

# City of Tacoma

## Charter Review Committee

January 18, 2024  
5:30 p.m.

Tacoma Municipal Building, 747 Market Street, Tacoma, WA 98402  
Conference Room 243

Webinar Link: [www.zoom.us/j/85790941184](http://www.zoom.us/j/85790941184)

Dial: 253-215-8782 Meeting ID: 857 9094 1184

## AGENDA

- 1) **Call To Order**  
**Roll Call**
- 2) **Welcome**
- 3) **Charter Review Process Presentation**
- 4) **Open Public Meetings Act Presentation**
- 5) **Public Records Act Presentation**
- 6) **Code of Ethics Presentation**
- 7) **Break**
- 8) **Public Meeting Discussion**
- 9) **Upcoming Meeting Discussion**
- 10) **Charter Review Committee Member Review Requests Discussion**
- 11) **Homework and Closing Comments**
- 12) **Adjourn**

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# Charter Review Committee Meeting Guidelines

1. **Show up on time and come prepared.** Be prompt in arriving to the meeting and in returning from breaks. Be prepared to contribute to achieving the meeting goals.
2. **Respect the agenda.** Note which items are listed for discussion and which items involve decisions. All Members can help the Chair move through the agenda and end meetings on-time.
3. **Stay mentally and physically present.** Come to the meeting with a positive attitude. Be present, and don't attend to non-meeting business. Listen actively and attentively.
4. **Respect each other.** Assume best intentions but don't assume anything else. Focus on interests and not "positions." Don't interrupt others when they have the floor. Make sure everyone's voice is heard and we are hearing everyone's voice who wants to contribute.
5. **State views, explain intent, and ask genuine questions.** Avoid monologues and arguments. Participate in conversation in which members can understand everyone's point of view and be curious about the differences in their views. **CRC members are expected to communicate if we have a disagreement with an issue.**
6. **Be willing to reach consensus.** Keep an open mind that there probably is an acceptable decision that everyone can support, even if some degree of compromise is required.
7. **Once consensus has been reached, support group decisions and actions.** Do not leave the meeting after decisions have been made and talk about how your idea was the better one. CRC members may express disagreement with an issue externally, but respect the process and maintain the integrity of the committee.



# City of Tacoma 2024 Charter Review Committee

## CHARTER

1. RESPONSIBILITIES OF CHARTER REVIEW COMMITTEE. The Charter Review Committee (CRC) has been tasked with the following responsibilities:

- A. Review the existing Charter of the City of Tacoma and make such recommendations to the City Council for change as the Committee may deem necessary and proper in order to amend the provisions of the existing City Charter with reference to improving the mode and manner of operation and efficiency in conducting the affairs of the City.
- B. Provide a report and recommendations to the City Council no later than May 7, 2024 so that adequate and appropriate provisions can be made for the holding of a special municipal election in November 2024, in the event that the City Council determines that recommendations for revisions or changes should be submitted to the electorate.
- C. The CRC members understand that the City Council reserves the right to request Committee consideration of charter review topics and provide guidelines to the Committee with reference to the scope of the Committee's review. 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.
- D. The CRC will commence in January 2024, and CRC members shall thereafter serve until such time as the final reports and recommendations are made to the City Council on or before May 7, 2024, at which time said committee shall be dissolved without further action of the City Council.

2. MEMBERSHIP

- A. SIZE OF CRC. The CRC shall consist of fifteen (15) members.
- B. MEMBER COMMITMENTS. By agreeing to serve on the CRC, each member of the CRC commits to participating in good faith to accomplish the mission of the CRC

as expressed in Section 1 above. Each member further agrees to abide by the CRC Guidelines as adopted by the CRC members.

C. RESIGNATION. Any member of the CRC may resign at any time by delivering written notice to the CRC Chair. A resignation shall be effective when the notice is delivered unless the notice specifies a later date.

D. REMOVAL. The City Council reserves the right to remove any CRC member with three or more unexcused absences and appoint a new CRC member to any vacant position from the remaining list of applicants referred by the Government Performance and Finance Committee.

### 3. COMMITTEE OPERATIONS.

A. CHAIR. The CRC Chair is the member appointed by the Mayor. The Chair shall have the duties set forth in Section 6.

B. VICE-CHAIR. The Chair will designate a Vice-Chair if the Chair determines necessary. Should it emerge the CRC would be aided by the service of a permanent Vice-Chair, the Chair will invite members to enter self-nominations, interview those prospects and then ask the CRC to confirm the selection by a 60% majority vote.

