order to contract for legal services of this kind. The range for a retainer fee could be between **\$20,000 to \$25,000**. This would cover some services, but, assuming more time were required for this purpose, the equivalent of a deputy city attorney salary could be required.¹ Costs for the equivalent of full-time legal services of this sort is estimated at **\$147,000**. Together, the range of cost for the special counsel retention, should the City Council exercise this authority, is estimated between **\$20,000 and \$147,000**.

Background and Assumptions

Most of the provisions contemplated by this proposed amendment do not have a fiscal impact. For example, the review and approval of City Attorney candidates and requirement for Council approval for the removal of a person from the City Attorney position do not have financial implications. However, this proposal allows the retaining of special counsel for potential or actual conflict of interest. That is the provision of focus for this estimate.

The calculation for retaining special counsel is based upon current staffing costs. The cost of a deputy city attorney was used for the calculation and the range, as discussed above. Recent experience was used for the basis of the estimated retainer fee. That fee represents the lower estimated cost, while additional work and time for highly complex and time-consuming conflicts could equal a full-time salary.

Amendment Recommendation 14

Sec. 3.8 - Planning Commission

Brief Summary of Amendment

- 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 Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: None

Abstain: None

Absent: Andre Jimenez

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.~~

Amendment Positions

Rationale for Amendment:

Our city's planning commission plays an important role in shaping the future development and growth of our community. However, the current commission needs more capacity and flexibility in representation. By expanding the commission to eleven members and proactively recruiting members with diverse racial, ethnic, gender, and professional backgrounds, we can ensure that a wider range of perspectives and lived experiences inform crucial decisions about zoning, infrastructure, housing, and public spaces. An expanded and more diverse commission will better understand the unique needs and priorities of different neighborhoods, allowing for more equitable and inclusive planning while bringing fresh ideas and innovative approaches to longstanding urban challenges. Prioritizing diversity and inclusion on the planning commission is essential for building a city that truly works for all its residents.

Dissenting Position:

None

Charter Review Committee Proposed Amendment

VERSION B

Planning Commission

Brief Summary of Amendment

This amendment eliminates the language requiring certain backgrounds or qualifications for appointments beyond ensuring diversity and Council district representation.

Rationale for Amendment

This amendment eliminates the language requiring certain backgrounds or qualifications for appointments beyond diversity and Council district requirements, to allow the Council flexibility in determining the most relevant backgrounds and requirements by resolution or ordinance.

Proposed Amendment Language

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.~~

Amendment Recommendation 15

Sec. 4.1 - Tacoma Public Utilities – Internet as a Utility

Brief Summary of Amendment

- Specifies “internet” as among the public utilities within the City’s powers to construct, condemn and purchase, acquire, add to, maintain, or operate.
- Adds “internet” to the specific utilities under the jurisdiction of the Public Utilities Board if internet is included as a utility.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Bryan Flint, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: Patrick Fischer, Andrea Reay

Abstain: None

Absent: None

Amendment

Section 4.1 – The City shall possess all the powers granted to cities by state law to construct, condemn and purchase, purchase, acquire, add to, maintain, and operate, either within or outside its corporate limits, including, but not by way of limitation, public utilities for supplying water, light, heat, power, internet, transportation, and sewage and refuse collection, treatment, and disposal services or any of them, to the municipality and the inhabitants thereof; and also to sell and deliver any of the utility services above mentioned outside its corporate limits, to the extent permitted by state law.

Section 4.10 – The Public Utility Board, subject only to the limitations imposed by this charter and the laws of this state, shall have full power to construct, condemn and purchase, acquire, add to, maintain, and operate the electric, water, internet, and belt line railway utility systems.

Amendment Positions

Rationale for Amendment:

Tacoma Public Utilities invested hundreds of millions of dollars in a high-speed fiber optic network to better serve its utility communication needs. In the 1990’s the network’s excess capacity was used to create the Click! cable network, which lowered costs and improved service for all cable subscribers. Now, with ample capacity on the existing public fiber network, Tacoma has the necessary infrastructure to create its own internet utility. The pandemic proved how essential it is that all citizens have affordable, reliable, and secure Internet access. This amendment does not create an Internet utility. Internet service is currently provided by a private company under contract with Tacoma power. Should this contract no longer serve the public interest this amendment would allow the Tacoma Public Utility Board and the City Council to create an Internet utility in the public's interest to serve all residents, of all incomes, in the city.

Dissenting Position:

The Internet is an essential service and the need for digital and technological infrastructure and digital equity investments are paramount to remain competitive as technological needs and services advance for business, workforce and education. Adding "internet" as a public utility in the City Charter however does not advance equity or encourage investments in our infrastructure. It does, however, create a false impression that digital access and systems would change within the City. The solution to create more digital equity and opportunities is possible by standardizing technological infrastructure investments and encouraging public investments that reduce barriers to access. These solutions are available to the City now and are not necessary to include in the Charter. Their inclusion now and in this way could have the very real and unintended consequence of reducing access and increasing costs for all customers city wide.

*For additional context on Fiscal Memos, refer to
“Considerations for Charter Review Fiscal Memorandums”
found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 15
Sec. 4.1 TPU Internet as a Utility

This proposed amendment does not, by itself, direct any action on the part of the organization. Rather it is a permissive amendment that allows the City Council to act but does not require it. The amendment does allow for the operation of internet services and the rationale outlines the use of the existing high speed fiberoptic network as the means of providing that service.

Based on a 2018 analysis of providing the internet using the fiberoptic network for Tacoma, annual operating expenses of \$10M in 2018 or **\$13M** in 2024 dollars and debt service was estimated at \$4M in 2018 or **\$5M** in 2024 dollars to cover initial capital needs of over \$23M in 2018 or **\$30M** in 2024 dollars for the expansion and improvement of infrastructure (which would require the City's general bonding capacity). Annual expenses may total **\$18M or more** depending on capital funding approaches.

An updated analysis of the fiscal and legal feasibility of this proposal would be recommended to assess the structure and financial model. Capital costs have likely increased significant since 2018 based on capital cost trends and changes in technology. Borrowing rates are also higher than the original estimate which would increase debt service costs. These projections assumed all households in Tacoma participate and that revenues cover all expenses (through an excise tax or other means).

Background and Assumptions

If internet services were added it could be funded by the City’s general fund and taxing authority. The City may impose a new excise tax to raise the necessary funding, which will need to be carefully evaluated on the basis of legal permissibility and financial feasibility. While universal broadband service would be provided to all serviceable addresses, the provision of retail cable television and other telecommunications services is not contemplated. These services, however, could be provided by third parties under wholesale agreements with the City.

Amendment Recommendation 16

Sec. 4.9: Tacoma Public Utilities – Board Membership

Brief Summary of Amendment

- Requires one member of the Public Utility Board to be resident of Pierce County who is not also a resident of Tacoma.
- The member must also be a residential customer and account holder of one or more of the public utilities operated by the City of Tacoma.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Diamatris Winston, Lok Yin Wu

No: Jason Gauthier, Steve Wamback

Abstain: None

Absent: None

Amendment

Section 4.9 – Members of the Board shall have the same qualifications as provided in this charter for Council Members, with the exception that beginning on or before January 1, 2030, one member shall be a resident of Pierce County that is outside of the city limits of the City of Tacoma and an account holder of and recipient of retail service from one or more of the public utilities operated by the City of Tacoma’s Department of Public Utilities. Members shall be entitled to reimbursement for expenses incurred in carrying out their official duties, other than those incident to attending board meetings held within the City of Tacoma.

Amendment Positions

Rationale for Amendment:

Tacoma owns and manages a broad serving utility that brings affordable power and water to its residents. For over a hundred years the utility also serves a large population of those who live outside of Tacoma’s city limits. These ratepayer’s substantial contribution offsets the risk that Tacoma residents bear via ownership of the utility, but have no formal Board representation. Ratepayers outside the city limits help insure the historically affordable and stable rates that all ratepayers benefit from. Based on this structure, retail ratepayers outside the city are contributing half of the utility’s total revenue for operation. Although the city’s residents are still responsible for the utility’s operations, maintenance, and potential risks, we can’t ignore the significant disparity in revenue and subsequent lack of representation that exists for ratepayers outside of the city limits. This modest amendment would allow for one board seat to be representative of these communities’ views, making the utility’s budget and policy decisions more equitable for the whole population it serves.

Dissenting Position(s):

Tacoma owns the assets of Tacoma Power, Tacoma Water, and Tacoma Rail on behalf of City residents and taxpayers.

By the Charter, the City Council has delegated management of these Public Utilities to a Public Utility Board, subject to specific Council oversight.

While being an account holder or customer of Tacoma Public Utilities may result in a degree of financial interest, it is not the same thing as being an owner. Tacoma residents, by virtue of being the utilities' owners, carry a greater and superior financial interest.

Giving account holders the same standing as owners risks tipping the scales in favor of simple financial interests over the broader welfare of residents. Board members should be intimately familiar with the challenges and aspirations of the City they serve, ensuring decisions align with the collective well-being rather than individual financial considerations. Residency remains the cornerstone of effective representation and accountability.

Amendment Recommendation 17

Sec. 4.15 - Tacoma Public Utilities – Shared Services

Brief Summary of Amendment

Requires a performance and financial audit of the general government department services utilized by Tacoma Public Utilities.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: None

Abstain: Rebecca Stith

Absent: None

Amendment

Section 4.15 – The Board shall have authority to secure the services of consulting engineers, accountants, special counsel, and other experts. At intervals not exceeding ten years the Council shall, at the expense of the utilities involved, cause a general management survey to be made of all utilities under the jurisdiction of the board by a competent management consulting ~~or industrial engineering~~ firm, and at the same intervals cause a performance and financial audit by a qualified independent auditor to be made of the services of the City's General Government departments used by the Department of Public Utilities, the report and recommendations of which shall be made public; provided, that the first such survey shall be made within three years of the effective date of this charter.

Amendment Positions

Rationale for Amendment:

This recommendation would require independent performance and financial audit of the cost and value of the shared services that Tacoma Public Utilities (TPU) receives from the City's General Government every 10 years. The purpose is to ensure that the performance and cost of the services are of benefit to TPU ratepayers and Tacoma taxpayers. This would ensure that the charges for service are accurate, justified, and in line with the services received. It would identify opportunities for cost savings or efficiencies to ensure fair and equitable allocation of costs among different departments within the City. It also provides objective and transparent analysis to managers and policy makers in both TPU and General Government as to the cost and effectiveness of the shared services arrangement, providing both with the opportunity to make solid decisions in the public interest.

Dissenting Position:

None

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Charter Review Fiscal Note
Proposed Amendment 17
Sec. 4.15 TPU Shared Services

Based on the costs of the City’s regular financial audits, the 2023 Management Study, and previous internal service costs and allocation studies, adjusted for inflation, staff estimate a fiscal impact **between \$350,000 and \$550,000**. These costs are borne by Tacoma Public Utilities and do not include the hundreds of hours of staff time across the City of Tacoma to lead this study, respond to requests, sit for interviews with the consultant, gather and provide data, facilitate meetings, and other associated work.

Background and Assumptions

The Tacoma Public Utilities (TPU) Shared Services proposed amendment directs a performance and financial audit every ten years by a qualified independent auditor; in addition to the current management study of all utilities under jurisdiction of the board (TPU Board). The current management study has two main costs. The first component is the cost of the study, which was approximately **\$350,000** in 2023. The scope of work of the management study includes review of the management and operations of TPU as well as a financial evaluation of the Power, Water, and Rail Funds. No major findings were reported at the conclusion of the process.¹

The second cost associated with the management study is staff time both from leadership and staff involved in the data collection, focus groups and interviews, and direct work with the management study consultant. Assuming leadership from each utility, several important internal service providers (such as Information Technology, Office of Management and Budget, Finance, and Human Resources), and support staff, staff time spent on this study could range from 80 to 100 hours per month for a period of 9 months or approximately 720 to 900 hours. While the work would be done by existing staff members, the time allocation represents an opportunity cost compared to other work responsibilities.

On an annual basis, the City of Tacoma’s general government functions are audited by the State Auditor’s Office (including internal service costs and allocations). This audit does not include an analysis of the cost compared to benefit of services, rather it covers that the City is meeting its financial policies and legal requirements. This audit cost **\$547,000** in 2023.

¹ Moss Adams presentation to the TPU Board can be found here: <https://www.mytpu.org/wp-content/uploads/Audit-Exit-Conf.pdf>

Amendment Recommendation 18

Sec. 4.19 - Tacoma Public Utilities – “Purposes of Inquiry”

Brief Summary of Amendment

- Eliminates the references to the Tacoma Public Utility Board engagement with staff “for purposes of inquiry”.
- Clarifies the role of TPU Board members with respect to TPU staff.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Patrick Fischer, Bryan Flint, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Steve Wamback, Diamatris Winston

No: Andrea Reay

Abstain: None

Absent: Maricres Castro, Jason Gauthier, Lok Yin Wu

Amendment

~~Section 4.19 – Except for purposes of inquiry, the Board and its members shall deal with officers and employees of the Department of Public Utilities only through the Director.~~

Neither the Board nor any member thereof may request any specific executive action by the Director’s subordinates or otherwise create any interference with managerial functions through means such as but not limited to directing or requesting the appointment or removal of any of the Director’s subordinates, or the making of particular purchases from or contracts with any specific individual or organization. Outside of these prohibitions, the Board is permitted to make direct inquiries of, and receive relevant and timely information from staff for the purposes of the formation of budget and policy.

Amendment Positions

Rationale for Amendment:

The Utility Board is allowed contact with Utility department staff under a provision known as “for purpose of inquiry.” This means that the Board is able to communicate with staff only for such purposes as those for “inquiry.” Yet, the language fails to define exactly what such inquiry encompasses, and is therefore left as a subjective determination by the Director of the Department, which can lead to miscommunication and a lack of transparency. This edit simplifies the language and process for both the Board and staff by defining exactly what explicit communication prohibitions exist between the Board and staff, while conversely outlining what direct communication is allowed and even encouraged.

Dissenting Position:

In order to execute the most effective, efficient, accountable and transparent execution of oversight for Tacoma’s electric and water and industrial freight-switching railroad for the citizens, the areas and lines of governance and operations must be clear and well defined between the public utility board and staff. A healthy and clear board/staff relationship and lines of communication are critical to executing the work and ensuring

accountability. Any blurring of those lines or adding or aiding to ambiguity between whom or what authority and process or hierarchy thereof could potentially create confusion and an ineffective work environment.

Charter Review Committee Proposed Amendment

VERSION B

ARTICLE IV; SECTION 4.19

Original Amendment

Section 4.19 – ~~Except for purposes of inquiry, the Board and its members shall deal with officers and employees of the Department of Public Utilities only through the Director.~~

~~Neither the Board nor any member thereof may request any specific executive action by the Director's subordinates or otherwise create any interference with managerial functions through means such as but not limited to directing or requesting the appointment or removal of any of the Director's subordinates, or the making of particular purchases from or contracts with any specific individual or organization. Outside of these prohibitions, the Board is permitted to make direct inquiries of, and receive relevant and timely information from staff for the purposes of the formation of budget and policy.~~

The following proposals are based upon council conversations at the joint-study session on May 21, 2024:

NEW AMENDMENT:

Section 4.19 – ~~Except for purposes of inquiry, the Board and its members shall deal with officers and employees of the Department of Public Utilities only through the Director.~~

~~The Board and its members are permitted to make direct inquiries of staff; provided that, Neither neither the Board nor any member thereof may request any specific executive action by the Director's subordinates or otherwise create any interference with managerial functions through means such as but not limited to directing or requesting the appointment or removal of any of the Director's subordinates, or the making of particular purchases from or contracts with any specific individual or organization. Outside of these prohibitions, the Board is permitted to make direct inquiries of, and receive relevant and timely information from staff for the purposes of the formation of budget and policy.~~

Amendment Recommendation 19

Sec. 5.5 – Ranked-Choice Voting

Brief Summary of Amendment

- Specifies that ranked-choice voting is among the election-related matters that the City Council may set forth in ordinance, but does not require that ranked-choice voting be used or adopted.
- States that in the event ranked-choice voting is adopted by ordinance that the election procedures contained in that ordinance would supersede any conflicting election procedures in charter.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: Patrick Fischer, Bryan Flint

Abstain: None

Absent: None

Amendment:

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. In the event the City Council by ordinance authorizes the use of ranked-choice voting for the election of city officers in any municipal election, the nomination and election procedures contained in such ordinance shall prevail over any conflicting procedures contained in this charter.

Amendment Positions

Rationale for Amendment:

The proposed amendment supersedes conflicting charter election provisions and establishes a straightforward path for the council to adopt ranked-choice voting. Authorizing ranked-choice voting (RCV) in Tacoma's charter is vital for revitalizing our democracy. RCV ensures every vote counts. When Tacoma adopts RCV, leveraging existing resources and partnerships would streamline implementation and reduce costs. RCV has many benefits. It fosters positive campaigning while ensuring equitable representation. It may also boost voter participation and save time and money. Studies show RCV is user-friendly and does not negatively impact voter behavior. Cities like Seattle and Portland are implementing RCV, which can serve as models for Tacoma. Tacoma should lead the way by modernizing our electoral process and empowering its residents through ranked-choice voting.

Dissenting Position:

Ranked-choice voting (RCV) requires voters to rank candidates in order of preference, which may not accurately reflect their true sentiments. RCV introduces complexity and potential confusion into the electoral process. Tabulation process in RCV can be convoluted, leading to delays in election results and increased costs for administering elections. Furthermore, RCV can perpetuate a lack of accountability, as candidates may focus more on being the second or third choice of voters rather than addressing issues head-on. RCV systems often

remove the primary election from the process when primaries create a lower barrier entry for new and emerging candidates. Ultimately, RCV undermines the simplicity and clarity of traditional voting systems and may not necessarily lead to better representation or governance.

