



City of Tacoma

Charter Review Committee Minutes

March 28, 2024

5:30 p.m.

747 Market Street, Tacoma WA 98402, Conference Room 243 Dial: 253-215-

8782 Meeting ID: 915 2560 1849

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

Call to Order

Chair Wamback called the meeting to order at 5:33 p.m.

Roll Call

Present: 11 – Katie Baird, Nicholas Carr, Patrick Fischer, Jason Gauthier, Andre Jimenez, Melissa Malott, Latasha Palmer, Andrea Reay, Rebecca Stith, Stephen Wamback, and Lok Yin Wu

Absent: 4 – Maricres Castro, Silong Chhun, Bryan Flint (excused), and Diamatris Winston

Committee Member Winston arrived at 5:37 p.m., and Committee Member Castro arrived at 5:47 p.m.

Committee Members Castro, Jimenez, Palmer, Winston, and Wu participated virtually.

Welcome

At approximately 5:35 p.m., Chair Wamback began the meeting by outlining the agenda for tonight's meeting. Chair informed the Committee that Items 3 and 6 will be taken off the agenda. Item 3 refers to approval of minutes, there are no minutes to approve. Item 6 is the Administration Subcommittee's presentation on a climate commission which will be postponed as the group awaits further information.

Approval of Minutes

There were no minutes for approval.

Committee Member Winston arrived here, at 5:37 p.m.

Public Comment

Public Comment began at 5:39 p.m.

Speaking before the Committee:

1. Annette Agee, spoke on the importance of communication between the City and

- Neighborhood Councils, advisory roles, Planning Commission, and commercial permits.
2. April Smith, spoke on Neighborhood Councils, urging the Committee to bring back the Council's advisory role, and how 2019 Tacoma Municipal Code changes affected how the City communicates/works with Neighborhood Councils.
 3. Stacy Oaks, spoke on Neighborhood Councils and its advisory role, permitting, South Tacoma Economic Green Zone Plan, and legal mandate to require the City to give early notification to Neighborhood Councils.

Committee Member Castro arrived here, at 5:47 p.m.

Public Comment ended at 5:49 p.m.

Power of the People Subcommittee Report

Neighborhood Councils

At approximately 5:51 p.m., Chair Wamback turned to Palmer to start her presentation for the Power of the People Subcommittee. She opened by sharing her thoughts to the Committee on why it's important to amplify the voice of the community through the Charter. Palmer then presented the Subcommittee's proposed recommendation of adding a new Section 2.26 to the Charter which touches on Neighborhood Councils and Community Council. The suggested language includes duties and the inclusion of an advisory role. The Subcommittee believes that empowering Neighborhood Councils can help bridge the gap between the residents and Council as well as ensure adequate representation.

Discussion ensued on prior Neighborhood Council recommendation, if this should be included in the Charter, lack of public engagement, thinking about unintended consequences, clarity on how empowering Neighborhood Councils improve equity in the City, equity and accountability, historical experiences, possibly adding safeguards to ensure the proposal matches the Subcommittee's intent, subject to public records requests, and original intention of the creation of Neighborhood Councils.

MOTION: Palmer moved to refer the topic back to the Subcommittee for additional work.

SECONDED BY: Malott

ACTION: Voice vote was taken and carried. The motion was declared adopted by unanimous consent.

Campaign Finance

At approximately 6:25 p.m., Palmer then proceeded with presenting the Subcommittee's next recommendation on campaign finance. She started out by answering questions from the Committee on the prior presentation on current rules, limits, and National Civic League's model inclusion of public financing in the Charter. Palmer then introduced the Subcommittee's proposed language addition to Section 5.5 on campaign finance, adding a new Section 5.6

creating an Elections Commission, and adding a new Section 5.7 on democracy vouchers in the Charter.

Discussion ensued on the necessity to include democracy vouchers in the Charter, question if the City already has the authority to enact campaign financing through ordinance, making a statement by including it in the Charter, including campaign finance in the Committee's report versus including it the Charter, and less prescriptive in the language.

MOTION: Reay moved to refer this recommendation with the amendment to combine public financing and an oversight committee in a new Section 5.6 to staff for review and drafting.

SECONDED BY: Carr

ACTION: Voice vote was taken and carried. The motion was declared adopted by majority consent with Fischer abstaining.

Initiatives and Referendums

At approximately 6:50 p.m., Jimenez then presented for the Power of the People Subcommittee on the topic of initiatives and referendums. The Subcommittee updated their proposal after hearing the Committee's comments and suggestions on their prior presentation. The proposed update in Section 2.20 is to increase the number of days to collect signatures from registered voters from 30 to 90 days and a minor change in Section 2.22 by changing the word from "any" to "a" on the first paragraph of the section.

Discussion ensued on prior referendums in Tacoma, comparison between State and City signature collection, ordinances that takes effect immediately, and rationale on the discrepancy of signature collection between initiative and referendum process.

MOTION: Fischer moved to accept the Section 2.20 recommendation as proposed.

SECONDED BY: Malott

ACTION: Voice vote was taken and carried. The motion was declared adopted by majority consent with Reay voting against and Gauthier abstaining.

Staff requests copies of any presentation materials from the Committee members.

Break

The meeting recessed at 7:06 p.m.

The meeting reconvened at 7:15 p.m.

Power of the People Subcommittee Report (Continued)

At approximately 7:15 p.m., Jimenez continued with Section 2.22 of his presentation which deals with the topic of referendum. The Subcommittee's previous proposed language was broken down with bullet points per Committee's suggestion on the prior presentation. Jimenez explained how the Subcommittee broke down the paragraph into four sections and continued with the explanation and reasoning behind the update that was made.