C. SUBCOMMITTEES. The CRC may approve, by a 60% majority vote, the creation of subcommittees composed of not more than 5 CRC members to provide advice to the CRC on specific issues within the scope of the CRC's general responsibilities. Subcommittees shall be governed by the same rules regarding meetings, voting, notice, waiver of notice and quorum as applied to the CRC.

#### D. PUBLIC OUTREACH AND COMMUNICATIONS.

- i. The CRC may conduct a public outreach process.
- ii. CRC members are encouraged to engage in outreach to increase diverse public engagement.
- iii. When engaging in communications with the public, CRC members will take care to distinguish any official Committee or Subcommittee positions from individual member positions.
- iv. CRC members agree to refer inquiries from the press to the Chair for response on behalf of the CRC.

- E. CRC MATERIALS TO BE PUBLIC. The deliberations of the CRC are subject to the Public Records Act [Chapter 42.56 RCW]. Unless exempt from disclosure requirements under state law, all meeting agendas, meeting summaries and meeting materials will be posted on a website by City staff.
- F. COMPENSATION. No compensation or reimbursement for expenditures shall be paid by the City for any service as a member of the CRC.
- G. MINUTES. Summary minutes shall be kept of CRC meetings of the whole, recording attendance, general discussion items, decisions and votes (where taken). Minutes shall be available to the public. Minutes are not required to be kept of subcommittee meetings.
- H. FINDINGS, REPORTS AND RECOMMENDATIONS. Unless the Chair determines otherwise, the CRC staff shall draft the CRC report, and the CRC members shall review and comment on the draft report. The CRC members shall approve the final Report by a vote of not less than sixty percent (60%) of those present and voting. Minority reports will not be allowed; however, staff shall work with members dissenting from a recommendation to prepare a summary statement as to the position(s) of the dissenters.

#### 4. COMMITTEE MEETINGS.

- A. REGULAR AND SPECIAL MEETINGS. The CRC is expected to meet approximately from January 2024 through May 2024. Meetings of the CRC shall be held as determined by the Chair in consultation with the CRC members. Cancellation of meetings, or adding additional regular meetings may be made by decision of the Chair, in consultation with CRC members as determined appropriate by the Chair.
- B. MEETING FORMAT. Most meetings will be conducted in a hybrid format with members choosing to participate in-person or remotely. At the discretion of the Chair, and in consultation with the CRC and staff, some meetings will be conducted solely in-person and others may be conducted solely remotely.
- C. AGENDAS. Prior to each regularly scheduled meeting, the CRC Chair, working with the CRC staff, shall establish an agenda for the meeting with consideration of discussion and direction from the CRC. The Chair and staff will make agendas available to the CRC members electronically (by email) as soon as possible prior

to the meeting. Staff to the CRC will make best efforts to provide all meeting materials to the CRC in advance of the meeting date. Because the work of the CRC may require staff to prepare, and members to review, materials in advance, modifications to a published or distributed agenda will be at the discretion of the Chair.

- D. NOTICE OF MEETINGS. Notice of all scheduled meetings of the CRC will be provided by the City Clerk. If a regularly scheduled meeting date, time or location needs to be changed, the City Clerk will provide notice as required by law.
  - E. QUORUM. A quorum at any meeting shall consist of CRC members who represent a simple majority of the total number of members or subcommittee members.
  - F. VOTING. Except for items to be included in the final report to be submitted to the City Council, and other matters specifically called out in this document, the CRC shall attempt to make decisions by consensus as determined by the Chair. Upon request of any CRC member, a vote will be taken, in which case each CRC member in attendance at the meeting shall be entitled to cast one vote. Votes may not be made by proxy. If subject to a vote, other than recommendations to the Council and as otherwise provided in this CRC Charter, matters will be approved by a simple majority of all votes cast. A supermajority vote will be required to secure approval of any recommendation to be included in the CRC final report and recommendations; provided further:
    - a. A matter will be deemed “a **consensus recommendation**” if approved by no fewer than eighty percent (80%) of the CRC members present and voting.
    - b. A matter will be deemed a “**recommendation**” of the CRC if approved by no fewer than sixty percent (60%) of the CRC members present and voting.
    - c. The minutes shall reflect the votes of each CRC member for each recommendation.
  - G. RULES OF ORDER. All meetings of the CRC shall be conducted in accordance with the latest edition or revision of Robert's Rules of Order, except as otherwise provided in this Charter.
  - H. MEETINGS TO BE PUBLIC. All meetings of the CRC shall be open to the public.
5. DUTIES OF CHAIR. The Chair shall have the following responsibilities:



- A. As they deem appropriate, call regular and special meetings of the CRC.
- B. Chair each meeting or designate a Vice-Chair or committee member to chair a meeting.
- C. Working with the CRC staff, confirm the agenda for all meetings.
- D. Propose the formation of subcommittees and assign CRC members to any subcommittees created per section 3 C.
- E. Act as the primary spokesperson for the CRC and execute documents on behalf of the CRC.
- F. Transmit to the City Council any approved reports and recommendations of the CRC.
- G. Such other duties as defined in this Charter and that may be delegated from time to time by the CRC.

## 7. STAFFING

- A. The City will provide logistical and staff support to the CRC. The CRC members acknowledge that staff may have limited time and resources to respond to all questions, information requests and/or to do analysis that may be required to answer questions. Staff will make all reasonable efforts to address CRC requests for information or analysis pertinent to the issues under consideration by the CRC as directed by the Chair and to do so in a timely manner based on readily available data and analysis. The CRC may need to prioritize information requests given limited staff time and resources.
- B. Requests to staff to conduct research, analysis, or other work on behalf of a CRC member shall be provided to the Chair. The Chair will prioritize the requests to staff with requests for the CRC as a whole taking precedents over requests for an individual member.
- C. Staff may work with third parties in order to provide relevant information to the CRC.
- D. City staff designated to provide support to the CRC will be responsible for the maintenance and circulation of the minutes and agendas of the meetings of the CRC, as

well as preparation and delivery of all meeting notices, agendas and materials to CRC members.

8. AMENDMENTS. This Charter shall be adopted, and may be amended, upon a sixty percent (60%) vote of the CRC members present and voting provided that no amendment may be approved contrary to state law or City policy.

## CRC Member Requests by Member

CRC Member	Priority Request	Interests/Other
Katie Baird	<ul style="list-style-type: none"> <li>• II. Leg Branch</li> <li>• IV. Public Utilities</li> <li>• III. Administrative Branch</li> </ul>	
Nicholas Carr	<ul style="list-style-type: none"> <li>• <b>Sec. 2.3</b> The Citizen Commission on Elected Salaries needs a complete overhaul with more realistic guardrails to ensure adequate compensation for Council Members</li> <li>• <b>Sec. 2.35</b> 10 years is a weird and arbitrary number, should be simplified to X terms of X years</li> <li>• <b>Sec. 2.13</b> “official initiatives of the City” needs to be updated throughout the Charter for the century to come (city website/social media); there is a problem with a national conglomerate being considered the “local” paper of record</li> <li>• <b>Sec. 2.19 (i)</b> Should revisit increased metrics for qualified signatures to get an initiative considered/on the ballot; 10% of votes cast in a Mayoral election is a small fraction of the overall community</li> <li>• <b>Sec. 3.1-3.4</b> Shift from Council-Manager form of government to a more elected accountable Mayor-Council form</li> <li>• <b>Sec. 3.2</b> (maybe Sec. 6.1-6.2) A functional Legislative Branch requires their own employees and discretion to support the work of legislating; the City Manger hiring and managing the support staff for Council is not warranted and should be changed if the form of government is not</li> <li>• <b>Sec. 3.3-3.4</b> Barring a change in form of government, I would like to see more input and decision making on city departmental Director hiring by Council rather than simple notification, meet/greet, or confirmation of chosen candidate</li> <li>• <b>Sec. 3.5</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Sec 2.1</b> Composition of Council Members/Districts would likely need to be modified under a proposed form of government change</li> <li>• <b>Sec. 2.4</b> Mayor’s role would change in this section should form of government change</li> <li>• <b>Sec. 2.8</b> Could revisit the forty-six (46) times per calendar year without severely affecting city business</li> <li>• <b>Art. IV</b> Wouldn’t mind seeing an added provision in these Sections that gives the Utility Board staff support to help with Board decision making and/or gauge performance metrics</li> <li>• <b>Sec. 4.8</b> I would be willing to entertain a conversation about a rotating, non-voting member of the Board that represents the interests of adjacent communities who receive service from the city’s utility</li> <li>• <b>Sec. 4.9</b> Current Utility Board members can apply for certain reimbursement, but</li> </ul>