*For additional context on Fiscal Memos, refer to
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found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 19
Ranked Choice Voting

This amendment is permissive and does not direct action. The amendment allows for the City Council to put forward an ordinance to authorize the use of rank choice voting.

The Pierce County Auditor’s Office provided staff with information on previous implementation efforts for rank choice voting. In 2008, rank choice voting implementation included one-time costs of \$857,000 (software, education, and equipment) and ongoing costs for each election of \$770,000 (printing, paper, envelopes, education, and staff). The total costs were \$1,627,000 in 2008 and are projected to be at least \$2,147,000 in 2024 dollars. The one-time costs would not significantly scale to a lower number due to the City of Tacoma’s population compared to the County as a whole. The ongoing costs may have some scaling; but, have also likely increased in cost beyond inflation.

Amendment Recommendation 20

New Section 5.XX- Campaign Finance

Brief Summary of Amendment

- Adds a new section 5.XX to Article V, to specify 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 Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: None

Abstain: None

Absent: Andre Jimenez

Amendment

NEW SECTION. Section 5.XX - 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 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; 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.

If enacting such ordinances, 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 such ordinances.

Amendment Positions

Rationale for Amendment:

Creating a campaign finance section with language that supports the option to implement public financing and create an Election Commission would work to improve public trust in elections. It also encourages democratic innovations that empower residents to support campaigns and run for office. Seattle's success with Democracy Vouchers can serve as a model for Tacoma. Public financing ensures a more varied candidate pool and democratizes campaign funding by increasing voter engagement and diversity in

donations. The amendment follows the advice of local and national election reform groups that recommend the establishment of an Election Commission to ensure informed decision-making, equity, and transparency. The Commission could study and prepare public fundraising plans while fostering accountability and citizen engagement. By passing this proposed amendment, the City shows its support for enhancing representation, strengthening democracy, and building a more equitable future for all Tacomans.

Dissenting Position(s):

None

*For additional context on Fiscal Memos, refer to
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found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 20
Sec. 5.XX Campaign Finance

This proposed amendment does not, by itself, direct any action on the part of the City Council. Rather, it is a permissive amendment that allows the City Council to act but does not require it.

There are four components of this proposed amendment.

First, is the administrative staffing and expertise to manage limitations placed on campaigns and candidates. The precise language and complexity is unknown at this time; however, an additional Deputy City Attorney level position should be considered to advise and assist with administration and compliance, in coordination with a new election commission (assumed to be a requirement to implement the new provisions, as outlined below). The cost of this position would be **\$197,000**.

Second, there is provision for financial or non-financial incentives, but not enough detail to assign a fiscal impact to this element prior further Council action pursuant to the broad authority granted in this proposed amendment.

Third, this proposal allows for the creation of a democracy voucher program. Democracy vouchers are dollars assigned to eligible voters who, in turn, provide them as contributions to eligible candidates. The collection and oversight of these monies will likely require the establishment of a program of staff to manage the funds and the process and conduct outreach as well as the cost of the vouchers. Based on the City of Seattle’s experience, the City could expect to spend **\$1 million** per year on the program.

Fourth, an elections commission would likely be required if the City was to enact an ordinance related to these areas. This new commission would likely require professional staff to assist its mandate and management of public funds. Staff estimates at least 2 new FTEs would be needed to meet this additional workload: 1 to administer the voucher program and 1 for administrative support. These two positions (which are new positions in addition to the recommended attorney above) would cost **\$288,000**.

Additional costs to support the new employees include one-time start-up costs and ongoing and maintenance and operating expenses (about **\$156,000**),

The estimated cost for proposed amendment is **\$1,641,000**.

Background and Assumptions

The estimate focuses on the administrative staff that may be required to oversee any process to place limits on financial and in-kind support of candidates, provide incentives, and supporting the required Elections Commission. In addition, there are implementation costs associated with establishing a democracy voucher program.

The [City of Seattle](#) has a similar program to the one that is outlined in this proposed amendment. The vouchers are funded by a voter approved property tax levy of \$3M per year for 10 years. The [program](#)’s Annual Report outlines the required administrative costs to manage the program, conduct voter outreach and education, and voucher costs (each qualifying resident receives four

*For additional context on Fiscal Memos, refer to
“Considerations for Charter Review Fiscal Memorandums”
found towards the beginning of this binder*

vouchers for \$25 to donate to candidates of their choice). The Seattle example, nonetheless, is the main source for the estimate discussed above and it is adjusted on a per capita basis to the City’s population. The Seattle program has an Elections and Ethics Commission (SEEC) which oversees the democracy voucher program. Similarly, SEEC requires campaign financing compliance in order to receive democracy voucher funding.

Amendment Recommendation 21

Sec. 6.3 –Eligibility for Employment - Citizenship

Brief Summary of Amendment

Eliminates language requiring that City employees be United States citizens and retains the requirement that City employees be Tacoma residents.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston

No: None

Abstain: None

Absent: Bryan Flint, Lok Yin Wu

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.

Amendment Positions

Rationale for Amendment:

Citizenship as a requirement to employment creates more barriers while the role of government is to create more accessibility to the rights protected under the US Constitution. The use of citizenship as a requirement is unconstitutional as residents who are green card holders, DACA recipients and other residents of the city of Tacoma have every right to pursue their own destiny and feel welcomed to apply for employment at the City of Tacoma as they see fit.

Dissenting Position(s):

None

Amendment Recommendation 22

Sec. 6.7 - Employment Anti-Discrimination

Brief Summary of Amendment

- Replaces “handicap” with “disability”.
- Requires the City Council to periodically review, and amend as appropriate, the anti-discrimination ordinances applicable to City applicants and employees.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: None

Abstain: None

Absent: Bryan Flint

Amendment

Section 6.7 – No applicant for employment and no appointed officer or employee shall be discriminated against in any personnel decision on the basis of religion, race, color, national origin or ancestry, political affiliation, sex, gender identity, sexual orientation, age, familial status, honorably discharged veteran or military status, or the presence of any sensory, mental or physical ~~handicap~~ disability; provided, however, that affirmative action may be used to remedy prior discrimination in the employment and promotion of City appointed officers and employees. The City Council shall periodically review, and amend as appropriate, the anti-discrimination ordinances applicable to City applicants and employees.

Amendment Positions

Rationale for Amendment:

The term handicap should be switched to disability. As traditionally used, impairment refers to a problem with a structure or organ of the body; disability is a functional limitation with regard to a particular activity; and handicap refers to a disadvantage in filling a role in life relative to a peer group. Words matter and our City Charter should reflect more inclusive language.

Dissenting Position(s):

None.

Amendment Recommendation 23

New Section 9.6 – Official Newspaper

Brief Summary of Amendment

- Adds Section 9.6 to Article IX, Miscellaneous Provisions to define “official newspaper” as that term is used in the Charter.
- Defines official newspaper as meeting the requirements of state law but to include posting on the City’s website.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Bryan Flint, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Steve Wamback, Diamatris Winston, Lok Yin Wu

No: None

Abstain: None

Absent: None

Amendment

NEW SECTION. Section 9.6. As is used in this charter the term official newspaper shall mean a publication of general circulation meeting the qualifications required by state law and which is designated by resolution of the City Council as the official newspaper of the City. All items which are required by this charter, by state law or by ordinance to be published in the official newspaper of the City shall also be posted on the City’s website.

Amendment Positions

Rationale for Amendment:

State law requires that jurisdictions use the local newspaper of record for public notification of legislative actions. Since the advent of the Internet, newspapers have been declining in readership and reach to the general public, and no longer provides the widest or consistent distribution. The Internet provides a much wider and consistent distribution and is broadly accessible with a computer, phone, or tablet. This amendment would require, throughout the Charter, the inclusion of the City’s website in the official publication of public notices. This will guarantee wider distribution of important public information and a consistent location for members of the public to access information at the time and place of their choosing. This commonsense amendment updates our charter for the Internet age.

Dissenting Position(s):

None

Amendment Recommendation 24

Form of Government

Brief Summary of Amendment

- Makes changes throughout the charter necessary to change to the City's form of government from Council Manager to Mayor Council Chief Administrative Officer.
- Transitions the Council from nine members to seven by 2027, with two at-large positions phasing out by the end of 2027, resulting in a Council of five members continuing to be elected by district and two members elected at large.
- Requires the Council to appoint a Council Chair at its first meeting in January 2026 and a new Chair every calendar year thereafter who will preside over Council meetings and perform the duties of Mayor in the absence or disability of the Mayor.
- Authorizes the next elected Council to serve on a full-time basis, and to employ or contract for staff.
- Confirms that any confirmation or approval actions by Council will be by a majority vote unless otherwise stated.
- Provides Council with investigative authority including subpoena power and ability to retain special counsel.
- Gives Council the power of impeachment or removal of the Mayor.
- Establishes Mayor elected in 2025 as the Chief Executive Officer of the City and requires the Mayor to manage the City through a Chief Administrative Officer who has oversight of City administration and operation and who reports jointly to the Mayor and Council.
- Requires the Mayor and Council to jointly appoint the Chief Administrative Officer and the City Attorney, beginning with the Mayor and Council elected in 2025.
- Gives the Mayor authority to supervise the Chief Administrative Officer, to appoint department heads, subject to Council confirmation, and to remove department heads without Council approval.
- Gives the Mayor the authority to remove the Chief Administrative Officer without Council approval and to remove the City Attorney with Council approval.
- Requires the Mayor to appoint members of boards, committees, and commissions subject to confirmation by Council and for the Mayor or designee to serve as a member of appropriate external boards, committees and commissions, with the exception that the Mayor must appoint a member of the Council to any board, committee or commission that previously included more than one Council Member. Gives the Mayor legislative veto authority over Council, with certain exceptions, and gives Council certain veto override authority.
- Gives Mayor authority to hire and supervise staff to advise and assist Mayor.
- Makes other necessary changes to replace "City Manager" with "Mayor" or "Chief Administrative Officer", to clarify the number of Council members needed to constitute a majority or supermajority, to recognize the Mayor's separately elected executive role, and grammatical and syntax changes throughout.

Committee Vote

Yes: Katie Baird, Nicholas Carr, Maricres Castro, Patrick Fischer, Andre Jimenez, Melissa Malott, Latasha Palmer, Rebecca Stith, Diamatris Winston, Lok Yin Wu

No: Jason Gauthier, Andrea Reay, Steve Wamback

Abstain: None

Absent: Bryan Flint

Amendment

ARTICLE II

THE LEGISLATIVE BRANCH

~~Creation and Composition of City Council~~

Section 2.1~~XX~~ – The Council shall be composed of the Mayor and eight (8) ~~seven (7)~~ Council Members nominated and elected, as provided hereinafter. ~~At the next general municipal election to be held in the year 1975 on the date prescribed by state law, there shall be elected eight (8) Council Members for terms beginning on the second Monday in January 1976, as set out hereinafter in Section 5.3. Biennially thereafter, on the date prescribed by state law for general municipal elections, four (4) Council Members shall be elected for like terms of four years. Beginning on the date prescribed by state law for general municipal elections in 2025, the Mayor position on the Council shall become a vacant 2-year at-large Position 9, with such vacancy to be filled by an appointment made in the manner provided in this charter by the members of the City Council taking office in January of 2026. Beginning on the date prescribed by state law for general municipal elections in 2027 at-large Positions 8 and 9 shall be eliminated. Biennially thereafter on the date prescribed for municipal elections at-large Council positions 6 and 7 and election district positions 1 through 5 shall be elected for terms of four years.~~ Council Members shall continue in office until their successors are elected and qualified. The Council shall constitute the legislative and governing body of the City and shall have authority, except as otherwise provided in this charter, to exercise all powers of the City. ~~The Mayor~~

Section 2.4 — On the date prescribed by state law for the general municipal elections, commencing in the year ~~1973~~, the Mayor shall be elected for a term of four (4) years. The Mayor shall become a member and presiding officer of the City Council with the right to speak and vote as any other Council Member. The Mayor shall be the official head of the City government for purposes of ceremony and military law and upon declaration of an emergency or disaster which constitutes an event or set of circumstances which demands immediate action to preserve public health, protect life, protect public property, or which reaches such a dimension or degree of destructiveness that exceeds the resources of the City of Tacoma to respond to the situation. The Mayor shall authenticate by signature such instruments as may be required by law, ordinance, or this charter. The Mayor shall have such appointive and other powers, duties, and authority as may be conferred by law, ordinance, or this charter, provided, however, that all appointments where not in conflict with state law shall be made by majority vote of the Council Members from nominees whose names are presented in writing to the Council by the Mayor or by any three members of the Council. This provision shall supersede and prevail over any other provision or ordinance or of the charter inconsistent with or in conflict herewith. A candidate for the office of Mayor shall not be ineligible by reason of holding the office of Council Member, provided that, if elected, the Council office of any such candidate shall, upon taking office as Mayor, be and become vacant. The compensation to be paid to the Mayor for the performance of the Mayor's duties as such shall be fixed by ordinance, which sum shall be inclusive of compensation as a Council Member. Except as otherwise provided herein, all provisions relating to the office of Council Member shall relate also to the office of Mayor. Vacancies in the office of Mayor shall be filled by appointment by the City Council for a term expiring at the time a

~~successor has been elected and qualified as hereinafter provided. In the event such a vacancy occurs during the first or second year of the Mayor's term of office, then the office of Mayor shall also be placed upon the ballot for the primary and general elections. The Mayor elected at such general election shall be elected for a full four-year term and shall take office at the same time as City Council Members elected at said general election. In the event that the vacancy occurs subsequent to such time for filing, the appointment shall be for the unexpired term.~~

NEW SECTION

Council Chair

Section 2.XX - The City Council, at its first annual meeting following the general municipal election of 2025, and thereafter at each first annual meeting, shall, by a majority vote, designate one of its members as Chair of the Council. The Chair shall hold such designation at the pleasure of the City Council and can be replaced upon a motion and majority vote of the Council. The Chair shall preside over Council meetings, and, in the case of the temporary absence of the Mayor, the Chair shall perform the ceremonial duties of the Mayor and other duties of the Mayor as set by ordinance except for the power to veto legislation of the Council.

NEW SECTION

Powers of the Legislative Branch

Section 2.XX –

Council Members shall serve on a full-time basis and shall have the authority to employ or contract for personnel who will directly report to and advise or assist the Council Members. In addition, the Council may as a whole or by committee, conduct public hearings on matters of public concern and, further, may audit and make other investigations into the affairs of the City and the conduct of the executive branch including any City department, office, agency, board, commission, or committee, and for this purpose may retain special counsel and subpoena witnesses, administer oaths, take testimony, and require the production of evidence.

NEW SECTION

Relationship with Other Branches

Section 2.XX – Except in the performance of its legislative and investigative functions under this charter, the Council, as a body or acting through its staff or individual Council Members, shall have no power to direct, hire, or remove, any officer or employee under the supervision of the Mayor, except the Chief Administrative Officer and the City Attorney or as otherwise provided in this charter.

NEW SECTION

Removal of the Mayor

Section 2.XX - The City Council may seek to remove the Mayor from office for commission of a felony, an offense involving moral turpitude, or a willful violation of duty. Such removal process shall require a written Notice of Allegations and Removal to the Mayor, approved by majority vote of a majority plus one members of the City Council, to be personally served at least thirty (30) days before a removal hearing is scheduled. In preparation for, and during such hearing, the Mayor shall be entitled to due process, including the right to be present, to the assistance of special counsel, to offer evidence, and to be heard. Upon the vote of at least five (5) members of the City Council, acting as a court of impeachment, the Mayor shall be removed, and the office shall become vacant.

NEW SECTION

Veto Override Power

Section 2.XX – The City Council shall, by a vote of a majority plus one of the Council Members, have the power to override the veto of the Mayor as set forth in Section 3.XX.

Council Vacancies

Section 2.7 XX– Whenever a vacancy occurs in ~~the~~ an office of the City Council, the City Council shall fill such vacancy by appointment by a majority vote of its remaining members, and such appointee shall continue in office until the commencement of the terms of office of ~~municipal officials succeeding Council Members~~ elected in the next general municipal election occurring after the date of such appointment, and if any unexpired term remains, it shall be filled by election; however, that in the event a majority of the Council fails to make an appointment to fill a vacancy on the Council within a period of sixty (60) days from the date the vacancy occurs, then the Mayor shall make the appointment, subject to the confirmation of the remaining members of the Council.

NEW SECTION

Mayoral Vacancy

Section 2.XX – Whenever a vacancy occurs in the office of the Mayor, whether by removal, recall, resignation, nonresidency, illness, death, or other impediment, the Chair of the City Council shall become the acting Mayor and perform all duties of the Mayor until a new Mayor is duly elected at the next municipal election and sworn into office.

Procedure of the Council

Section 2.8 XX– The Council shall meet at such times and places as it may determine, provided it shall hold regular periodic meetings, not oftener than once a week, at least forty-six (46) times each calendar year. Special meetings shall be called by the City Clerk on the written request of the Council Chair or any ~~three~~ two Council ~~m~~Members. Such request shall state the subject or subjects to be considered at such meeting, and no other subject shall be considered thereat. Each Council ~~m~~Member shall be given such notice that may be required by State law, but in no event less than twelve hours' notice, of the time and place of such special meetings. All meetings of the ~~Council~~ shall be public as prescribed by State law. Except as otherwise provided in this charter, any reference to an action of the City Council required to confirm or approve shall be by a majority vote.