Discussion ensued on confusing words that were used previously, unnecessary verbiage used, issue the Subcommittee is trying to address, history of competing initiatives in Tacoma, availability of resources makes its hard to engage with government, and "substantially conflicting" language.

MOTION: Reay moved to not advance Section 2.22 to staff for review.

SECONDED BY: Baird

ACTION: Voice vote was taken and failed. The motion failed with Baird, Gauthier, Reay, and Wamback voting in favor of the motion.

MOTION: Carr moved to refer Section 2.22 to staff for review, up to the second use of the word "petition".

SECONDED BY: Stith

Malott proposed a friendly amendment to possibly add language with regards to recovering legal fees. Request was rejected by the maker of the motion. Discussion ensued about the motion on the table and the legal process.

MOTION: Stith moved to amend the original motion made by Carr and add language to Section 2.22 allowing the prevailing citizen/organization to seek attorney fees for damages that go beyond declaratory damages.

SECONDED BY: Malott

ACTION: Voice vote was taken and failed. The motion to amend failed with Baird, Fischer, Gauthier, Reay, and Wamback voting against and Carr abstaining.

ACTION: Voice vote was taken and carried on the original motion by Carr. The motion was declared adopted by majority consent with Baird, Fischer, Gauthier, Reay, and Wamback voting against.

Charter Review Committee

At approximately 7:48 p.m., Palmer presented on Section 2.25 of the Charter for the Power of the People Subcommittee which talks about the frequency and length of time allotted to review the Charter. The Subcommittee updated the language they recommend, incorporating the

comments and suggestions from the Committee during the prior presentation. The updates include extending the Charter Review process from four to six months, replacing the word citizen with resident, replacing the word freeholders with electors, publication of the report, and the insertion of a paragraph to address how the Charter can be comprehensively reviewed.

Discussion ensued on language that was taken out of the updated version.

MOTION: Malott moved to advance Section 2.25 to staff as written for review.

SECONDED BY: Carr

ACTION: Voice vote was taken and carried. The motion was declared adopted by majority consent with Reay voting against.

Administrative Subcommittee Report

This item was removed earlier in the meeting.

Form of Government Subcommittee Report

Form of Government

At approximately 7:53 p.m., Malott gave the presentation for the Form of Government Subcommittee. The group recommends a Mayor-Council-Chief Administrative Officer (CAO) form of government structure where it's a strong Council with the Mayor as the executive. Malott then explained how the Mayor's current role would change being the face of the city with executive powers; enforce ordinances and laws; prepare and present the budget; manages the City jointly with the CAO; jointly appoints or terminates the CAO, City Attorney, and department heads with the Council; veto power; signs claims, deeds, and contracts on behalf of the City; and the ability for the Mayor to hire their own staff.

Malott added that in the Subcommittee's proposal, the current City Manager position will be replaced by the CAO who will have similar responsibilities and job qualifications but reports jointly to the Mayor and Council.

Malott then presented proposed changes to the Council if a change in form of government passes. The Subcommittee proposes to change the composition of the City Council from nine to seven members with five from districts and two at-large. The proposed new Council will elect its own Chair and the Chair will step in as Mayor if a vacancy occurs in the mayoral office. Updated powers were also added to the legislative branch such as overriding a mayoral veto, and approval of department heads, City Attorney, and CAO.

Malott then explained the process of how the Mayor can be removed from office in the proposed form of government structure which requires a majority vote of at least five members of the Council, and a written notice to the Mayor personally served at least 30 days before the removal hearing.

Transition

Malott continued the presentation on transition in the proposed form of government change. The Subcommittee proposes a timeline where the new Mayor starts in 2026 which allows time for candidates to prepare if interested in other positions and budgeting for the transition. Stith added information on current Council terms ending and how these fits with reducing the number of Council positions from nine to seven in the proposed timeline. As for the conversation of City Manager to CAO, the Subcommittee proposes that it starts in January of 2026 as the current City Manager's term ends at the end of 2025.

Discussion ensued on the number of Council Members, clarification on the relationship between the Mayor and CAO, clarity on who the department heads report to, tension points, Council's power to remove the Mayor, turnover rate when a new Mayor is elected, inclusion of a full-time empowered Council, if the CAO is also subject to term limits, and representation within the two at-large Council positions.

Other Subcommittee Reports and Discussion

At approximately 8:18 p.m., Chair Wamback briefly went over recommendations the Committee still have on deck to discuss including the Climate Commission, Humane Society, Police Accountability language on collective bargaining, preamble language consultation update with the Puyallup Tribe, and Neighborhood Councils. Palmer requests feedback from the Committee be sent to her with regards to the Neighborhood Councils presentation.

Staff Update

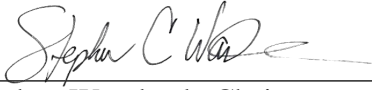
No update from staff.

Other Business and Homework

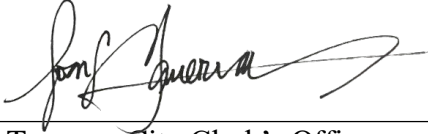
At approximately 8:22 p.m., Chair talked about the upcoming Charter Review Committee presentation at the City Council Study Session scheduled for Tuesday, April 2, 2024, at Noon in the Council Chambers of the Tacoma Municipal Building. He asked for interested members to attend in person or virtually. Chair also mentioned another opportunity to meet with the City Manager. Chair Wamback then proposed his idea on how the Committee can manage all the recommendations they have on deck, rationales for the amendments, dissenting positions, and non-Charter recommendations.

Adjournment

There being no further business, the meeting was adjourned at 8:48 p.m.



Stephen Wamback, Chair



Joan Taverna, City Clerk's Office