## CRC Member Requests by Member

	<p>City Attorney should be appointed by the Council (Leg Branch); responsible to Council, but still retaining advisory role to rest of city administration</p> <ul style="list-style-type: none"> <li>• <b>Sec. 6.3</b> Remove city resident eligibility for employment, it's not enforced and it doesn't make sense</li> <li>• <b>Sec. 9.1</b> Would make sense to end the prohibition on waterfront property sale in the specific case that the sale is made to Metro Parks Tacoma</li> </ul> <p><i>Priorities not Section-specific</i></p> <ul style="list-style-type: none"> <li>• Address the word CITIZEN and FREEHOLDER in Charter</li> <li>• Address and update the "official newspaper of the City of Tacoma" language and precedent</li> </ul>	<p>we should consider formalized compensation for their time and work</p> <ul style="list-style-type: none"> <li>• <b>Sec. 5.3</b> Would be interested in looking at a different composition of Council Members/Districts outside of a change in form of government</li> <li>• <b>Sec. 6.8</b> This seems interesting to address in certain situations, especially if Council Members are not paid a housing/living wage</li> <li>• <b>Sec. 7.3</b> I want to know the relationship between what the Council passes as a budget, and what staff recommend as final passage, especially if there are components that Council Members think they are getting (a study on a policy, for example) that are not included in the staff recommendation; is there adequate notification of an exemption and reasons for it?</li> <li>• <b>Sec. 7.4</b> Include City Council Member here? Worth a discussion</li> </ul>
<p><b>Maricres Castro</b></p>	<ul style="list-style-type: none"> <li>• <b>Preamble -</b> "We the People of the City of Tacoma[...to uphold the Constitution and laws of the United States of America and the State of Washington and to promote a more equitable, just, and welcoming City do hereby enact this charter.]"</li> <li>• <b>Sec. 2.9</b></li> </ul>	

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	<p>“...members present may adjourn the meeting to a later date [or have the meeting and not be allowed to vote on any business.]”</p> <ul style="list-style-type: none"> <li>• <b>Sec. 2.19e</b> “Notification of the ballot title shall be posted at City Hall, on the City’s web page[, and a newspaper chosen by the City to publish news.]”</li> <li>• <b>Sec. 2.19h</b> “... to collect signatures [via written form or through e-signatures online from registered voters].”</li> <li>• <b>Sec. 3.8b</b> “... environmental [health] community;”</li> <li>• <b>Sec. 3.13</b> “... composed of members with such powers and duties as are provided by the ordinance [with respect and acknowledgement to the indigenous lands we inhabit.]”</li> <li>• <b>Sec. 4.13</b> “... The time and place of all newspaper shall be publicly announced [at least 2 weeks in advance...]”</li> <li>• <b>Sec 6.7</b> “No applicant for citiaen and no appointed officer or employee shall be discriminated against in any personnel decision on the based of religion, race, [caste system], color, national origin or ancestry, political affiliation, sex, gender identity, sexual orientation, age, familial status, honorably discharged veteran or military status...”</li> </ul>	
<p><b>Silong Chhun</b></p>	<ul style="list-style-type: none"> <li>• Council-manager system</li> </ul>	
<p><b>Patrick Fischer</b></p>	<ul style="list-style-type: none"> <li>• <b>Section II</b> I would like to look harder at the number of council districts. I'm not convinced we need three at-large members and a couple of districts could be made smaller.</li> <li>• <b>Section III</b> Some discussion is needed on maintaining a City Manager/Part-time council style or if we should look at full-time council members and a strong Mayor. Perhaps some combination of both.</li> </ul>	