Section 2.XX – Subject to the limitations imposed by law and by this charter, the Council shall establish its own rules and order of business. It shall keep a journal of its proceedings which shall be a public record. ~~Five~~ A majority of the Council Members shall be a quorum for the transaction of business, but in the absence of a quorum, the members present may adjourn the meeting to a later date. The Council shall have the authority to punish its members and others for disorderly or otherwise contemptuous behavior in its presence and to compel the attendance of its members and witnesses, and the production of papers and things, before the Council.

Section 2.10 XX – Every ordinance and resolution shall require an affirmative vote of at a majority Council Members for passage, and the ayes and nays shall be taken and entered upon the journal. Upon the request of any member, the ayes and nays shall be taken on any question and entered upon the journal. Members present but not voting shall be recorded as abstaining from the vote.

Section 2.12 XX – No ordinance shall be finally ~~passed~~ approved by a majority vote of the City Council within five days of its introduction, except when the Council declares in such ordinance that a public emergency exists

and therein states the facts constituting such emergency, and except ordinances relating to local improvements and assessments and authorization of bonds therefor. All ordinances passed as emergency measures shall require an affirmative vote of a majority plus one Council Members. No ordinance granting any franchise, right, or privilege shall conduct of the executive branch including any City department, office, agency, board, commission, or committee, and for this purpose may retain special counsel and subpoena witnesses, administer oaths, take testimony, and require the production of evidence.

Section 2.18XX – A summary of every ordinance shall, within ten days ~~after its passage,~~ after being deemed passed by the City Council and signed by the Mayor, be published once in the official newspaper of the City. Ordinances passed as emergency measures, or relating to local improvements and assessments and authorization of bonds therefore, or adopting annual budgets, or levying taxes, or making appropriations shall be deemed passed by the City Council and signed by the Mayor, and take effect immediately upon passage. Ordinances granting a franchise, right, or privilege, or authorizing the issuance of revenue bonds in an amount exceeding five million dollars, shall be deemed passed by the City Council and signed by the Mayor, and shall be published within ten days thereafter, They shall take effect at such time after publication as the City Council shall determine by ordinance. All other ordinances shall take effect only after the expiration of ten days from publication, subject always to the provisions of this charter concerning referendum.

Section 2.25XX – Citizens of Tacoma may ask that ordinances passed by the City Council, except for ordinances which take effect immediately as allowed in Section 2.13XX]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~~ is deemed passed by the City Council and signed by the Mayor.
- (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.

ARTICLE III

THE ADMINISTRATIVE EXECUTIVE BRANCH

The City Manager Mayor

~~Section 3.1XX~~ – The Council shall appoint a chief administrative officer of the City government who shall be entitled City Manager, and who shall serve at the pleasure of the Council. Both the appointment and removal shall require the affirmative vote of five members of the Council. The Manager shall be selected on the basis of training, experience, and other administrative qualifications for the office and without regard to place of residence at the time of appointment, but during tenure of office, shall reside within the City limits. The Council shall review the City Manager's performance annually and every two years shall vote on whether to reconfirm the appointment of the City Manager, with the affirmative vote of at least five members of the Council in a public meeting necessary to effect such reconfirmation. Neither the Mayor nor any Council Member shall be eligible for the position of City Manager within two years after the expiration of their latest term. The Council may directly retain the services of an individual or organization to assist the Council in conducting a search for a City Manager and conducting performance reviews of the City Manager.

The Mayor, who shall be the Chief Executive Officer of the City, shall be nominated and elected by the voters of the City of Tacoma.

- (1) The Mayor shall have the executive powers of the City, except as otherwise provided by this charter, which shall include the power:
- (a) To appoint, upon the approval of a majority of the City Council, department or office heads except the Chief Administrative Officer, the City Attorney, or as otherwise provided by the charter;
 - (b) To remove department or office heads except as otherwise provided by this charter;
 - (c) To remove the Chief Administrative Officer without approval of the Council and the City Attorney only upon approval of the City Council;
 - (d) To manage the City through the assistance of the Chief Administrative Officer, who shall oversee the administration and operations of the City and report jointly to the Mayor and City Council;
 - (e) To implement and enforce all ordinances and state laws within the City;
 - (f) To present to the City Council an annual State of the City address outlining the conditions and affairs of the City and the adoption of those recommended measures the Mayor deems necessary and proper;
 - (g) To prepare and present to the City Council a proposed budget and budget priorities for the City in accordance with the time limits prescribed by state law;
 - (h) To prepare and present to the City Council capital improvement and economic development plans for the present and future development of the City;
 - (i) To veto any ordinance adopted by the City Council except as otherwise provided in this charter;
 - (j) To sign, or cause to assign, on behalf of the City, all claims, deeds, contracts and other instruments;
 - (k) To serve, personally, or through a designee, on all appropriate external boards and commissions on which a City Council member was required to serve prior to the adoption of this charter section, with the exception if more than one City Council member was required to serve, the City Council shall

appoint a Council member or Council members to serve on the board or commission with the Mayor;
and

- (l) To employ, without Council confirmation, personnel to advise and assist the Mayor.

Council Manager Relationships

~~Section 3.2~~— The Manager shall be responsible to the Council for the administration of all units of the City government under the Manager's jurisdiction. Except for the purpose of inquiry, the Council and its members shall deal with administrative officers and employees under jurisdiction of the Manager solely through the Manager. Neither the Council nor any member thereof shall give orders to the Manager's subordinates or otherwise interfere with managerial functions through such means as directing or requesting the appointment or removal of any of the Manager's subordinates, or the making of particular purchases from or contracts with any specific individual or organization. The Manager shall have the right to attend all meetings of the Council and to take part in the discussion of matters coming before the Council, but not the right to vote.

NEW SECTION

Appointments by Mayor

~~Section 3.XX~~ – The Mayor, except as otherwise provided in the charter, shall, subject to confirmation by the City Council, have the authority to appoint department and office heads within sixty (60) days of a vacancy. If the City Council declines to confirm any department or office nominee of the Mayor, then the Mayor shall continue to nominate until such nominee is confirmed. Except for those positions filled by election, and except as otherwise provided in this charter, the Mayor shall appoint members of all boards, commissions, and committees. The appointments by the Mayor shall be subject to confirmation by Council. Appointments by the Mayor filling vacancies on a board, commission or committee shall be transmitted to the Council.

~~Section 3.3~~— The Manager shall supervise and be responsible for the effective management of the administrative affairs of the City. The Manager shall give general direction to the programs and activities of all City departments and offices, except those removed from the Manager's jurisdiction by this charter, and shall be responsible for the proper execution of the policies set by the Council and the enforcement of all laws and ordinances. The Manager shall keep the Council informed of the conditions and needs of the City and shall make such reports and recommendations as the Manager may deem desirable or as may be requested by the Council.

NEW SECTION

Chief Administrative Officer

~~Section 3.XX~~ – The Mayor and City Council shall jointly appoint, and the City Council shall confirm, a Chief Administrative Officer. The Chief Administrative Officer shall be appointed on the basis of their training, education, experience, community service, commitment to diversity, equity, and inclusion, and other relevant qualifications for the office and without regard to their place of residence at the time of appointment, but during their term of office shall reside within the City. The Chief Administrative Officer shall, under the supervision of the Mayor, oversee the operations of the City, and report jointly and regularly on such operations to the Mayor and City Council. The Mayor may remove the Chief Administrative Officer. The salary of the Chief Administrative Officer shall be fixed and approved by the City Council. Whenever a vacancy exists in the office of the Chief Administrative Officer, the Mayor and Council shall conduct a search for a replacement and the Mayor shall name an interim or acting Chief Administrative Officer, upon approval of the Council, to perform the duties of the office until the next Chief Administrative Officer is appointed and confirmed. The City Council shall annually review the performance of the Chief Administrative Officer and may by majority vote recommend the removal of the Chief Administrative Officer to the Mayor.

Section 3.4XX – ~~The Manager Mayor, or the Chief Administrative Officer as delegated by the Mayor shall have the power to appoint and remove, and subject to the civil service provisions of this charter and except as otherwise provided in this charter or by state law, may authorize the head of a department or office to appoint, transfer, or remove subordinates in such department or office all officers and employees of the City under the Manager's jurisdiction, provided, appointments of department heads shall require confirmation by the City Council. The Manager may authorize the head of a department or office responsible to the Manager to appoint and remove subordinates in such department or office.~~

NEW SECTION

Mayor's Veto and Council's Veto Override

Section 3.XX – The Mayor shall have the power to veto ordinances approved by a majority vote of the City Council, and the City Council shall have the power to override the Mayor's veto of an ordinance and such override shall be deemed effective on the date that the City Council votes to override such veto. All overrides shall require a vote of a majority plus one of the Council Members. Every ordinance approved by a majority vote of the City Council shall be presented by the Clerk to the Mayor within two (2) business days of such approval. The Mayor shall return such ordinance to the Council within five (5) business days of receiving it. If the Mayor signs the ordinance or returns it unsigned, or if the time for returning the ordinance to the City Council lapses without its return, then that ordinance shall be deemed passed and signed. If the Mayor disapproves the ordinance, the Mayor shall, when so returning it, specify objections thereto in writing. The objections of the Mayor shall be promptly published in the City's official newspaper. The Mayor shall have no power to veto emergency ordinances.

City Attorney

Section 3.5XX – ~~The City Manager Mayor and the City Council shall jointly appoint, and the City Council shall confirm, a City Attorney, who shall be an attorney admitted and qualified to practice in the Supreme Court of the State of Washington and who shall have practiced the profession within the State of Washington for not less than five years next preceding the appointment. The City Attorney shall have power to appoint and remove, subject to the approval of the Manager Mayor, professional assistants who shall also be attorneys admitted and qualified to practice in the Supreme Court of the State of Washington. The Mayor may remove the City Attorney only with approval of the City Council.~~

Section 3.6XX – ~~The City Attorney shall be legal advisor to the Mayor, City Council, Manager, and all officers, departments, and commissions, boards, and committees of the City in matters relating to City affairs. The City Attorney shall represent the City in litigations in which the City is interested; shall provide written legal opinion on official matters when requested by the Mayor, City Council, officers, departments Manager, commissions, boards, or committees other City officers; shall review for legal correctness contracts, bonds, franchises, and other instruments in which the City is concerned; and perform such other duties as may be prescribed by ordinance or otherwise by law. Upon approval of the City Council, special counsel may be retained in the event a potential or actual conflict of interest arises in the City Attorney's representation of any of the above.~~

City Clerk

Section 3.7XX – ~~The City Manager Mayor shall appoint, and the City Council shall confirm, a City Clerk who shall:~~

- (a) attend all meetings of the Council and keep a permanent journal of its proceedings,
- (b) record and certify all ordinances and resolutions,
- (c) serve as custodian of the City seal and official City records,
- (d) prescribe and furnish sample forms for petitions provided for by this charter, and

(e) perform such other duties as may be prescribed by the ~~Manager~~ Mayor, state law, this charter, or by ordinance.

The City Clerk with the approval of the ~~City Manager~~ City Council may designate one clerk as deputy, who shall have all the powers and perform all the duties of the City Clerk in the Clerk's absence.

Administrative Organization

Section 3.11~~XX~~ – Within the framework established by this charter, the administrative service of the City government shall be divided into such offices, departments, and divisions as provided by ordinance upon recommendation of the ~~City Manager~~ Mayor. Such ordinance shall be known as the "Administrative Code."

ARTICLE IV

PUBLIC UTILITIES

Powers and Duties of the Public Utility Board

Section 4.16 – Insofar as is permitted by state law, the Board shall have the same authority, and be governed by the same limitations, in respect to the purchase of materials, supplies, and equipment and awarding of contracts for all improvements for Department of Public Utilities' purposes as does the Council and ~~City Manager~~ Mayor for general government purposes.

Location and Relocation of Utility Works

Section 4.23 – The Board shall have authority to place poles, wires, vaults, mains, pipes, tracks and other works necessary to any utility operated by the Board in the public streets, alleys, and places of the City. Before any such works are commenced, plans and specifications showing the exact location thereof shall be submitted to the ~~City Manager~~ Mayor for approval. Whenever it shall be necessary by reason of the grading, re-grading, widening, or other improvement of any public street or alley to move or readjust the works of any utility, the Board shall cause such works to be so moved or readjusted and the expense thereof shall be charged against such fund as may be agreed upon by the Director of Utilities and the ~~City Manager~~ Mayor, or as determined by the City Council. Upon placing the works of a utility in any public street, alley, or place, the Board, at the expense of the utility involved, shall cause the surface of such street or alley to be replaced as near as may be to its previous condition. Whenever the Board and the ~~City Manager~~ Mayor are unable to reach an accord concerning the moving, readjusting or installation of any utility, works or improvements, or the distribution of the expenses thereof, the matter shall be referred to the City Council, whose finding and determination shall be conclusive.

ARTICLE V

NOMINATIONS AND ELECTIONS

Election of Council Members – Numbered Positions

Section 5.3 – Before the general municipal election to be held in the year 1975, the Council shall divide the city into five election districts so that each district shall comprise as nearly as possible one-fifth of the population of the City; provided, that the territory comprised in any voting precinct of such district shall remain compact and shall not be divided by the lines of said district. The Council shall change the lines of the election districts, in the time and manner as prescribed by state law.

The City Clerk shall designate, by consecutive numbers commencing with number one and ending with number five, all positions on the Council to be nominated by district, ~~and~~ Before the general municipal election to be held in the year 2025 the City Clerk shall further designate, by consecutive numbers commencing with number six and ending with number eight ~~eight~~ nine, all positions on the Council to be elected at large. Before the general

municipal election to be held in the year 2027 the City Clerk shall further designate by consecutive numbers commencing with the number six ending with the number seven, all positions on the Council to be elected at large., ~~a~~All of such designations shall thereafter be permanent and the positions so designated shall thereafter be considered as separate offices for election purposes.

The qualified electors of each election district, and they only, shall nominate from among their number candidates for the office of Council Member of such election district to be voted for at the following general election.

The qualified electors of the City shall nominate from among their number candidates for the office of Council Member at large to be voted for at the following general election.

The two candidates having the highest vote totals for each Council position shall be certified as having been nominated and shall run for that position in the general election. Council Members nominated by district shall be elected by all of the qualified voters of the district, and the person receiving the highest number of votes for the office of Council Member for the position for which they are a candidate shall be declared duly elected.

Council Members nominated at large shall be elected by all of the qualified voters of the City. The person receiving the highest number of votes for the office of Council Member for the position for which they are a candidate shall be declared duly elected. On expiration of the present term of office, Council positions nominated by Council district shall be elected by the qualified voters in that district.

In the event any Council Member nominated from a district shall, after election, move or reside outside the district from which the Council Member was nominated, the Council Member shall, by virtue thereof, be deemed to have forfeited their office, and their seat shall become vacant and shall be filled in the manner provided herein for the filling of vacancies.

ARTICLE VI

CITY OFFICERS AND PERSONNEL

Unclassified Service

Section 6.1 – The civil service of the City is hereby divided into the classified and unclassified services. The unclassified service shall consist of:

- (a) officers elected by the people and persons appointed to fill vacancies in elective offices;
- (b) the members ~~and of boards, and commissions, and committees;~~
- (c) officers appointed by the Mayor and Council or by boards, ~~and commissions, and committees,~~ as provided by law or by this charter;
- (d) all department heads, one confidential secretary for the ~~City Manager~~ Chief Administrative Officer and one for the Director of Utilities, and such other principal officers and assistants to department heads as the Council may prescribe by the affirmative vote of ~~not less than six~~ a majority plus one of Council Members;
- (e) not more than three administrative assistants or aides to the ~~City Manager~~ Mayor;
- (f) professional personnel in the office of the City Attorney;
- (g) persons employed in a professional or scientific capacity to conduct a special inquiry, investigation, or examination;
- (h) persons employed on special projects or programs of limited duration, including but not limited to special major construction projects, projects or programs financed by grant-in-aid agreements with either federal or state governments, etc., and
- (i) event workers in Public Assembly Facilities.

Civil Service Board

Section 6.10 –

(a) There shall be a Civil Service Board, consisting of five resident and qualified voters, three to be elected from the City at large by the qualified electors thereof, one to be appointed by the classified civil service employees of the City in a manner of their choosing and one jointly by the ~~City Manager~~ Mayor and the Director of Public Utilities, each for a term of four years.

When each of the current six-year terms expires, the term of that office will convert to a four-year term, beginning in 1974, then to continue as a four-year term. The initial appointee terms will be as follows: The appointee of the civil service employees shall serve a four-year term beginning in 1974; the appointee of the City Manager and Utilities Director shall initially be for two years beginning in 1974 and will be four years with the second appointment.

(b) Vacancies of the elected members shall be filled by the remaining members of the Civil Service Board by appointment, and such appointed member shall serve until the next general municipal election. If the Board fails to make an appointment within sixty (60) calendar days of when a vacancy occurs, the City Council shall make the appointment.

Vacancies of the appointed members shall be filled by the appointing authority by appointment until the end of the four-year term.

(c) The Board shall provide for its own organization and the rules of the conduct of meetings; provided, that all meetings be public to the extent required by state law and that three members shall constitute a quorum. Said Civil Service Board members shall serve without pay. The Board, in its discretion, may allow a hearings examiner to hear any adjudicatory matter which would be properly presented to the Board.

Recommendation of a hearings examiner may be reviewed by the Board at the request of either party under rules adopted by the Civil Service Board. The Board's final decision must be based on evidence in the record. A record of the proceedings shall be made. Neither the Director of Human Resources nor the Director's staff shall serve as hearings examiner.

(d) In the performance of its adjudicatory functions (Charter Section 6.12(c) and (d)), the Board shall:

- (1) adopt, and observe fair and reasonable rules for notice and evidence;
- (2) maintain an appearance of fairness as has been otherwise applied in this state to elected public bodies making quasi-judicial decisions;
- (3) provide an electronically-recorded record, one copy of which shall be available without cost to any party appealing a decision of the Board to the superior court; and
- (4) conduct hearings and render decisions on a timely basis.