## CRC Member Requests by Member

	<ul style="list-style-type: none"> <li>• <b>Section IV</b> It is time for a hard look at Public Utilities, how they are managed, and if the public is being served properly. Should TPU be a separate entity?</li> <li>• <b>Section VI</b> Residency and Citizenship Requirements for employees needs review and clarification.</li> <li>• <b>Section VII</b></li> <li>• I'd like to learn more about the financial issues the City faces. If for no other reason than because of my background in finance.</li> </ul>	
<p><b>Bryan Flint</b></p>	<ul style="list-style-type: none"> <li>• <b>Sec. 3.2 &amp; 4.19</b> "Except for purposes of Inquiry" Revise for more clarity</li> <li>• <b>Sec. 3.10</b> Humane Society Remove reference to a private entity in the Charter Consider if the section needs to be there at all.</li> <li>• <b>Sec. 4.1</b> General Power of utilities Add internet as a listed utility</li> <li>• <b>Sec. 4.9</b> Utility Board Qualifications Residency requirement for Board membership - allow at least one member to be from the utility territory outside the City limits.</li> <li>• <b>Sec. 4.17</b> Use of joint services Review the effectiveness of this provision in the current environment</li> <li>• <b>Sec. 6.3</b> Eligibility for employment Remove citizenship requirement</li> <li>• <b>Sec. 6.14</b> Personnel Rules <b>Subsection (a)</b> City Council Comprehensive plan should create a diverse and inclusive workforce <b>Subsection (c)(3)</b> Include underrepresented demographic groups in addition to veterans for 10% grade provision <b>Add Subsection (c)(13)</b> concerning developing a diverse and inclusive work force</li> </ul>	<ul style="list-style-type: none"> <li>• Section 2.3 - Salary Commission Review its operation to understand if any tweaks are needed</li> <li>• <b>Section 2.8 &amp; 4.13</b> Council and Utility Board meetings - Add hybrid option language?</li> <li>• <b>Section 3.7</b> City Clerk For potential discussion in relation to providing better information access to the City Council</li> <li>• <b>3.12</b> Removal of appointed member If an appointee no longer meets the residence requirement, add that change in status as a reason for removal.</li> <li>• There are various mentions of official notice to be placed in the newspaper - Assess if this is still the most relevant way to distribute official notices and if there might need to be an electronic alternative or addition.</li> </ul>

## CRC Member Requests by Member

<p><b>Jason Gauthier</b></p>	<ul style="list-style-type: none"> <li>• <b>Sec. 2.3</b> Reviewing structure and role of the Citizens Commission on Elected Salaries (the “Commission”) Questions to consider.             <ul style="list-style-type: none"> <li>• Should the Commission also be charged with considering compensation of the TPU Board of Commissioners?</li> <li>• Should the Commission be charged with considering compensation recommendations for other City boards and commissions.</li> <li>• Should Commission members be drawn by lot or is there a way to modernize/professionalize the Commission? An example would be the <a href="#">City of Spokane’s Salary Review Commission</a>.</li> <li>• Should the name be changed to remove “Citizens”?</li> </ul> </li> <li>• <b>Sec. 2.35</b> Reviewing the length of consecutive service as Councilmember, Mayor, or combination of Questions to consider.             <ul style="list-style-type: none"> <li>• Should there be any length of service limitation? If yes, should Mayoral service be removed and added as a separate length of service limitation?</li> <li>• Should it be amended to note terms of service rather than years?</li> </ul> </li> <li>• <b>Sec. 5.3</b> Number of Council Districts Questions to consider.             <ul style="list-style-type: none"> <li>• Should the CRC consider adding a 6<sup>th</sup> council district to better represent district residents</li> <li>• Would the addition of a 6<sup>th</sup> district increase number of Councilmember to 9 or would the CRC remove 1 at-large council position to have total number of Councilmember remain at 8?</li> </ul> </li> <li>• <b>Sec. 6.1</b> Unclassified Service Questions to consider.             <ul style="list-style-type: none"> <li>• Should the Charter add unclassified services to serve the City Council. An example of this language would be, <i>“all principal officers and assistants to the Council as prescribed by the affirmative vote of not less than six members”</i></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Sec. 2.8</b> Number of Council meetings Questions to consider.             <ul style="list-style-type: none"> <li>• Are 46 meetings necessary to conduct the business of the City over a calendar year? If no, what is the correct number?</li> </ul> </li> <li>• <b>Sec. 2.13</b> Number of days to notice an ordinance / “official newspaper of the City” Questions to consider.             <ul style="list-style-type: none"> <li>• Is 10 days the correct number of days?</li> <li>• Does this need to be modernized regarding the “official newspaper of the City”?                 <ul style="list-style-type: none"> <li>• If yes, we may consider publishing on the City website as fulfilling a publication of notice</li> </ul> </li> </ul> </li> <li>• <b>Sec. 3.8</b> Planning Commission Questions to consider.             <ul style="list-style-type: none"> <li>• Removing the prohibition on compensation for the Planning Commission</li> </ul> </li> <li>• <b>Sec. 3.10</b> Tacoma Humane Society Questions to consider.             <ul style="list-style-type: none"> <li>• Is it appropriate for a city charter to call out a specific organization that existing outside the city structure in this document?</li> </ul> </li> </ul>
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## CRC Member Requests by Member

<ul style="list-style-type: none"> <li>• <b>Sec. 6.9</b> Compensation Questions to consider.             <ul style="list-style-type: none"> <li>• Should this section add specific Boards (TPU? Library) and Commissions, or generally note that Boards and Commissions are eligible to be compensation in accordance with ordinances adopted by the Council?</li> </ul> </li> <li>• <b>Section 9.1</b> Disposition of City Property Questions to consider.             <ul style="list-style-type: none"> <li>• Should the prohibition on the sale or disposition of waterfront property be amended to allow the Metropolitan Park District of Tacoma to purchase / be gifted waterfront property?</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Sec. 4.1</b> Powers Respecting the Utility Questions to consider.             <ul style="list-style-type: none"> <li>• Should “internet service” be added a public utility?</li> </ul> </li> <li>• <b>Sec. 6.3</b> Eligibility for Employment Questions to consider.             <ul style="list-style-type: none"> <li>• Under state and federal law is this section enforceable? If yes, which sections? If no, which sections?</li> <li>• CRC should consider removing unenforceable requirements</li> </ul> </li> <li>• <b>Sec. 6.7</b> Discrimination Questions to consider.             <ul style="list-style-type: none"> <li>• Does this align with the TMC? If no, should we strive to make those changes in alignment.</li> </ul> </li> <li>• <b>Sec. 7.4</b> Investment of Funds Questions to consider.             <ul style="list-style-type: none"> <li>• Should a Councilmember be added toto the Finance committee in addition to the Mayor, Director of Finance, and City Treasurer?</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>• Address references/use of the word “citizen”</li> <li>• Address any references to “newspaper” or “official newspaper” or “official newspaper of the city of Tacoma”</li> </ul>
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## CRC Member Requests by Member

<p><b>Melissa Malott</b></p>	<ul style="list-style-type: none"> <li>• I believe it would improve equity in the city to have council be full time, because more people in the city would be able to afford being on council. Additionally, it would help improve accountability if council members have their own staff who can help council respond to constituent needs and track and manage policy development. So, I'm interested in making council full time, with at least one staff per council person that reports directly to that council person; the mayor should have at least two staff who report directly to the mayor. (Added under sec. 2.35 and 2.4 as "Full time Council with additional staff")</li> <li>• Form of governance: I don't know that I think we should change from a city manager system, because there is great value to having highly competent bureaucrats protected from too much political reactivity, but I am concerned about ways to improve accountability between council members and the mayor and staff. I am interested in a comparison of the pros and cons of the existing system against a system where an empowered mayor would have a strong chief of staff and department heads would report to city council, or something similar. I realize the council can do investigations, but they don't seem to use that function. In short, I'm interested in really having a deep dive about governance and seeing if there are tweaks we can make to the system that would improve accountability, transparency and equity. (Added under sec. 3.2-3.4 – form of government and including "Explore pros and cons of existing system vs. strong mayor" and the following list:             <ul style="list-style-type: none"> <li>○ Can we explore ways to increase accountability of staff for mayor/council actions and interests?</li> <li>○ The electorate thinks that when they elect the mayor, they are electing the person who is where the buck stops, so to speak, but they aren't because departments report to the city manager. Is there a way to make things more transparent to the public?</li> <li>○ Potentially have the sheriff report directly to the mayor?</li> <li>○ Provide for the City Council to have its own City Attorney who reports directly to the City Council.</li> <li>○ Have City Clerk report to City Council?</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Section 2.17</b>- when was this passed? Are these fines meaningful?</li> <li>• <b>Section 7.4</b> – funds should only be invested in ways that increase global sustainability, i.e.-no oil companies.</li> <li>• <b>Section 2.4</b> – making it so a mayor can serve a full term after serving two terms as a city council member</li> <li>• Requiring department heads and managers to live in the city.</li> <li>• Getting rid of "freeholder" and citizenship requirements.</li> <li>• Making it so people who serve on boards and commissions can be paid for their time, in order to get more diversity.</li> </ul>
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## CRC Member Requests by Member