(e) Any employee shall be entitled to appeal to the Civil Service Board those matters which are authorized under this charter or the personnel ordinance or ordinances adopted pursuant thereto; provided, however, that no person shall be entitled to appeal to the Civil Service Board any matter that already has been the subject of binding arbitration under a labor contract, or administrative complaint hearing pursuant to equal employment opportunity governing statutes.

Human Resources Director

Section 6.13 – There shall be a Human Resources Director, appointed by the ~~City Manager~~ Mayor and confirmed by the City Council on the basis of experience in and demonstrated knowledge of modern personnel administration, who shall be the administrative head of the Human Resources Department. The Human Resources Director shall be responsible for directing the personnel program of the City in accordance with the provisions of this charter and ordinances supplemental thereto.

Personnel Rules

Section 6.14 –

- (a) It is the intention of this Article to provide for a merit system of employment in the City service. The City Council shall establish and maintain a comprehensive plan setting forth goals and policies regarding the employment and personnel system in the City. The Civil Service Board, except as provided in subsection (b) below, shall make and promulgate all Civil Service and Personnel Rules, and amendments thereto, necessary to carry out and enforce the purpose of this Article, and shall file all such proposed rules and amendments with the City Clerk, who shall present the same to the City Council at its next regular meeting. Within forty-five days after the filing thereof with the City Clerk, the Council shall by ordinance adopt such proposed rules or amendments; provided, however, that the Council, by an affirmative vote of not less than ~~two-thirds~~ a majority plus one of its membership, may change, alter, amend, add to, reject or repeal any such proposed Civil Service Rules or amendments. In the event the City Council shall fail to adopt, change, alter, amend, add to or reject any such rules or amendments within the forty-five day time limit herein above provided for, then and in that event the City Clerk shall cause to be published such rules or amendments in the official newspaper of the City of Tacoma, and such rules or amendments shall ten days thereafter become effective to all intents and purposes the same as if adopted by the Council and published as an ordinance.
- (b) The City Council may propose civil service and personnel rule changes by resolution, which shall include the specific language to be added, altered or repealed. The City Clerk shall then present the proposal to the Civil Service Board at its next meeting, from which time the Board shall have forty-five days to adopt, change, alter, amend, add to, or reject the proposal. The City Clerk shall then present the proposal to the Council at its next meeting, from which time the proposal shall be treated in the same manner as if the Board initiated the proposal under subsection (a) above, including the same required time limits and Council majority to adopt, change, alter, amend, add to, or reject. If the Board does not act upon the proposal or if the Board rejects the proposal within the forty-five days, the Council may then enact its original proposal by regular ordinance.
- (c) Such civil service and personnel rules shall, among other things, provide:
- (1) For the classification of all positions in the classified service.
 - (2) For open, free and competitive examinations to test the relative fitness of applicants for such positions, and for reasonable publication and public advertisement of all examinations.
 - (3) For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing on the examination and for the certification of those on the appropriate list to department heads for appointment to fill vacancies and for the manner in which appointments shall be made from such list; provided, that on original appointments in the classified service, honorably discharged veterans of the armed forces who have served in time of war and who receive a passing grade on such examinations shall have ten percent of the grade attained added to such grade.
 - (4) For the period of time in which eligible lists shall continue in effect.
 - (5) For promotion based upon competitive examination and records of efficiency, conduct and seniority.
 - (6) For a period of probation not to exceed one year, both on original and promotional appointments, before the appointment is made permanent, during which time, in the case of an original appointment, the probationer may be discharged, or, in the case of a promotion, returned to a position in their former classification, by the head of the department, board or office in which employed.
 - (7) For the establishing of reasonable requirements for the rejection of candidates or eligibles.
 - (8) For temporary employment without examination in cases of emergency and pending appointment from an eligible list, but no such temporary employment shall continue after the establishment of an eligible list for the position held.

- (9) For transfer from one position to a similar position in the same class and grade, for reinstatement within two years of persons who without fault or delinquency on their part are separated from the service or reduced in class or grade, and for the reinstatement in a position of their former classification of employees promoted to and later demoted from appointive positions in the unclassified service.
- (10) For the discipline of employees by suspension, demotion, discharge, or other actions not inconsistent with the provisions of this article; provided, that no employee in the classified service shall be suspended for more than thirty days, demoted or discharged except for cause.
- (11) For the certification to the Director of Finance of the names and classifications of all persons legally employed in the City service, without which certification the Director of Finance shall not authorize the issuance of salary warrants.
- (12) For the right of appeal by any employee to the Civil Service Board from any action suspending for more than thirty days, reducing in rank or pay, or discharging any employee in the classified service, and from any and all other matters arising out of or in connection with the Civil Service and Personnel Rules.

Arbitration

Section 6.17 – In determining salaries, wages, hours and working conditions for employment in the City service, the Council, through the ~~City Manager~~ Mayor or Public Utility Board, as the case may be, may bargain collectively with any employee group or representatives thereof. Where, after such bargaining, an agreement has not been reached, the Council may agree to submit the matter in dispute to arbitration and may receive from said arbitrators a recommendation with reference to said dispute but shall not be bound by the decision or decisions resulting from arbitration unless the binding effect thereof shall be mandated by the laws of the State of Washington. Any agreement, decision or award relating to salaries or wages shall have effect upon the first day of the next ensuing fiscal period for which the Council makes appropriations or at such other times as may be permitted or provided by law.

Article VII

GENERAL FINANCE

Budget Control

Section 7.3 – At the beginning of each quarterly period during the fiscal year, and more often if required by the Council, the ~~City Manager~~ Mayor shall submit to the Council data showing the relationship between the estimated income and expenses and actual income and expenses to date; and if it shall appear that the income is less than anticipated, the Council may reduce appropriations, except amounts required to meet contractual obligations and for debt, interest, and other fixed charges, to such a degree as may be necessary to keep expenditures within the cash income.

Department of Finance

Section 7.5 – There shall be a Department of Finance headed by a Director of Finance, who shall be appointed by the ~~City Manager~~ Mayor and confirmed the City Council, and who shall be selected on the basis of administrative abilities and experience in accounting, budgeting, and financial control. The Director of Finance, whose duties shall include those of a controller, shall have charge of the administration of the financial affairs of the City and, except as otherwise provided by law and by this charter, shall:

- (a) Compile for the ~~City Manager~~ Mayor and City Council the estimates for the general government budget and the budget for capital outlay.
- (b) Maintain a general accounting system for the City government and its departments and offices in conformity with the best recognized practices in governmental accounting; keep records for and exercise financial budgetary control over each such department, office or agency; keep separate accounts for the

items of appropriation contained in the budget and appropriation ordinance and encumber such items of appropriation with the amount of each purchase order, payroll, or contract approved by the Director, immediately upon such approval; keep such records as shall show at all times for each account the amount of the appropriation, the amounts paid therefrom and remaining unpaid, all encumbrances thereof, and the unencumbered balance; require daily, or at such other intervals as the Director may deem expedient, a report of receipts and disbursements from each of the several departments and offices; prescribe the form of receipts, vouchers, bills, or claims to be used and of accounts to be kept by all departments and offices of the City government and provide suitable instructions for the use thereof; examine all contracts, purchase orders, and other documents which involve financial obligations against the City and approve the same only upon ascertaining that moneys have been appropriated and that an unexpended and unencumbered balance is available to meet the same; audit before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the City and approve the same of proper, legal, and correct; inspect and audit the accounts or records of financial transactions as maintained in each department and office of the City government apart from or subsidiary to the accounts kept in the office of the Director.

- (c) Submit to the Council not later than the 10th day of each month a report of all receipts and disbursements for the preceding month, showing revenues and expenditures for the month and the fiscal year to date and the unexpended balances in all accounts; submit other reports, including a comprehensive annual report, reflecting the financial condition of the City when and in such form as the Council may require.
- (d) Supervise the purchasing activities of all departments, except as otherwise provided in this charter.
- (e) Supervise the receipt, custody, and disbursement of all City funds and moneys; ~~and~~
- (f) Perform such other duties as may be required by law and by the ~~Manager~~ Mayor and Council.

Receipt, Custody, and Disbursement of Funds

Section 7.6 – There shall be a City Treasurer, appointed by the ~~Manager~~ Mayor and confirmed the City Council, who shall be responsible for the custody of all City funds and moneys.

Purchasing and Contracts

Section 7.10 – Except as otherwise provided in this charter, the ~~City Manager~~ Mayor shall be responsible for all City purchasing but may delegate this responsibility to any subordinate ~~appointed by the City Manager~~.

Article IX

MISCELLANEOUS PROVISIONS

Disposition of City Property

Section 9.1 – Except as otherwise provided in this charter or in state law, the sale, lease or conveyance of real or personal property belonging to the City shall be upon authorization of the Council; provided that machinery or equipment may be leased from day to day on written agreement therefore approved by the ~~City Manager~~ Mayor or Director of Utilities, as the case may be, and filed with the Director of Finance; provided further that, the lease of real or personal property for a term of less than a one year period without renewal options shall not require authorization of the Council. Any lease of real or personal property for a period longer than five (5) years shall contain provisions for adjustment of rentals at intervals not to exceed five (5) years. The City shall never authorize the sale or disposition of any waterfront property belonging to the City and, subject to the provisions of state law, shall not lease waterfront property for a period longer than seventy-five years at any one time. All conveyances, contracts for sale of land owned by the City, and leases of such land for a term of longer than one year, including any renewal options, shall be executed by the Mayor and attested by the City Clerk.

Article X

SUCCESSION IN GOVERNMENT

Preliminary Meetings of the Council

Section 10.4 – On the third business day following the certification of the result of the first election of a Mayor and Council Members under this charter as amended by a vote of the people in the general municipal election of 2024, the newly elected Mayor and members of the Council shall meet at 7:30 o'clock p.m. in the Council Chambers of City hall for the purpose of considering the appointment of a City Manager Chief Administrative Officer and for the Council's preparation of such ordinances as may be necessary to effectuate the transition from the present form of government to that established by the approved amendments to this charter. The Council-elect shall choose one of its number to be chair and the City Clerk shall act as its secretary. It shall at its first meeting fix the times and places at which it will hold regular meetings for the above purposes and shall hold such adjourned and special meetings as it may determine by a majority vote of its members. ~~The expenses of the Council-elect, including the expense of advertising for applicants for the position of City Manager and of interviewing and investigating such applicants in Tacoma or elsewhere, shall be paid from the City treasury on vouchers signed by the chair of the Council-elect. If a Manager has not been appointed and taken office on the first Monday in June, 1953, t~~ The Council Mayor shall designate a City officer to serve as Acting City Manager Chief Administrative Officer subject to confirmation of the Council and may provide for the filling of other positions in the unclassified service on a temporary basis, pending appointment in accordance with the provisions of this charter.

Amendment Positions

Rationale for Amendment:

The Charter Review Committee recommends an amendment to change our government structure to mayor-council-CAO, which holds the promise of enhanced transparency and accountability, something many Tacomans have long demanded including in the vast majority of public comments submitted to us.

When Tacoma voters elect a mayor, many believe that individual is the City's executive and not another Council member. Under our council-manager structure, the executive is actually an unelected manager chosen by the Council. The unaccountable manager can and does make hugely impactful decisions. The Council, currently unable to hire its own staff, is highly dependent on the manager's staff to propose ordinances. The manager then implements passed ordinances with little opportunity for public input.

Tacomans deserve the chance to vote for an accountable executive. It's time to put mayor-council-CAO on the ballot and let the voters decide.

Dissenting Position(s):

This proposal is not a step forward in promoting a representative, accountable, transparent, or effective form of government (FOG).

This proposal eliminates Tacoma's uniquely representative and democratic FOG where every resident has a majority of Council representing them, and the legislative branch directing all policy and budget priorities of Tacoma.

This proposal dilutes legislative accountability and builds a new executive bureaucracy with veto authority, creating a FOG with both even greater administrative power and less transparency, driven by special interests and political ambition.

This proposal ignores the operational, institutional, and legislative reality of city government, presenting an unreasonable FOG transition period of less than one year.

This dissent implores the Council to take a significantly more active and public role in policymaking, budgeting, and oversight of the City Manager, and invest in the time and staffing necessary to take this more active and public role in building a better Tacoma.

CRC Recommendation 24B – Form of Government

Charter Review Committee Proposed Amendment

VERSION B

REORGANIZATION OF GOVERNMENT

Brief Summary of Amendment

The proposed amendment would repeal and replace Article II (the Legislative Branch) and Article III (the Administrative Branch) of the City Charter and amend Article V (Nominations and Elections) and Article X (Succession in Government) of the City Charter. The effect of the repeal and amendments would be to re-organize the form of government from a manager-council to a mayor-council form of government. The first election of the new nine-member council and mayor would occur at the general election in 2025. ~~The nine n~~New council ~~members member~~ number nine and the new mayor as executive would take office January 1, 2026. ~~The council members would have staggered terms.~~

The structure for the proposed re-organization is set forth in new articles II and III and is taken, with some modifications, from the mayor-council form of government established at Chapter 35A.12 RCW. This statute establishes the mayor-council plan of government for code cities. Where possible and practical the statutory language was retained and has been supplemented with current provisions in the City Charter when necessary and appropriate. One significant change is that the position of mayor as executive would not preside over council meetings. This function would be performed by a council president.

Amendment

Proposed language:

Article II of the City Charter, shall be repealed in its entirety as provided at Section 10.6 of this charter, as amended, and re-enacted to read as follows:

ARTICLE II

THE LEGISLATIVE BRANCH

Section 2.05 Elective City Officers – Size of Council.

The government of the city shall be vested in an elected mayor and an elected council. The council shall consist of nine members to be designated, nominated and elected as provided in the charter and state law. The Council shall constitute the legislative and governing body of the City and shall have authority, except as otherwise provided in this charter, to exercise all powers of the City.

Section 2.10 ~~Presiding Officer.~~

~~The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers with respect to matters other than the passage of any ordinance, grant or revocation of franchise or license, or any resolution for the payment of money.~~

~~Section 2.15—Eligibility to hold elective office.~~

No person shall be eligible to hold elective office for the City unless the person is a registered voter of the city at the time of filing ~~his or her~~their declaration of candidacy and has been a resident of the city for a period of at least two years next preceding ~~his or her~~their election; provided that, if running for a district position, such person shall be a resident of ~~his or her~~their district for one year next preceding ~~his or her~~their election. Residence and voting within the limits of any territory which has been included in, annexed to, or consolidated with the city is construed to have been residence within the city. A mayor or councilmember shall hold within the city government no other public office or employment. A candidate for the office of mayor shall not be ineligible by reason of holding the office of council member; provided that, if elected, the council office of any such candidate shall, upon taking office as mayor, be and become vacant.

Section 2.20–15 Elections—Terms of elective officers—Numbering of council positions – Oath of Office – Term Limits.

Officers shall be elected at biennial municipal elections to be conducted as provided in state law. The mayor and the councilmembers shall be elected for four-year terms of office and until their successors are elected and qualified and assume office in accordance with state law; provided that, ~~at any first election upon reorganization,~~ the terms of the councilmembers shall be so staggered that ~~four no more than five~~ councilmembers shall be elected to office ~~for a full term~~ at each ~~regular general municipal~~ election. ~~Thereafter t~~The requisite number of councilmembers shall be elected biennially as the terms of their predecessors expire and shall serve for terms of four years. The positions to be filled on the city council shall be designated, nominated and elected as provided in Article V of this charter and shall be dealt with as separate offices for all election purposes. The mayor and councilmembers shall qualify by taking an oath or affirmation of office as provided by law, charter, or ordinance.

Commencing with any mayor or Council member first elected in 2025, no person shall be allowed to serve on the Council or as mayor for a total of three (3) full consecutive terms on the Council and two (2) full consecutive terms as Mayor.

No ~~person-council member in office prior to the general election in 2025~~ shall be allowed to serve on the Council for more than ten (10) consecutive years, either as a Council Member, Mayor, or combination thereof.

Section 2.25–20 Vacancies in Office.

The office of a mayor or councilmember shall become vacant if the person who is elected or appointed to that position fails to qualify as provided by law, fails to enter upon the duties of that office at the time fixed by law without a justifiable reason, for nonattendance as provided in this charter, or if the office is vacant as provided in state law.

Section 2.30–25 Filling Vacancies in Office - Council.

Whenever a vacancy occurs in the office of council, the council shall fill such vacancy by appointment by a majority vote of its remaining members until the commencement of the term of office of municipal officials succeeding the next general municipal election occurring after the date of such appointment, and if any unexpired term remains, it shall be filled by election; however, that in the event a majority of the council fails to make an appointment to fill a vacancy on the council within a period of sixty (60) days from the date the vacancy occurs, then the mayor shall make the appointment, subject to the confirmation of the remaining members of the council.

Section 2.35–30 Filling Vacancies in Office – Mayor.

Vacancies in the office of mayor shall be filled by appointment by the City Council for a term expiring at the time a successor has been elected and qualified as hereinafter provided. In the event such a vacancy occurs during the first or second year of the Mayor's term of office, then the office of mayor shall also be placed upon the ballot for the primary and general elections. The Mayor elected at such general election shall be elected for a full four-year term and shall take office at the same time as City Council Members elected at said general election. In the event that the vacancy occurs subsequent to such time for filing, the appointment shall be for the unexpired term.

Section 2.40–35 Vacancy for nonattendance.

A council position shall become vacant if the councilmember fails to attend three consecutive regular business meetings of the council without being excused by the council.

Section 2.45–40 ~~Pro tempore appointments~~ Council President.