<p><b>Latasha Janae Palmer</b></p>	<ul style="list-style-type: none"> <li>• <b>2.13</b> The issue identified about the official newspaper of the city</li> <li>• <b>2.19 and 2.20</b> Require Citizens of Tacoma to carry out complicated bureaucratic procedures before ordinances or amendments are voted on by the people. While some ordinances may not be of significant concern to the majority of citizens, these procedure requirements are carried out in a way that assumes public input or approval is unnecessary for most ordinances, even on topics that are known to be of major concern to citizens, like housing and crime. Tacoma is capable of innovating a more inclusive procedure in which it is instead assumed that citizens want their voices to be heard in these decisions and can opt-out if they do not, even if only for known special topics.</li> <li>• <b>2.25</b> Review why the council must review recommended amendments before they go to a public vote</li> <li>• <b>2.26</b> The inclusion of neighborhood councils should be reviewed.</li> <li>• <b>Sec. 3</b> Review the inclusion of boards and commissions in the city charter in Section 3. In particular, I would like to explore the possibility of including a Community Police Advisory Commission.</li> <li>• <b>In Sec. 5</b> Add a campaign finance section that institutes contribution limits</li> <li>• <b>5.3</b> Change "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." to voters rank candidates for an office or offices in order of the voter's preference and ballots are counted in rounds. The person with the highest number of votes after these rounds for the office of Council Member for the position for which they are a candidate shall be declared duly elected</li> <li>• <b>5.3</b></li> </ul>	
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## CRC Member Requests by Member

	<p>Change "The Council shall change the lines of the election districts, in the time and manner as prescribed by state law." to A Citizen's Commission on Redistricting shall change the lines of the election districts, in the time and manner as prescribed by state law</p>	
<p><b>Andrea Reay</b></p>	<ul style="list-style-type: none"> <li>• Administrative Branch             <ul style="list-style-type: none"> <li>• Council-Manager Relationships- form of government</li> </ul> </li> <li>• Initiatives</li> <li>• Council and Mayor             <ul style="list-style-type: none"> <li>• Number of Council districts</li> <li>• term limits</li> <li>• Mayor's role</li> </ul> </li> <li>• City Personnel and Boards</li> <li>• Public Utilities</li> </ul>	
<p><b>Rebecca Stith</b></p>	<p><b>ARTICLE II, LEGISLATIVE:</b> Particularly:</p> <ul style="list-style-type: none"> <li>• <b>2.1</b> Creation &amp; Composition of City Council &amp; <b>2.7</b> Council Vacancies</li> <li>• <b>2.35</b> (which seems numerically out of order!) Term Limits</li> <li>• <b>2.4</b> The Mayor</li> <li>• <b>2.18</b> Powers of the People</li> <li>• <b>2.19</b> Initiative by the People re new ordinance/amendment to existing ordinance</li> <li>• <b>2.20</b> Referendum by the People on Passed Ordinances</li> <li>• <b>2.21</b> Special election for initiated and referred ordinances</li> <li>• <b>2.22</b> Council Referendum on Proposed Ordinances</li> <li>• <b>2.25</b> Charter Review Committee &amp; Board of Freeholders</li> </ul> <p><b>ARTICLE III, ADMINISTRATIVE BRANCH</b> Particularly:</p> <ul style="list-style-type: none"> <li>• <b>3.1</b> The City Manager</li> <li>• <b>3.2 &amp; 3.3</b> Council-Manager Relationships</li> <li>• <b>3.5 &amp; 3.6</b> City Attorney</li> </ul>	<p><b>ARTICLE VI, CITY OFFICERS &amp; PERSONNEL</b> Only: 6.3 Eligibility for Employment 6.7 Discriminatory Actions</p>