Biennially at the first meeting of a new council, ~~or periodically~~, the members thereof, by majority vote, ~~may shall~~ designate one of their number as ~~mayor pro tempore or deputy mayor council president~~ for ~~such period as the council may specify~~ a two-year term or such other period as the council may specify, to ~~serve in the absence or temporary disability of the mayor~~ preside over all meetings of the council, and may, by majority vote, designate one of their number as council president pro tempore in the event of the absence or disability of the council president.; ~~or, in lieu thereof, the council may, as the need may arise, appoint any qualified person to serve as mayor pro tempore in the absence or temporary disability of the mayor.~~

In the event of the extended excused absence or disability of a councilmember, the remaining members by majority vote may appoint a councilmember pro tempore to serve during the absence or disability.

Section 2.50—45 Council meetings.

The city council ~~and mayor~~ shall meet regularly, at least once a month, at a place and at such times as may be designated by the city council. All final actions on resolutions and ordinances must take place within the corporate limits of the city, except as may be otherwise provided by state law. Special meetings may be called by the mayor-council president or any three members of the council by written notice delivered to each member of the council at least twenty-four hours before the time specified for the proposed meeting. All actions that have heretofore been taken at special council meetings held pursuant to this section, but for which the number of hours of notice given has been at variance with requirements of state law, are hereby validated. All council meetings shall be open to the public except as permitted by state law. No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed at any meeting not open to the public, nor at any public meeting the date of which is not fixed by ordinance, resolution, or rule, unless public notice of such meeting has been given by such notice as provided in state law. Meetings of the council shall be presided over by the mayor-council president, if present, or otherwise by the mayor-council president pro tempore, ~~or deputy mayor~~ if one has been appointed, or by a member of the council selected by a majority of the councilmembers at such meeting. ~~Appointment of a councilmember to preside over the meeting shall not in any way abridge his or her right to vote on matters coming before the council at such meeting.~~ In the absence of the clerk, a deputy clerk or other qualified person appointed by the clerk, ~~the mayor, or~~ the council, may perform the duties of clerk at such meeting. A journal of all proceedings shall be kept, which shall be a public record.

Section 2.55—50 Council—Quorum—Rules—Voting.

At all meetings of the council a majority of the councilmembers shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order. At the desire of any member, any question shall be voted upon by roll call and the ayes and nays shall be recorded in the journal.

The passage of any ordinance, grant or revocation of franchise or license, ~~and any resolution for the payment of money~~ shall require the affirmative vote of at least a majority of the whole membership of the council.

Section 2.60—55 Compensation of elective officers—Expenses.

2.6055.1 A 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.

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.

2.6055.2 The Salary Commission shall consist of seven members appointed as follows:

2.6055.2.1 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.

2.6055.2.2 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.

2.6055.3 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.

2.6055.4 The terms of the Commission shall be as follows:

2.6055.4.1 The terms of office for the members shall be three years, except initial appointment to the Commission shall be for the following terms:

2.6055.4.2 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.

2.6055.4.3 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.

2.6055.5 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.

Section 2.65—60 Ordinances—Style—Requisites—Veto.

Every legislative act of the Council shall be by ordinance, -which shall be numbered consecutively, clearly entitled and contain but one subject which shall be expressed in the title. The enacting clause of all ordinances shall be: "Be it ordained by the City of Tacoma."

No ordinance or section thereof shall be revised, reenacted or amended by reference to its title, but the ordinance or section to be revised, reenacted, or amended shall be reenacted at length as revised or amended. No ordinance or section thereof shall be repealed, suspended, or any person exempted from the provisions thereof, except by ordinance repealing the same.

No ordinance shall be finally passed within five days of its introduction, except when the Council declares in such ordinance that a public emergency exists and therein states the facts constituting such emergency, and except ordinances relating to local improvements and

assessments and authorization of bonds therefor. All ordinances passed as emergency measures shall require an affirmative vote of at least six Council Members. No ordinance granting any franchise, right, or privilege shall ever be passed as an emergency measure.

No ordinance shall take effect until five days after the date of its publication unless otherwise provided by statute or charter, except that an ordinance passed by a majority plus one of the whole membership of the council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace, may be made effective upon adoption, but such ordinance may not levy taxes, grant, renew, or extend a franchise, or authorize the borrowing of money.

Section 2.70-65 – Ordinance – Presentation to Mayor.

Every ordinance which passes the council in order to become valid must be presented to the mayor by the City Clerk; if ~~he or she~~the mayor approves it, ~~he or she~~the mayor shall sign it, but if not, ~~he or she~~the mayor shall return it to the City Clerk with ~~his or her~~written objections to the council and the council shall cause ~~his or her~~the mayor's objections to be entered at large upon the journal and proceed to a reconsideration thereof. If upon reconsideration a majority plus one of the whole membership, voting upon a call of ayes and nays, favor its passage, the ordinance shall become valid notwithstanding the mayor's veto. If the mayor fails for ten days following presentation to either approve or veto an ordinance, it shall become valid without ~~his or her~~the mayor's approval. Ordinances shall be signed by the mayor and attested by the clerk.

Section 2.75-70 Ordinances—Authentication and recording.

All ordinances and their amendments shall be recorded in a book to be called the "Ordinance Record," which record of each ordinance shall be authenticated by the signatures of the Mayor and the City Clerk.

Section 2.80-75 Publication of ordinances or summary—Public notice of hearings and meeting agendas.

Promptly after adoption, the text of each ordinance or a summary of the content of each ordinance shall be published at least once in the city's official newspaper.

For purposes of this section, a summary shall mean a brief description which succinctly describes the main points of the ordinance. Publication of the title of an ordinance authorizing the issuance of bonds, notes, or other evidences of indebtedness shall constitute publication of a summary of that ordinance. When the city publishes a summary, the publication shall include a statement that the full text of the ordinance will be made available upon request.

An inadvertent mistake or omission in publishing the text or a summary of the content of an ordinance shall not render the ordinance invalid.

In addition to the requirement that a city publish the text or a summary of the content of each adopted ordinance, the city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the city's official newspaper, publication of

a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the city determines will satisfy the intent of this requirement.

Section 2.85—80 Compilation and Codification of Ordinances.

The Council shall arrange for the compilation or codification of the charter and all ordinances of a general, public, or permanent nature, or imposing a fine, penalty, or forfeiture, and shall file the same with the City Clerk. When adopted by the Council by ordinances, such codification shall become the official code of the City. All ordinances of like nature, not affecting private or contract rights passed prior to such adoption and not contained in such code, shall be deemed prima facie to have been repealed thereby.

Powers of the People

Section 2.85 Charter Amendments

Amendments to this charter may be submitted to the voters by the City council or by initiative petition of the voters in the manner provided by the state constitution and laws.

Section 2.90 Initiative Power

Citizens Residents of Tacoma 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:

2.90.1 The petitioners shall file an Initiative Petition with the City Clerk.

2.90.2 The City Clerk shall forward the petition to the City Attorney within one (1) working day of receipt.

2.90.3 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.

2.90.4 The City Attorney shall file this concise statement with the City Clerk as the official ballot title.

2.90.5 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.

2.90.6 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.

2.90.7 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.

2.90.8 Petitioners have one hundred and eighty (180) calendar days to collect signatures from registered voters.

2.90.8.1 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.

2.90.8.2 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.

Section 2.95 Referendum Power

Citizens Residents of Tacoma may ask that ordinances passed by the City Council, except for ordinances which take effect immediately as allowed in Section 2.60 of the Charter, or as otherwise prohibited by state law, be referred to the voters for approval or rejection by the following process:

2.95.1 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.

2.95.2 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.

2.95.3 The City Clerk shall forward the petition to the City Attorney within one (1) working day of receipt.

2.95.4 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.

2.95.5 The City Attorney shall file this concise statement with the City Clerk as the official ballot title.

2.95.6 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.

2.95.7 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.

2.95.8 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.

2.95.8.1 Petitioners have thirty (30) calendar days to collect signatures from registered voters.

2.95.8.2 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.

2.95.9 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 2.100 Election

Any ordinance initiated or referred may be submitted to the qualified electors for their approval or rejection at a special municipal election to be called in the manner provided by law for the submission of questions or propositions to the qualified electors.

Section 2.105 Council Proposals

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.

Section 2.110 Procedures upon Election

If a majority of the qualified electors voting upon any ordinance initiated or referred shall vote in favor thereof, the same shall take effect ten days after the certification of the result of the election thereof or at the time fixed therein; provided, that if the provisions of two or more proposed ordinances approved at the same election are inconsistent, the provisions of the ordinance receiving the highest vote shall prevail. Any ordinance initiated or referred failing of such majority shall be rejected. All initiative and referendum elections shall be conducted and publication of the proposed ordinance shall be had in the same manner as elections submitting questions or propositions to the qualified electors.

Section 2.115 Amendment or Repeal

No ordinance heretofore or hereafter enacted by vote of the people shall be amended or repealed by the Council within two years after enactment, unless such amendatory or repealing

ordinance shall be submitted to the qualified electors for their approval or rejection in the same manner as is required by this charter in respect to the submission of an ordinance initiated or referred.

Section 2.120 Review of Charter

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.

Article III of the City Charter shall be repealed in its entirety, as provided at Section 10.6 of this charter, as amended, and re-enacted to read as follows:

ARTICLE III

THE ADMINISTRATIVE BRANCH

Section 3.05 Duties and authority of the mayor—Veto—Tie-breaking vote.

The mayor shall be the chief executive and administrative officer of the city, in charge of all departments and employees, with authority to designate assistants and department heads. The mayor may appoint and remove chief administrative officers and assistant administrative officers.

The mayor shall see that all laws and ordinances are faithfully enforced and that law and order is maintained in the city, and shall have general supervision of the administration of city government and all city interests. All official bonds and bonds of contractors with the city shall be submitted to the mayor or such person as the mayor may designate for approval or disapproval. The Mayor shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed, and to this end the mayor may cause any legal proceedings to be instituted and prosecuted in the name of the city, subject to approval by majority vote of all members of the council.

~~He or she~~The Mayor shall report to the council concerning the affairs of the city and its financial and other needs, and shall make recommendations for council consideration and action. ~~He or she~~The Mayor shall prepare and submit to the council a proposed budget, as required by state law.

The mayor shall have the power to veto ordinances passed by the council and submitted ~~to him or her~~ to the mayor as provided in this charter but such veto may be overridden by the vote of a majority of all councilmembers plus one more vote.

The mayor shall be the official and ceremonial head of the city and shall represent the city on ceremonial occasions, except that when illness or other duties prevent the mayor's attendance at an official function the council president or president pro tempore, or in their absence and no mayor pro tempore has been appointed by the council, a member of the council ~~or~~ some other suitable person, may be designated by the mayor to represent the city on such occasion.

Section 3.10 Appointive officers—Duties—Compensation.

The appointive officers shall be those provided for by charter or ordinance and shall include a city clerk and a chief law enforcement officer. The authority, duties and qualifications of all appointive officers shall be prescribed by charter or ordinance, consistent with the provisions of this ~~title~~ section, and any amendments thereto, and the compensation of appointive officers shall be prescribed by ordinance.

Section 3.15 Appointment and removal of officers—Terms.

The mayor shall have the power of appointment and removal of all appointive officers and employees subject to any applicable law, rule, or regulation relating to civil service. The head of a department or office of the city government may be authorized by the mayor to appoint and remove subordinates in such department or office, subject to any applicable civil service provisions. All appointments of city officers and employees shall be made on the basis of ability and training or experience of the appointees in the duties they are to perform, from among persons having such qualifications as may be prescribed by ordinance, and in compliance with provisions of any merit system applicable to such city. Confirmation by the city council of appointments of officers and employees shall be required only when the city charter, or the council by ordinance, provides for confirmation of such appointments. Confirmation of mayoral appointments by the council may be required by the council in any instance where qualifications for the office or position have not been established by ordinance or charter provision. Appointive offices shall be without definite term unless a term is established for such office by law, charter or ordinance.

Section 3.20

Within the framework established by this charter, the administrative service of the City government shall be divided into such offices, departments, and divisions as provided by ordinance upon recommendation of the Mayor. Such ordinance shall be known as the “Administrative Code.”

Section 3.25

The City Council may remove any appointed member of any City board, commission, or board of trustees, for cause, after notice and public hearing, if that member is found to have ~~knowingly~~ violated the oath of office under this charter (Section 6.4) or has committed any acts specified in state law as grounds for the recall and discharge of an elective public officer. The City Council, in its discretion, may allow a hearings examiner to hear such a matter. Recommendation of a hearings examiner shall be subject to review by the City Council. The City Council's final decision shall be based on the evidence in the record. A record of the proceedings shall be made.

Section 3.30 City Attorney

The mayor shall appoint a City Attorney, who shall be an attorney admitted and qualified to practice in the Supreme Court of the State of Washington and who shall have practiced the profession within the State of Washington for not less than five years next preceding the appointment. The City Attorney shall have power to appoint and remove, subject to the approval of the mayor, professional assistants who shall also be attorneys admitted and qualified to practice in the Supreme Court of the State of Washington.

The City Attorney shall be legal advisor to the City council, mayor, and all officers, departments, and boards of the City in matters relating to City affairs. The City Attorney shall represent the City in litigations in which the City is interested; shall provide written legal opinion on official matters when requested by the council, mayor, commissions, boards, or other City officers; shall review for legal correctness contracts, bonds, franchises, and other instruments in which the City is concerned; and perform such other duties as may be prescribed by ordinance or otherwise by law.

Section 3.20 City Clerk

The mayor shall appoint a City Clerk who shall:

- 3.20.1 attend all meetings of the council and keep a permanent journal of its proceedings,
- 3.20.2 record and certify all ordinances and resolutions,
- 3.20.3 serve as custodian of the City seal and official City records,
- 3.20.4 prescribe and furnish sample forms for petitions provided for by this charter, and
- 3.20.5 perform such other duties as may be prescribed by the mayor, state law, this charter, or by ordinance.

The City clerk with the approval of the mayor may designate deputy clerks, who shall have all the powers and perform all the duties of the City clerk in the clerk's absence.

Section 3.25 City Planning Commission

There shall be a Planning Commission, composed of nine (9) members, with such powers and duties as are provided by ordinance. The nine 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. One member shall be appointed by the City Council for each of the five council districts. The Council shall appoint to the four remaining positions an individual from each of the following:

3.25.1 the development community;

3.25.2 the environmental community;

3.25.3 public transportation, and

3.25.4 a designee with background of involvement in architecture, historic preservation, and/or urban design.

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.

Section 3.30 Tacoma Public Library

The Tacoma Public Library shall be administered by a board of trustees in the manner provided by state law or City ordinance not inconsistent therewith.

Section 3.35 Landmarks Preservation Commission.

There shall be a Landmarks Preservation Commission, composed of members with such powers and duties as are provided by ordinance. The members shall be residents of the City of Tacoma and be appointed and confirmed by the City council.

Section 5.3 of the City Charter shall be and is hereby amended to read as follows:

ARTICLE V

NOMINATIONS AND ELECTIONS

* * *

Election of Council Members – Numbered Positions

Section 5.3 – Before the general municipal election to be held in the year 1975, the council shall divide the city into five election districts so that each district shall comprise as nearly as possible one-fifth of the population of the City; provided, that the territory comprised in any voting precinct of such district shall remain compact and shall not be divided by the lines of said district. The council shall change the lines of the election districts, in the time and manner as prescribed by state law.

The City clerk shall designate, by consecutive numbers commencing with number one and ending with number five, all positions on the council to be nominated by district and shall further designate, by consecutive numbers commencing with number six and ending with

number eight, all positions on the council to be elected at large, and all of such designations shall thereafter be permanent and the positions so designated shall thereafter be considered as separate offices for election purposes.

Before the general municipal election to be held in the year 2025, the City clerk shall designate by consecutive numbers commencing with number one and ending with number five, all positions on the council to be nominated by district and shall further designate, by consecutive numbers commencing with number six and ending with number nine, all positions on the council to be elected at large, and all of such designations shall thereafter be permanent and the positions so designated shall thereafter be considered as separate offices for election purposes as provided in this Charter.

The qualified electors of each election district, and they only, shall nominate from among their number candidates for the office of council member of such election district to be voted for at the following general election.

The qualified electors of the City shall nominate from among their number candidates for the office of council member at large to be voted for at the following general election.

The two candidates having the highest vote totals for each council position shall be certified as having been nominated and shall run for that position in the general election. Council members nominated by district shall be elected by all of the qualified voters of the district, and the person receiving the highest number of votes for the office of Council Member for the position for which they are a candidate shall be declared duly elected.

Council members nominated at large shall be elected by all of the qualified voters of the City. The person receiving the highest number of votes for the office of Council Member for the position for which they are a candidate shall be declared duly elected. On expiration of the present term of office, council positions nominated by council district shall be elected by the qualified voters in that district.

In the event any council member nominated from a district shall, after election, move or reside outside the district from which the council member was nominated, the council member shall, by virtue thereof, be deemed to have forfeited their office, and their seat shall become vacant and shall be filled in the manner provided herein for the filling of vacancies.

* * *

Article X of the City Charter shall be and is hereby amended to read as follows:

ARTICLE X

SUCCESSION IN GOVERNMENT

Continuance of Ordinances and Vested Rights

Section 10.1 – All ordinances and resolutions in force at the time this charter shall go into effect, and not inconsistent therewith, shall remain in force until amended or repealed or until they expire by limitation. All rights and obligations in favor of or against the City existing at the time this charter shall go into effect, shall continue without modification. All street and other improvements, all vacations of public streets, alleys, or places, all assessments for improvements, all suits and actions in court, all fines and forfeitures, and all other matters, relating to the City that have been begun and not completed, shall be completed according to the charter, ordinances, and laws existing prior to the time this charter shall go into effect. All taxes and assessments levied and remaining unpaid when this charter shall go into effect, shall be collected as provided by the charter existing and in effect at the time the same were levied.

Continuance of Departments and Officers

Section 10.2 – The administrative organization in force at the time this charter takes effect shall continue until changed in accordance with the provisions of this charter. All persons holding appointive office at the time this charter takes effect shall continue in office and in the performance of their duties until their successors have been appointed and confirmed as provided in this charter.

The legislative and administrative organization under this charter in force at the time that the amendments to this charter to effect the re-organization of the form of government from council-manager to council-mayor form of government approved by the electors of the City at the 2025 general election, shall continue in effect until changed in accordance with Section 10.6 of this charter.

Transfer of Functions and Personnel

Section 10.3 – Whenever by provisions of this charter, or amendments to this charter, duties and functions performed by, through, or under the supervision of any department, board, or office have been transferred to some other department, board, or office, the employees engaged in the performance of such duties and functions at the time this charter, or amendments thereto, shall go into effect shall be transferred accordingly and be deemed to have been regularly appointed to the respective positions.

Section 10.4 Delegation of Duties, Functions and Authority to Mayor.

Effective the date established by state law for commencement of the term of office of the council members and mayor elected at the 2025 general election, whenever by provisions of this charter, duties or functions are performed by the City Manager or authority is delegated to the City

Manager, such duties, functions and authority shall be and are hereby delegated and assigned to the mayor.

Transfer of Records, Property, and Funds

Section 10.5 – All records, property, and equipment of any department or office, the functions of which are assigned to any other departments or offices, shall be transferred and delivered to the departments or offices to which such functions are so assigned. All moneys possessed by and revenues accruing to the City, subsequent to the time this charter shall go into effect, shall continue to be accounted for in, and to be disbursed from, the various funds existing at the time this charter shall go into effect, until such time or times as, in the course of administration and reorganization, new funds shall be created by budget or otherwise established. When such new funds are established, the balances in funds replaced or discontinued shall be credited by transfer or apportionment to the new funds to which such balances shall be assigned.

Effective Date of Charter Amendments to Effect Reorganization

Section 10.6 – For the purpose of nominating and electing Council members and the mayor, amendments to this charter to effect the re-organization of the form of government from council-manager to council-mayor form of government shall take effect from the time of certification of its approval by the electors of the City at the 2025-2024 general election; for all other purposes said amendments to this charter shall take effect on the ~~the~~ date established by state law for commencement of the term of office of the council-members and mayor elected at the 2025 general election, whereupon Article II and Article III of the charter of the City as it existed prior to certification of the 2025 general election shall be and are hereby repealed. The first election under this charter as amended to effect the re-organization of the form of government, shall take place at the general election in 2025 whereupon, new at-large council position number nine and the new position of mayor as chief executive officer shall be on the ballot for election to office for the first time. The terms of council positions designated as one through eight shall not be affected by the re-organization of the form of government and such persons elected or appointed to those positions may serve the remainder of their terms in office.

CRC Recommendation 24C – Reorganization of Government

Council Proposed Amendment
VERSION C
REORGANIZATION OF GOVERNMENT

Brief Summary of Amendment

The proposed amendment would repeal and replace Article II (the Legislative Branch) and Article III (the Administrative Branch) of the City Charter and amend Article V (Nominations and Elections) and Article X (Succession in Government) of the City Charter. The effect of the repeal and amendments would be to re-organize the form of government from a council-manager to a mayor-council form of government. The first election of the new nine-member council and mayor would occur at the general election in 2025. New council member number nine and the new mayor as executive would take office January 1, 2026.

The structure for the proposed re-organization is set forth in new articles II and III and is taken, with some modifications, from the mayor-council form of government established at Chapter 35A.12 RCW. This statute establishes the mayor-council plan of government for code cities. Where possible and practical the statutory language was retained and has been supplemented with current provisions in the City Charter when necessary and appropriate. One significant change is that the position of mayor as executive would not preside over council meetings. This function would be performed by a council president.

Proposed Amendment Language

Article II of the City Charter, shall be repealed in its entirety as provided at Section 10.6 of this charter, as amended, and re-enacted to read as follows:

ARTICLE II

THE LEGISLATIVE BRANCH

Section 2.05 Elective City Officers – Size of Council.

The government of the city shall be vested in an elected mayor and an elected council. The council shall consist of nine members to be designated, nominated and elected as provided in the charter and state law. The Council shall constitute the legislative and governing body of the City and shall have authority, except as otherwise provided in this charter, to exercise all powers of the City. Council Members shall serve on a full-time basis, and shall have the authority to employ or contract for personnel who will directly report to and advise or assist the Council Members. The Council and its members are permitted to make direct inquiries of administrative staff; provided that, neither the Council nor any member thereof shall give orders to the Mayor's subordinates or otherwise interfere with administrative functions through such means as directing or requesting the appointment or removal of any of the Mayor's subordinates; or the making of particular purchases from or contracts with any specific individual or organization.

Section 2.10 Eligibility to hold elective office.

No person shall be eligible to hold elective office for the City unless the person is a registered voter of the city at the time of filing their declaration of candidacy and has been a resident of the city for a period of at least two years next preceding their election; provided that, if running for a district position, such person shall be a resident of their district for one year next preceding their election. Residence and voting within the limits of any territory which has been included in, annexed to, or consolidated with the city is construed to have been residence within the city. A mayor or councilmember shall hold within the city government no other public office or employment. A candidate for the office of mayor shall not be ineligible by reason of holding the office of council member; provided that, if elected, the council office of any such candidate shall, upon taking office as mayor, be and become vacant.

Section 2.15 Elections—Terms of elective officers—Numbering of council positions – Oath of Office – Term Limits.

Officers shall be elected at biennial municipal elections to be conducted as provided in state law. The mayor and the councilmembers shall be elected for four-year terms of office and until their successors are elected and qualified and assume office in accordance with state law; provided that, the terms of the councilmembers shall be so staggered that no more than five councilmembers shall be elected to office for a full term at each general municipal election. The requisite number of councilmembers shall be elected biennially as the terms of their predecessors expire and shall serve for terms of four years. The positions to be filled on the city council shall be designated, nominated and elected as provided in Article V of this charter and shall be dealt with as separate offices for all election purposes. The mayor and councilmembers shall qualify by taking an oath or affirmation of office as provided by law, charter, or ordinance.

Commencing with any mayor or Council member first elected in 2025, no person shall be allowed to serve on the Council or as mayor for a total of three (3) full consecutive terms on the Council and two (2) full consecutive terms as Mayor.

Section 2.20 Vacancies in Office.

The office of a mayor or councilmember shall become vacant, if the person who is elected or appointed to that position fails to qualify as provided by law or fails to enter upon the duties of that office at the time fixed by law without a justifiable reason, for nonattendance as provided in this charter, or if the office is vacant as provided in state law.

Section 2.25 Filling Vacancies in Office - Council.

Whenever a vacancy occurs in the office of council, the council shall fill such vacancy by appointment by a majority vote of its remaining members until the commencement of the term of office of municipal officials succeeding the next general municipal election occurring after the date of such appointment, and if any unexpired term remains, it shall be filled by election; however, that in the event a majority of the council fails to make an appointment to fill a vacancy on the council within a period of sixty (60) days from the date the vacancy occurs, then the mayor shall make the appointment, subject to the confirmation of the remaining members of the council.

Section 2.30 Filling Vacancies in Office – Mayor.

Vacancies in the office of mayor shall be filled by appointment by the City Council for a term expiring at the time a successor has been elected and qualified as hereinafter provided. In the event such a vacancy occurs during the first or second year of the Mayor’s term of office, then the office of mayor shall also be placed upon the ballot for the primary and general elections. The Mayor elected at such general election shall be elected for a full four-year term and shall take office at the same time as City Council Members elected at said general election. In the event that the vacancy occurs subsequent to such time for filing, the appointment shall be for the unexpired term.

Section 2.35 Vacancy for nonattendance.

A council position shall become vacant if the councilmember fails to attend three consecutive regular business meetings of the council without being excused by the council.

Section 2.40 Council President.

Biennially at the first meeting of a new council, the members thereof, by majority vote, shall designate one of their number as council president for a two-year term or such other period as the council may specify, to preside over all meetings of the council, and may, by majority vote, designate one of their number as council president pro tempore in the event of the absence or disability of the council president.

In the event of the extended excused absence or disability of a councilmember, the remaining members by majority vote may appoint a councilmember pro tempore to serve during the absence or disability.

Section 2.45 Council meetings.

The city council shall meet regularly, at least once a month, at a place and at such times as may be designated by the city council. All final actions on resolutions and ordinances must take place within the corporate limits of the city, except as may be otherwise provided by state law. Special meetings may be called by the council president or any three members of the council by written notice delivered to each member of the council at least twenty-four hours before the time specified for the proposed meeting. All actions that have heretofore been taken at special council meetings held pursuant to this section, but for which the number of hours of notice given has been at variance with requirements of state law, are hereby validated. All council meetings shall be open to the public except as permitted by state law. No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed at any meeting not open to the public, nor at any public meeting the date of which is not fixed by ordinance, resolution, or rule, unless public notice of such meeting has been given by such notice as provided in state law. Meetings of the council shall be presided over by the council president, if present, or otherwise by the council president pro tempore if one has been appointed, or by a member of the council selected by a majority of the councilmembers at such meeting. In the absence of the clerk, a deputy clerk or other qualified person appointed by the clerk, the council, may perform the duties of clerk at such meeting. A journal of all proceedings shall be kept, which shall be a public record.

Section 2.50 Council—Quorum—Rules—Voting.

At all meetings of the council a majority of the councilmembers shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order. At the desire of any member, any question shall be voted upon by roll call and the ayes and nays shall be recorded in the journal.

The passage of any ordinance, grant or revocation of franchise or license shall require the affirmative vote of at least a majority of the whole membership of the council.

Section 2.55 Compensation of elective officers—Expenses.

2.55.1 A 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.

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.

2.55.2 The Salary Commission shall consist of seven members appointed as follows:

2.55.2.1 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.

2.55.2.2 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.

2.55.3 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.

2.55.4 The terms of the Commission shall be as follows:

2.55.4.1 The terms of office for the members shall be three years, except initial appointment to the Commission shall be for the following terms:

2.55.4.2 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.

2.55.4.3 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.

2.55.5 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 2025 in one or more regular or special meetings to carry out its duties set forth in this section.

Section 2.60 Ordinances—Style—Requisites—Veto.

Every legislative act of the Council shall be by ordinance, which shall be numbered consecutively, clearly entitled and contain but one subject which shall be expressed in the title. The enacting clause of all ordinances shall be: “Be it ordained by the City of Tacoma.”

No ordinance or section thereof shall be revised, reenacted or amended by reference to its title, but the ordinance or section to be revised, reenacted, or amended shall be reenacted at length as revised or amended. No ordinance or section thereof shall be repealed, suspended, or any person exempted from the provisions thereof, except by ordinance repealing the same.

No ordinance shall be finally passed within five days of its introduction, except when the Council declares in such ordinance that a public emergency exists and therein states the facts constituting such emergency, and except ordinances relating to local improvements and assessments and authorization of bonds therefor. All ordinances passed as emergency measures shall require an affirmative vote of at least six Council Members. No ordinance granting any franchise, right, or privilege shall ever be passed as an emergency measure.

No ordinance shall take effect until five days after the date of its publication unless otherwise provided by statute or charter, except that an ordinance passed by a majority plus one of the whole membership of the council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace, may be made effective upon adoption, but such ordinance may not levy taxes, grant, renew, or extend a franchise, or authorize the borrowing of money.

Section 2.65 – Ordinance – Presentation to Mayor.

Every ordinance which passes the council in order to become valid must be presented to the mayor by the City Clerk; if the mayor approves it, the mayor shall sign it, but if not, the mayor shall return it to the City Clerk with written objections to the council and the council shall cause the mayor’s objections to be entered at large upon the journal and proceed to a reconsideration thereof. If upon reconsideration a majority plus one of the whole membership, voting upon a call of ayes and nays, favor its passage, the ordinance shall become valid notwithstanding the mayor's veto. If the mayor fails for ten days following presentation to either approve or veto an ordinance, it shall become valid without the mayor’s approval. Ordinances shall be signed by the mayor and attested by the clerk.

Section 2.70 Ordinances—Authentication and recording.

All ordinances and their amendments shall be recorded in a book to be called the “Ordinance Record,” which record of each ordinance shall be authenticated by the signatures of the Mayor and the City Clerk.

Section 2.75 Publication of ordinances or summary—Public notice of hearings and meeting agendas.

Promptly after adoption, the text of each ordinance or a summary of the content of each ordinance shall be published at least once in the city's official newspaper.

For purposes of this section, a summary shall mean a brief description which succinctly describes the main points of the ordinance. Publication of the title of an ordinance authorizing the issuance of bonds, notes, or other evidences of indebtedness shall constitute publication of a summary of that ordinance. When the city publishes a summary, the publication shall include a statement that the full text of the ordinance will be made available upon request.

An inadvertent mistake or omission in publishing the text or a summary of the content of an ordinance shall not render the ordinance invalid.

In addition to the requirement that a city publish the text or a summary of the content of each adopted ordinance, the city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. Such procedure may include, but not be limited to, written notification to the city's official newspaper, publication of a notice in the official newspaper, posting of upcoming council meeting agendas, or such other processes as the city determines will satisfy the intent of this requirement.

Section 2.80 Compilation and Codification of Ordinances.

The Council shall arrange for the compilation or codification of the charter and all ordinances of a general, public, or permanent nature, or imposing a fine, penalty, or forfeiture, and shall file the same with the City Clerk. When adopted by the Council by ordinances, such codification shall become the official code of the City. All ordinances of like nature, not affecting private or contract rights passed prior to such adoption and not contained in such code, shall be deemed prima facie to have been repealed thereby.

Powers of the People

Section 2.85 Charter Amendments

Amendments to this charter may be submitted to the voters by the City Council or by initiative petition of the voters in the manner provided by the state constitution and laws.

Section 2.90 Initiative Power

Residents of Tacoma 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:

2.90.1 The petitioners shall file an Initiative Petition with the City Clerk.

2.90.2 The City Clerk shall forward the petition to the City Attorney within one (1) working day of receipt.

2.90.3 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.

2.90.4 The City Attorney shall file this concise statement with the City Clerk as the official ballot title.

2.90.5 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.

2.90.6 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.

2.90.7 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.

2.90.8 Petitioners have one hundred and eighty (180) calendar days to collect signatures from registered voters.

2.90.8.1 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.

2.90.8.2 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.

Section 2.95 Referendum Power

Residents of Tacoma may ask that ordinances passed by the City Council, except for ordinances which take effect immediately as allowed in Section 2.60 of the Charter, or as otherwise prohibited by state law, be referred to the voters for approval or rejection by the following process:

2.95.1 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.

2.95.2 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.

2.95.3 The City Clerk shall forward the petition to the City Attorney within one (1) working day of receipt.

2.95.4 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.

2.95.5 The City Attorney shall file this concise statement with the City Clerk as the official ballot title.

2.95.6 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.

2.95.7 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.

2.95.8 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.

2.95.8.1 Petitioners have thirty (30) calendar days to collect signatures from registered voters.

2.95.8.2 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.

2.95.9 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 2.100 Election

Any ordinance initiated or referred may be submitted to the qualified electors for their approval or rejection at a special municipal election to be called in the manner provided by law for the submission of questions or propositions to the qualified electors.

Section 2.105 Council Proposals

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.

Section 2.110 Procedures upon Election

If a majority of the qualified electors voting upon any ordinance initiated or referred shall vote in favor thereof, the same shall take effect ten days after the certification of the result of the election thereof or at the time fixed therein; provided, that if the provisions of two or more proposed ordinances approved at the same election are inconsistent, the provisions of the ordinance receiving the highest vote shall prevail. Any ordinance initiated or referred failing of such majority shall be rejected. All initiative and referendum elections shall be conducted and publication of the proposed ordinance shall be had in the same manner as elections submitting questions or propositions to the qualified electors.

Section 2.115 Amendment or Repeal

No ordinance heretofore or hereafter enacted by vote of the people shall be amended or repealed by the Council within two years after enactment, unless such amendatory or repealing ordinance shall be submitted to the qualified electors for their approval or rejection in the same manner as is required by this charter in respect to the submission of an ordinance initiated or referred.

Section 2.120 Review of Charter

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.

Article III of the City Charter shall be repealed in its entirety, as provided at Section 10.6 of this charter, as amended, and re-enacted to read as follows:

ARTICLE III

THE ADMINISTRATIVE BRANCH

Section 3.05 Duties and authority of the mayor—Veto—Tie-breaking vote.

The mayor shall be the chief executive and administrative officer of the city, in charge of all departments and employees, with authority to designate assistants and department heads. The mayor may appoint and remove chief administrative officers and assistant administrative officers.

The mayor shall see that all laws and ordinances are faithfully enforced and that law and order is maintained in the city, and shall have general supervision of the administration of city government and all city interests. All official bonds and bonds of contractors with the city shall be submitted to the mayor or such person as the mayor may designate for approval or disapproval. The Mayor shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed, and to this end the mayor may cause any legal proceedings to be instituted and prosecuted in the name of the city, subject to approval by majority vote of all members of the council.

The Mayor shall report to the council concerning the affairs of the city and its financial and other needs, and shall make recommendations for council consideration and action. The Mayor shall prepare and submit to the council a proposed budget, as required by state law.

The mayor shall have the power to veto ordinances passed by the council and submitted to the mayor as provided in this charter but such veto may be overridden by the vote of a majority of all councilmembers plus one more vote.

The mayor shall be the official and ceremonial head of the city and shall represent the city on ceremonial occasions, except that when illness or other duties prevent the mayor's attendance at an official function the council president or president pro tempore, or in their absence some other suitable person, may be designated by the mayor to represent the city on such occasion.

Section 3.10 Appointive officers—Duties—Compensation.

The appointive officers shall be those provided for by charter or ordinance and shall include a city clerk and a chief law enforcement officer. The authority, duties and qualifications of all appointive officers shall be prescribed by charter or ordinance, consistent with the provisions of this section, and any amendments thereto, and the compensation of appointive officers shall be prescribed by ordinance.

Section 3.15 Appointment and removal of officers—Terms.

The mayor shall have the power of appointment and removal of all appointive officers and employees subject to any applicable law, rule, or regulation relating to civil service. The head of a department or office of the city government may be authorized by the mayor to appoint and remove subordinates in such department or office, subject to any applicable civil service provisions. All appointments of city officers and employees shall be made on the basis of ability and training or experience of the appointees in the duties they are to perform, from among persons having such qualifications as may be prescribed by ordinance, and in compliance with provisions of any merit system applicable to such city. Confirmation by the city council of appointments of officers and employees shall be required only when the city charter, or the council by ordinance, provides for confirmation of such appointments. Confirmation of mayoral appointments by the council may be required by the council in any instance where qualifications for the office or position have not been established by ordinance or charter provision. Appointive offices shall be without definite term unless a term is established for such office by law, charter or ordinance.

Section 3.20

Within the framework established by this charter, the administrative service of the City government shall be divided into such offices, departments, and divisions as provided by ordinance upon recommendation of the Mayor. Such ordinance shall be known as the "Administrative Code."

Section 3.25

The City Council may remove any appointed member of any City board, commission, or board of trustees, for cause, after notice and public hearing, if that member is found to have violated the oath of office under this charter (Section 6.4) or has committed any acts specified in state law as grounds for the recall and discharge of an elective public officer. The City Council, in its discretion, may allow a hearings examiner to hear such a matter. Recommendation of a hearings examiner shall be subject to review by the City Council. The City Council's final decision shall be based on the evidence in the record. A record of the proceedings shall be made.

Section 3.30 City Attorney

The mayor shall appoint, subject to City Council confirmation, a City Attorney, who shall be an attorney admitted and qualified to practice in the Supreme Court of the State of Washington and who shall have practiced the profession within the State of Washington for not less than five years next preceding the appointment. The City Attorney shall have power to appoint and remove, subject to the approval of the mayor, professional assistants who shall also be attorneys admitted and qualified to practice in the Supreme Court of the State of Washington.

The City Attorney shall be legal advisor to the City Council, mayor, and all officers, departments, and boards of the City in matters relating to City affairs. The City Attorney shall represent the City in litigations in which the City is interested; shall provide written legal opinion on official matters when requested by the council, mayor, commissions, boards, or other City officers; shall review for legal correctness contracts, bonds, franchises, and other instruments in which the City is concerned; and perform such other duties as may be prescribed by ordinance or otherwise by law.

Section 3.35 City Clerk

The mayor shall appoint a City Clerk who shall:

- 3.35.1 attend all meetings of the council and keep a permanent journal of its proceedings,
- 3.35.2 record and certify all ordinances and resolutions,
- 3.35.3 serve as custodian of the City seal and official City records,
- 3.35.4 prescribe and furnish sample forms for petitions provided for by this charter, and
- 3.35.5 perform such other duties as may be prescribed by the mayor, state law, this charter, or by ordinance.

The City clerk with the approval of the mayor may designate deputy clerks, who shall have all the powers and perform all the duties of the City clerk in the clerk's absence.

Section 3.40 City Planning Commission

There shall be a Planning Commission, composed of eleven (11) members, with such powers and duties as are provided by ordinance. The 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 appointed by the City Council for each of the five council districts.

Section 3.45 Tacoma Public Library

The Tacoma Public Library shall be administered by a board of trustees in the manner provided by state law or City ordinance not inconsistent therewith.

Section 3.50 Landmarks Preservation Commission.

There shall be a Landmarks Preservation Commission, composed of members with such powers and duties as are provided by ordinance. The members shall be residents of the City of Tacoma and be appointed and confirmed by the City council.

Section 3.55 Tacoma Humane Society.

The City Council is hereby authorized to enter into a contract with the Tacoma Humane Society, or any other agency or agencies performing similar duties and functions, granting to said society, agency, or agencies the control and operation of all city pounds and delegating certain duties and responsibilities with reference to the control of animals. Such contract(s) shall provide, among other things, that said society or agency (agencies) shall faithfully operate said pounds, shall pay all expenses in connection therewith, shall receive all licenses, fines, penalties and proceeds of every nature connected therewith, and such other sums as may be legally appropriate therefor, subject only to accounting as provided by law. The Council is further authorized, notwithstanding the provisions hereof, to determine that the City shall operate its own city pounds or detention facility and otherwise regulate and control animals within its corporate limits. Any contract entered into pursuant to the authority hereof shall be subject to cancellation by the City for good cause.

Section 5.3 of the City Charter shall be and is hereby amended to read as follows:

ARTICLE V

NOMINATIONS AND ELECTIONS

* * *

Election of Council Members – Numbered Positions

Section 5.3 – Before the general municipal election to be held in the year 1975, the council shall divide the city into five election districts so that each district shall comprise as nearly as possible one-fifth of the population of the City; provided, that the territory comprised in any voting precinct of such district shall remain compact and shall not be divided by the lines of said district. The council shall change the lines of the election districts, in the time and manner as prescribed by state law.

The City clerk shall designate, by consecutive numbers commencing with number one and ending with number five, all positions on the council to be nominated by district and shall further designate, by consecutive numbers commencing with number six and ending with number eight, all positions on the council to be elected at large, and all of such designations shall thereafter be permanent and the positions so designated shall thereafter be considered as separate offices for election purposes.

Before the general municipal election to be held in the year 2025, the City clerk shall designate by consecutive numbers commencing with number one and ending with number five, all positions on the council to be nominated by district and shall further designate, by consecutive numbers commencing with number six and ending with number nine, all positions on the council to be elected at large, and all of such designations shall thereafter be permanent and the positions so designated shall thereafter be considered as separate offices for election purposes as provided in this Charter.

The qualified electors of each election district, and they only, shall nominate from among their number candidates for the office of council member of such election district to be voted for at the following general election.

The qualified electors of the City shall nominate from among their number candidates for the office of council member at large to be voted for at the following general election.

The two candidates having the highest vote totals for each council position shall be certified as having been nominated and shall run for that position in the general election. Council members nominated by district shall be elected by all of the qualified voters of the district, and the person receiving the highest number of votes for the office of Council Member for the position for which they are a candidate shall be declared duly elected.

Council members nominated at large shall be elected by all of the qualified voters of the City. The person receiving the highest number of votes for the office of Council Member for the position for which they are a candidate shall be declared duly elected. On expiration of the present term of office, council positions nominated by council district shall be elected by the qualified voters in that district.

In the event any council member nominated from a district shall, after election, move or reside outside the district from which the council member was nominated, the council member shall, by virtue thereof, be deemed to have forfeited their office, and their seat shall become vacant and shall be filled in the manner provided herein for the filling of vacancies.

Article X of the City Charter shall be and is hereby amended to read as follows:

ARTICLE X

SUCCESSION IN GOVERNMENT

Continuance of Ordinances and Vested Rights

Section 10.1 – All ordinances and resolutions in force at the time this charter shall go into effect, and not inconsistent therewith, shall remain in force until amended or repealed or until they expire by limitation. All rights and obligations in favor of or against the City existing at the time this charter shall go into effect, shall continue without modification. All street and other improvements, all vacations of public streets, alleys, or places, all assessments for improvements, all suits and actions in court, all fines and forfeitures, and all other matters, relating to the City that have been begun and not completed, shall be completed according to the charter, ordinances, and laws existing prior to the time this charter shall go into effect. All taxes and assessments levied and remaining unpaid when this charter shall go into effect, shall be collected as provided by the charter existing and in effect at the time the same were levied.

Continuance of Departments and Officers

Section 10.2 – The administrative organization in force at the time this charter takes effect shall continue until changed in accordance with the provisions of this charter. All persons holding appointive office at the time this charter takes effect shall continue in office and in the performance of their duties until their successors have been appointed and confirmed as provided in this charter.

The legislative and administrative organization under this charter in force at the time that the amendments to this charter to effect the re-organization of the form of government from council-manager to council-mayor form of government approved by the electors of the City at the 2025 general election, shall continue in effect until changed in accordance with Section 10.6 of this charter.

Transfer of Functions and Personnel

Section 10.3 – Whenever by provisions of this charter, or amendments to this charter, duties and functions performed by, through, or under the supervision of any department, board, or office have been transferred to some other department, board, or office, the employees engaged in the performance of such duties and functions at the time this charter, or amendments thereto, shall go into effect shall be transferred accordingly and be deemed to have been regularly appointed to the respective positions.

Section 10.4 Delegation of Duties, Functions and Authority to Mayor.

Effective the date established by state law for commencement of the term of office of the council members and mayor elected at the 2025 general election, whenever by provisions of this charter, duties or functions are performed by the City Manager or authority is delegated to the City Manager, such duties, functions and authority shall be and are hereby delegated and assigned to the mayor.

Transfer of Records, Property, and Funds

Section 10.5 – All records, property, and equipment of any department or office, the functions of which are assigned to any other departments or offices, shall be transferred and delivered to the departments or offices to which such functions are so assigned. All moneys possessed by and revenues accruing to the City, subsequent to the time this charter shall go into effect, shall continue to be accounted for in, and to be disbursed from, the various funds existing at the time this charter shall go into effect, until such time or times as, in the course of administration and reorganization, new funds shall be created by budget or otherwise established. When such new funds are established, the balances in funds replaced or discontinued shall be credited by transfer or apportionment to the new funds to which such balances shall be assigned.

Effective Date of Charter Amendments to Effect Reorganization

Section 10.6 – For the purpose of nominating and electing Council members and the mayor, amendments to this charter to effect the re-organization of the form of government from council-manager to council-mayor form of government shall take effect from the time of certification of its approval by the electors of the City at the 2024 general election; for all other purposes said amendments to this charter shall take effect on the date established by state law for commencement of the term of office of the council-members and mayor elected at the 2025 general election, whereupon Article II and Article III of the charter of the City as it existed prior to certification of the 2025 general election shall be and are hereby repealed. The first election under this charter as amended to effect the re-organization of the form of government, shall take place at the general election in 2025 whereupon, new at-large council position number nine and the new position of mayor as chief executive officer shall be on the ballot for election to office for the first time. The terms of council positions designated as one through eight shall not be affected by the re-organization of the form of government and such persons elected or appointed to those positions may serve the remainder of their terms in office.

*For additional context on Fiscal Memos, refer to
 “Considerations for Charter Review Fiscal Memorandums”
 found towards the beginning of this binder*

Charter Review Fiscal Note
Proposed Amendment 24
Articles II, III, IV, V, VI, VII, IX, X
Changes in City of Tacoma’s Form of Government

City Council

City Council Composition and Transition

The proposed amendment transitions the composition of the City Council from 9 members to 7 members. The Mayor’s position, currently elected as an at-large member of the Council, would transition to the newly-created Office of the Mayor. Costs related to the Mayor are shown in the Executive Section and are not shown here. One at-large position would be eliminated.

The current City Council personnel budget and number of members is in the following table.

Current City Council Personnel Costs (without Mayor)				
Personnel Costs	Quantity	Salary	Benefits	Annual Cost
Deputy Mayor	1	\$70,000	\$38,000	\$108,000
Council Members	7	\$63,000	\$37,000	\$700,000
Total Staffing and Personnel Costs	8			\$808,000

Potential City Council Personnel Budget (without Mayor)				
With 1 fewer Council Member				
Personnel Costs	Quantity	Salary	Benefits	Annual Cost
Council Chair/Presiding Officer	1	\$70,000	\$38,000	\$108,000
Council Members	6	\$63,000	\$37,000	\$600,000
Total Staffing and Personnel Costs	7			\$708,000

Councilmember salaries will ultimately be determined by the Citizen Commission on Elected Salaries. The estimated range for the salary and benefit total for the Council Chair/Presiding Officer and Council Members based on this proposed amendment is **\$708,000 - \$1,242,000** (using the same assumptions as in Amendment 7). The low end of the scale represents current costs and assumes no increase, and the upper end represents a doubling of the salary (similar to the current salary for the Seattle City Council), and a proportionate increase to benefits.

*For additional context on Fiscal Memos, refer to
“Considerations for Charter Review Fiscal Memorandums”
found towards the beginning of this binder*

City Council Support Staff

As written, this proposed amendment gives the City Council the authority to employ or contract for staff. The fiscal impact for Amendment 7 provides an overview of staffing costs which is also included below with the staffing of the Mayor shown in the executive functions section below.

Currently staffing support for Council consists of 5 FTEs with a total salary and benefit cost of **\$737,200** depicted in the following:

City Council Support Staff Salary and Benefits				
Current budgeted positions excluding Mayor support staff				
Personnel Costs May 2024	Quantity	Salary	Benefits	Annual Cost
Policy Analyst (City Council)	1	\$124,400	\$49,000	\$173,400
Senior Policy Analyst (City Council)	1	\$127,400	\$49,000	\$176,400
Senior Community Services Analyst (Constituent Services)	1	\$86,400	\$42,000	\$128,400
Office Administrator (City Council)	1	\$80,500	\$40,000	\$120,500
Office Administrator (City Council)	1	\$95,500	\$43,000	\$138,500
Total Staffing	5			\$737,200

The estimated fiscal impact of adding hiring authority to the City Council is scalable and could have no impact if the staffing level does not change. Additional costs for ongoing training and supplies and one-time costs for equipment and workstations would be needed for new positions.

*For additional context on Fiscal Memos, refer to
 “Considerations for Charter Review Fiscal Memorandums”
 found towards the beginning of this binder*

To allow consideration of alternative staffing models, the cost per position is outlined as follows (this table includes additional position types that may or may not be needed in a change in the form of government):

Position	Salary	Benefits	Ongoing Costs (approx.)	One-Time Onboarding Costs	Total Cost
Chief of Staff	\$147,000	\$55,000	\$20,000	\$9,500	\$202,000
Policy Analyst	\$113,000	\$47,000	\$20,000	\$9,500	\$189,500
Senior Policy Analyst	\$121,000	\$48,000	\$20,000	\$9,500	\$198,500
Senior Community Services Analyst	\$105,000	\$45,000	\$20,000	\$9,500	\$179,500
Office Administrator	\$85,000	\$41,000	\$20,000	\$9,500	\$155,500
Legal Counsel to the Council	\$147,800	\$55,000	\$20,000	\$9,500	\$232,300
City Clerks Staff	\$80,000	\$38,000	\$20,000	\$9,500	\$67,580

Executive

Office of the Mayor

The proposed amendment would require the creation of an independent Office of the Mayor. The Mayor would serve as the chief executive of the organization. The Citizen Commission on Elected Salary would ultimately determine the salary of the Mayor’s position. The estimated range for the salary and benefit total for Mayor based on this proposed amendment is **\$164,000 - \$304,000**. The low end of the scale represents current costs and assumes no increase, and the upper end represents a doubling of the salary (similar to the current salary for the Seattle Mayor), and a proportionate increase to benefits. Currently, staff for the Mayor are included as part of the City Council support staff. Positions supporting the Mayor, currently 2 FTE (1 Senior Policy Analyst and 1 Office Administrator), are assumed to shift to this new office.

Office of the Mayor - Current Budgeted Positions				
Personnel Costs	Quantity	Salary	Benefits	Annual Cost
Mayor	1	\$117,000	\$47,000	\$164,000
Senior Policy Analyst	1	\$115,600	\$48,000	\$163,600
Office Manager	1	\$86,500	\$42,000	\$128,500
Staffing Totals	3			\$456,100

Additional staffing levels may occur as part of implementation of the amendment. Please refer to the staff costs shown for Council Support staff or the City Administrators office for potential

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staffing costs. Additional costs for ongoing training, equipment, supplies and one-time costs for IT and workstations would be needed for new positions.

In addition to the Office of the Mayor, this proposed amendment would shift authority of the day-to-day operations of the organization away from the City Manager and to a new City Administrator position.

Office of the City Administrator

The City Manager is the current position that is charged with carrying out the day-to-day operations of the City and implement the policy direction set by the City Council. In this proposed amendment, this position would be eliminated and replaced by a City Administrator. This new position would be appointed jointly by the City Council and the Mayor.

The new Office of the City Administrator could look very similar to the City Manager’s Office as currently constituted. The table below shows the current budget for the City Manager’s Office positions.

City Manager’s Office - Current Budgeted Positions				
Personnel Costs	Quantity	Salary	Benefits	Annual Cost
City Manager	1	\$309,600	\$84,000	\$393,600
Deputy City Manager	1	\$256,000	\$74,000	\$330,000
Deputy City Manager	1	\$296,400	\$82,000	\$378,400
Assistant to the City Manager	1	\$150,700	\$54,000	\$204,700
Executive Assistant	1	\$124,400	\$49,000	\$173,400
Staffing Totals	5			\$1,480,100

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 found towards the beginning of this binder*

One-Time Transition Costs

There are anticipated costs, for the most part one-time in nature, that would be required for a successful transition. Staff reviewed information from the Portland transition to develop some of these cost estimates and scale them for potential impacts for Tacoma.

Existing staff time that would be required during any transition. It is anticipated that this will take a significant effort on the part of the executive staff as well as other levels of the organization, particularly administrative staff. This cost is an opportunity cost compared to current work.

Transition Cost Considerations		
Physical Spaces	Alterations of physical space to accommodate the Office of the Mayor, the Office of the City Administrator, and the City Council.	Range from \$77,000 for workstation refreshes to \$1.3 million for comprehensive renovations
Professional Services	Legal services may be required to examine all City codes, contracts, agreements, and other legal documents. Will also require existing staff time not included in the estimate.	Estimates for this service range between \$200,000 and \$350,000
Management Consulting Services	Examples include organizational realignment and restructures; work processes will need to be updated in terms of approval flows, budget development, and other executive processes; expectations of management reporting; and changes to Council Committee structures and work processes	Consulting may range between \$400,000 to \$750,000.

The timeline for the transition may impact the cost for transition and needed services

Background and Assumptions

Staff referenced the following documents to look at examples of staffing structures and transition costs.

- [City of Portland Charter Reform Cost Summary](#)
- [City of Aberdeen Budget Book](#)
- [City of Bellingham Budget Book](#)
- [City of Bremerton Budget Book](#)
- [City of Everett Budget Book](#)
- [City of Spokane Budget Book](#)
- [City of Seattle Budget Book](#)

Sec. 2.8 – Council Meetings

Council Proposed Amendment

Amendment Summary

Section 2.8

Brief Summary of Amendment

- Allows Council meetings to be cancelled when a quorum is not available to allow for flexibility for community events and religious holidays.
- Clarifies that the meeting requirements apply to the council business meetings and not to other regular meetings.

Amendment

Proposed language:

Section 2.8 – The Council shall meet at such times and places as it may determine, provided it shall hold regular ~~periodic~~**business** -meetings, not oftener than once a week, at least forty-six (46) times each calendar year **unless a quorum is not available**. Special meetings shall be called by the City Clerk on the written request of the Mayor or any three Council members. Such request shall state the subject or subjects to be considered at such meeting, and no other subject shall be considered thereat. Each Council member shall be given such notice that may be required by State law, but in no event less than twelve hours' notice, of the time and place of such special meetings. All meetings of the council shall be public as prescribed by State law. (Amendment approved by vote of the people November 6, 1979.)

Rationale for Amendment:

The word regular is not defined and provides for confusion as to what constitutes a “regular” meeting subject to the meeting requirements. Replacing the word “periodic” with “business” clarifies that the meeting requirements apply to the council business meetings and not to other regular meetings such as council study sessions and committee meetings. Additionally, adding a provision to allow council meetings to be cancelled when a quorum is not available recognizes that some council meetings will not have a quorum because the meetings follow holidays or occur during community and other events attended by City Council members.

C1.B. Woodards - Council Meetings

Council Proposed Amendment

VERSION B

Section 2.8

Brief Summary of Amendment

- Allows Council meetings to be canceled when a quorum is not available to allow for flexibility for community events and religious holidays.
- Clarifies that the meeting requirements apply to the council business meetings and not to other regular meetings.

Original Amendment

Section 2.8 – The Council shall meet at such times and places as it may determine, provided it shall hold regular ~~periodic~~business meetings, not oftener than once a week, at least forty-six (46) times each calendar year unless a quorum is not available. Special meetings shall be called by the City Clerk on the written request of the Mayor or any three Council members. Such request shall state the subject or subjects to be considered at such meeting, and no other subject shall be considered thereat. Each Council member shall be given such notice that may be required by State law, but in no event less than twelve hours' notice, of the time and place of such special meetings. All meetings of the council shall be public as prescribed by State law. (Amendment approved by vote of the people November 6, 1979.)

NEW AMENDMENT

Section 2.8 – The Council shall meet at such times and places as it may determine, provided it shall hold regular ~~not oftener than once a week~~, periodic meetings at least ~~forty-six~~seventy (46)70 times each calendar year. Special meetings shall be called by the City Clerk on the written request of the Mayor or any three Council members.⁶ Such request shall state the subject or subjects to be considered at such meeting, and no other subject shall be considered thereat. Each Council member shall be given such notice that may be required by State law, but in no event less than twelve hours' notice, of the time and place of such special meetings. All meetings of the council shall be public as prescribed by State law.

Rationale for C1B

When Section 2.8 of the City Charter was adopted in 1979, the Council held only one regular weekly business meeting. It now holds weekly study sessions as well as weekly evening business meetings; thus meeting much more frequently than it did in 1979. The proposed amendment would recognize that the Council now meets far more frequently than contemplated by the voters in 1979 by providing more flexibility in scheduling regular meetings of the Council. Greater flexibility is created by removing the prohibition upon meeting no oftener than once a week and increasing the meeting requirements by 50% to 70 meetings to capture the additional meetings.

6. RCW 42.30.080 establishes the procedure for emergency meetings pursuant to the Open Public Meetings Act.

Council Proposed Amendment

Amendment Summary

Article IV, Section 4.9

Brief Summary of Amendment

- Allows Public Utility Board Members to hold public office other than Tacoma City Council positions

Amendment:

Section 4.9 – Members of the Board shall be qualified electors and shall be residents of the City for two years immediately preceding the time of appointment and shall not serve on the Tacoma City Council~~shall have the same qualifications as provided in this charter for Council Members~~. Members shall be entitled to reimbursement for expenses incurred in carrying out their official duties, other than those incident to attending board meetings held within the City of Tacoma. (Amendment approved by vote of the people November 4, 2014)

Rationale for amendment:

Currently, the closest equivalent to the Tacoma Public Utilities in terms of services and structure are Public Utility Districts (PUD's). PUDs allow their commissioners to hold additional elected office. Under the current rules, TPU board members cannot hold elected office. The experience and breadth of leadership that TPU Board members can have to represent our community should not be restricted if they so choose to hold office. This proposal still prevents TPU Board members from serving on the Tacoma City Council.

Council Proposed Amendment C2

Version B

Amendment Summary Article IV, Section 4.9

Brief Summary of Amendment

- Allows Public Utility Board Members to hold public office other than Tacoma City Council positions

Original Amendment:

Section 4.9 – Members of the Board shall be qualified electors and shall be residents of the City for two years immediately preceding the time of appointment and shall not serve on the Tacoma City Council~~shall have the same qualifications as provided in this charter for Council Members~~. Members shall be entitled to reimbursement for expenses incurred in carrying out their official duties, other than those incident to attending board meetings held within the City of Tacoma. (Amendment approved by vote of the people November 4, 2014)

NEW AMENDMENT

Section 4.9 – Members of the Board shall be qualified electors and shall be residents of the City for two years immediately preceding the time of appointment and may ~~shall not~~ serve on the Tacoma City Council during the term of their appointment as a board member~~shall have the same qualifications as provided in this charter for Council Members~~. Members shall be entitled to reimbursement for expenses incurred in carrying out their official duties, other than those incident to attending board meetings held within the City of Tacoma. (Amendment approved by vote of the people November 4, 2014)

Rationale for Amendment

Currently, the closest equivalent to the Tacoma Public Utilities in terms of services and structure are Public Utility Districts (PUD's). PUDs allow their commissioners to hold additional elected office. Under the current rules, TPU board members cannot hold elected office. The experience and breadth of leadership that TPU Board members can have to represent our community should not be restricted if they so choose to hold office. This proposal still prevents TPU Board members from serving on the Tacoma City Council.

Council Proposed Amendment

Amendment Summary

Article IV, Section 4.9

Brief Summary of Amendment

- Provides the utility the authority to determine volunteer incentives for public utility board members attending board meetings.

Amendment

Section 4.9 – Members of the Board shall have the same qualifications as provided in this charter for Council Members. Members shall be entitled to reimbursement for expenses incurred in carrying out their official duties, other than those incident to attending board meetings held within the City of Tacoma, [and the utility will be allowed to determine volunteer incentives for attending board meetings.](#)

Rationale for Amendment

In order to make sure we have a diverse and well-rounded representation of the ratepayers of the Tacoma Public Utilities, there should be an opportunity to incentivize participation and honor the time that it takes to volunteer on the utility board. This Charter change would not require incentives. TPU would be able to review and determine what incentives are offered.

Council Proposed Amendment

Version B

Amendment Summary
Article IV, Section 4.9

Brief Summary of Amendment

- Provides the utility the authority to determine stipends for public utility board member attendance at board meetings.

Version A Language

Section 4.9 – Members of the Board shall have the same qualifications as provided in this charter for Council Members. Members shall be entitled to reimbursement for expenses incurred in carrying out their official duties, other than those incident to attending board meetings held within the City of Tacoma, [and the utility will be allowed to determine volunteer incentives for attending board meetings.](#)

NEW AMENDMENT

Section 4.9 – Members of the Board shall have the same qualifications as provided in this charter for Council Members. Members shall be entitled to reimbursement for expenses incurred in carrying out their official duties, other than those incident to attending board meetings held within the City of Tacoma, [and the City Council may set a stipend utility for board member attendance at will be allowed to determine volunteer incentives for attending board meetings.](#)

Rationale for Amendment

In order to make sure we have a diverse and well-rounded representation of the ratepayers of the Tacoma Public Utilities, there should be an opportunity to incentivize participation and honor the time that it takes to volunteer on the utility board. This Charter change would not require stipends. TPU would be able to review and determine what stipends are offered.

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Charter Review Fiscal Note
Proposed Amendment C3
Sec. 4.9 TPU Board Member Stipends

This proposed amendment does not, by itself, direct any action on the part of the organization. Rather it is a permissive amendment that allows the utility to provide volunteer incentives for attending board meetings.

The IRS maximum for any person providing services to the organization is \$600. Beyond \$600, the City is required to issue a 1099 and report earnings as income to the IRS which means the individual must report the amount as income and pay income tax on the compensation.

Currently when the City compensates volunteers, the City monitors and tracks that compensation does not exceed \$600. If the utility provided board members a maximum of \$599 per year, the total impact would be \$2,995.

C4: Rumbaugh Amendment 1 – Sale or Disposition of Any Waterfront Property

Council Proposed Amendment

Amendment Summary

Article IX, Section 9.1

Brief Summary of Amendment

- Permits the City to sell or dispose of waterfront property under specific circumstances.
- Limits the sale or disposition to only public agencies and with guaranteed perpetual public ownership.
- Property use must include public access, and can be used for recreation, education, or habitat preservation.

Amendment:

Disposition of City Property 17 Section 9.1 – Except as otherwise provided in this charter or in state law, the sale, lease or conveyance of real or personal property belonging to the City shall be upon authorization of the Council; provided that machinery or equipment may be leased from day to day on written agreement therefore approved by the City Manager or Director of Utilities, as the case may be, and filed with the Director of Finance; provided further that, the lease of real or personal property for a term of less than a one year period without renewal options shall not require authorization of the Council. Any lease of real or personal property for a period longer than five (5) years shall contain provisions for adjustment of rentals at intervals not to exceed five (5) years. The City ~~shall never may~~ authorize the sale or disposition of any waterfront property belonging to the City and, subject to the provisions of state law, [solely to public agencies for the guaranteed purpose of perpetual public ownership and public access, to be used for recreation, education, or habitat preservation.](#) The City shall not lease waterfront property for a period longer than seventy-five years at any one time. All conveyances, contracts for sale of land owned by the City, and leases of such land for a term of longer than one year, including any renewal options, shall be executed by the Mayor and attested by the City Clerk.

Rationale for Amendment:

Section 9.1 was established years ago to prevent the railroad from blocking public access to the waterfront. The City Council and the Board of Park Commissioners have a shared goal of transferring ownership of City-owned park properties to Metro Parks. The City pays Metro Parks to manage some City-owned properties, including parcels along the Ruston Way waterfront. Alignment of ownership under Metro Parks would establish a consistent level of service across all parks and enable the City to focus its resources on other municipal priorities. This amendment recognizes the intent for perpetual public ownership and access, and identifies potential uses other public agencies might desire to lead on that could serve the Tacoma community.

C4B Rumbaugh 2 – Sale of Waterfront Property**Council Proposed Amendment****Version B****Amendment Summary****Section 9.1****Brief Summary of Amendment**

- Permits the City to sell or dispose of waterfront property under specific limited circumstances.
- Limits the sale or disposition to only public agencies with a deed requirement for guaranteed perpetual public ownership.
- Property must only be used for park and open space purposes in perpetuity.

Rationale for Amendment

Residents of the City of Tacoma benefit from being able to access nature and open spaces and are particularly fortunate to have a significant portion of our waterfront publicly owned and available to all. Unlike many local governments that didn't preserve access to waterfront property, Section 9.1 was established years ago to ensure public ownership and prevent private companies from blocking access to the waterfront. This has preserved the City's natural beauty and offered health benefits through recreation and increased tree canopy. It also ensures all communities to access waterfront property, especially those disproportionately excluded from the environmental benefits from accessing public open spaces. The City pays Metro Parks to manage much of the City owned waterfront property as public parks. The City has identified the goal of aligning ownership of park space under Metro Parks to establish a consistent level of service across all parks and enable the City to focus its resource on other municipal priorities. This amendment would allow for the City to transfer ownership of our public spaces, as long as the parks remain forever in public ownership for the purpose of using these lands for parks purposes or open spaces into perpetuity. This will ensure the public never loses access to this amazing public benefit.

Proposed Amendment Language

Disposition of City Property Section 9.1 – Except as otherwise provided in this charter or in state law, the sale, lease or conveyance of real or personal property belonging to the City shall be upon authorization of the Council; provided that machinery or equipment may be leased from day to day on written agreement therefore approved by the City Manager or Director of Utilities, as the case may be, and filed with the Director of Finance; provided further that, the lease of real or personal property for a term of less than a one year period without renewal options shall not require authorization of the Council. Any lease of real or personal property for a period longer than five (5) years shall contain provisions for adjustment of rentals at intervals not to exceed five (5) years. The City ~~shall never may~~ authorize the sale or disposition of any waterfront property belonging to the City solely to public agencies for the guaranteed purpose of perpetual public ownership and public access, to be used for park purposes, park structures, or open space in perpetuity and, subject to the provisions of state law, the City shall not lease waterfront property for a period longer than seventy-five years at any one time. All conveyances, contracts for sale of land owned by the City, and leases of such land for a term of longer than one year, including any renewal options, shall be executed by the Mayor and attested by the City Clerk.

C5: Rumbaugh Amendment 2 – Initiative Fiscal Notes

Council Proposed Amendment

Amendment Summary Article II, Section 2.18 – 2.22

Brief Summary of Amendment

- Adds language to require a fiscal impact statement for any initiative petition ask the voters to approve or reject an ordinances or amendments to existing ordinances.

Rationale for Amendment

The people have reserved for themselves the power to enact or reject legislation through the initiative and referendum process, as provided in Article II, Section 2.18 – 2.22 of the City Charter. When exercising this right, the people are entitled to know the fiscal impact that their vote will have on public revenues and investments at the time they cast their ballots. When a ballot measure will affect funding for public investments, a factual, neutral, nonprejudicial disclosure of the public revenues and investments affected will provide greater transparency and necessary information for voters.”

Amendment

Powers of the People

Section 2.18 – Amendments to this charter may be submitted to the voters by the City Council or by initiative petition of the voters in the manner provided by the state constitution and laws.

Section 2.19 – Citizens of Tacoma 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.
- k. Upon determining the validity of the petition, the City Clerk shall notify the City Manager and the Manager will create a factual and neutral "Fiscal Impact Statement" that will describe any projected increase or decrease in revenues, costs, expenditures, or indebtedness that the City will experience if the ballot measure were approved by voters. The Fiscal Impact Statement shall be posted on the City's web page.
- l. 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.

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) 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 2.21 – Any ordinance initiated or referred may be submitted to the qualified electors for their approval or rejection at a special municipal election to be called in the manner provided by law for the submission of questions or propositions to the qualified electors.

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.

C6: Walker Amendment 1 – Use of Term Citizen

Council Proposed Amendment Amendment Summary

Brief Summary of Amendment

- Eliminates or replaces use of the word “citizen” when the word is used to describe the status or activity of a Tacoma resident.
- Does not address the “citizenship” requirement for City employment contained in Section 6.3 as Charter Committee Proposed Amendment 21 seeks to eliminate in its entirety the portion of Section 6.3 that references citizenship. If CRC Proposed Amendment 21 does not advance there is not an appropriate substitute term for “citizenship” in Section 6.3.

Rationale

Ensuring that all feel welcome in Tacoma is vital for effective democratic governance, economic prosperity, and fostering broader community well-being. The use of the word “Citizen” in the Charter conveys that only those with citizenship status are able to participate in city government. Changing the language to “Resident” in the Charter is an important step toward fostering inclusive participation in city government and better reflecting our values as a welcoming city.

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 2.3 is separately addressed by CRC Proposed Amendment No. 1. The change noted here to address the use of the term “citizen” is also contained in Proposed Amendment No. 1, but Proposed Amendment No. 1 also addresses additional changes related to a conflict with state law.

Section 2.19 — ~~Citizens~~ Residents of Tacoma 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.

Section 2.20* – **Citizens Residents** 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) 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 2.20 is separately addressed by CRC Proposed Amendment No. 3. The change noted here to address the use of the term "citizen" is different than the change contained in Proposed Amendment No. 3 in that it does not limit Tacoma "residents" to those who are also "qualified electors under state law." Proposed Amendment No. 3 also addresses an additional change to the number of days allowed for the gathering of signatures in support of a Referendum Petition.

Section 2.25 * – The City Council shall commence a review of this charter no less frequently than once every ten years, by appointing citizens Tacoma residents 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 Tacoma residents to initiate amendments to this charter in any other manner allowed by state law.

*Section 2.25 is separately addressed by CRC Proposed Amendment No. 5. The changes noted here to address the use of the term "citizen" are contained in Proposed Amendment No. 5, but Proposed Amendment No. 5 also addresses additional changes related to the historical definition of the term "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.