## CRC Member Requests by Member

<p><b>Diamatris Winston</b></p>	<ul style="list-style-type: none"> <li>• <b>Technical</b> Translation (use DSHS used languages)</li> <li>• <b>Sec. 2.25</b> Replace "Freeholder" – by reference (and use resident)</li> <li>• <b>Sec. 4.8</b> Number of Utility Board Members</li> <li>• <b>Sec. 4.14 and 4.15</b> Public Utilities performance and rate audit (does SAO do this or external)</li> <li>• <b>Sec. 4.8</b> Membership of the Utility Board Defined</li> <li>• <b>Sec. 6.3</b> Resident requirement (classified)</li> <li>• <b>Sec. 10.4</b> Preliminary Meeting of Council (1953 reference..)</li> <li>• <b>Add Section</b> Climate Action Plan/Enviro Stewardship</li> <li>• <b>Sec. 4.12</b> TPU budget submittal to council</li> <li>• <b>New Article X</b> Review 2014 CRC Update (2014 CRC)</li> <li>• <b>Update - Preamble</b></li> <li>• <b>Roles</b> (Council, Mayor, City Manager) - the FOG concerns/addressing challenges, without changing the FOG</li> <li>• <b>Add</b> Historical Preservation</li> </ul>	
<p><b>Lok Yin Wu</b></p>	<ul style="list-style-type: none"> <li>• Public Utilities</li> <li>• City Personnel and Boards</li> </ul>	

# CHARTER OF THE CITY OF TACOMA

## City Council Recommendations for Charter Review Commission Consideration

### By Article Section

#### Article Section

##### I. Incorporation and General Powers

Incorporation and Boundaries .....1.1

General Powers of the City .....1.2

##### II. The Legislative Branch

- **Leg Branch**

Creation and Composition of the City Council .....2.1

- **Sec. 2.1 / Sec. 5.3 - Number of Council districts (adding districts)**
  - **Number of Council districts (5 requests)**
  - Composition of Council Members/Districts would likely need to be modified under a proposed form of government change
  - **2.1 Creation & Composition of City Council**

Qualifications and Compensation of Council Members ..... 2.2 – 2.35

- **Sec. 2.3 - Review salary commission to ensure there is not a conflict with state law**
  - **Reviewing structure and role of the Citizens Commission on Elected Salaries (the “Commission”) (3 requests)**
    - **Should the Commission also be charged with considering compensation of the TPU Board of Commissioners?**
    - **Should the Commission be charged with considering compensation recommendations for other City boards and commissions.**
    - **Should Commission members be drawn by lot or is there a way to modernize/professionalize the Commission? An example would be the City of Spokane’s Salary Review Commission.**
    - **Should the name be changed to remove “Citizens”?**
    - **Review its operation to understand if any tweaks are needed**
  - **The ~~Citizen~~-Commission on Elected Salaries needs a complete overhaul with more realistic guardrails to ensure adequate compensation for Council Members**
- **Sec. 2.35 - Length a person may serve consecutively on Council; consider current term limits - (4 requests)**

- Reviewing the length of consecutive service as Councilmember, Mayor, or combination of
  - Should there be any length of service limitation? If yes, should Mayoral service be removed and added as a separate length of service limitation?
  - Should it be amended to note terms of service rather than years?
- Term limits
- 10 years is a weird and arbitrary number, should be simplified to X terms of X years
- Sec. 2.35 – Consider disconnecting the allowable time served as a Council Member from the amount of time served as the Mayor
  - 2.35 (which seems numerically out of order!) Term Limits
- Expectations for a full time council
  - Full Time Council with additional staff (see also 3.2-3.4)

**The Mayor .....2.4**

- Sec. 2.4 - Review term limits for council, particularly the Mayor’s role – we want experienced CM’s to be able to run for Mayor (2 requests)
  - Term limits
  - Section 2.4 – making it so a mayor can serve a full term after serving two terms as a city council member
- Mayor's role
- Mayor’s role would change in this section should form of government change
- 2.4 The Mayor
- Full Time Council with additional staff (see also 3.2-3.4)

**Removal from or Forfeiture of Office .....2.5 – 2.6**

**Council Vacancies .....2.7**

- 2.7 Council Vacancies

**Procedure of the Council .....2.8 – 2.10**

- Sec. 2.8 – The number of mandated council meetings – (5 requests)
  - Number of Council meetings (2 requests)
    - Are 46 meetings necessary to conduct the business of the City over a calendar year? If no, what is the correct number?
    - Could revisit the forty-six (46) times per calendar year without severely affecting city business.
    - Add hybrid option language?
- Section 2.9“...members present may adjourn the meeting to a later date [or have the meeting and not be allowed to vote on any business.]”

**Legislation .....2.11 – 2.15**

- “official newspaper of the City” needs to be updated throughout the Charter for the century to come (city website/social media); there is a problem with a national conglomerate being considered the “local” paper of record
- **2.13- the issue identified about the official newspaper of the city (4 requests)**

**Compilation and Codification of Ordinances .....2.16**

**Penalties for Non-compliance with Ordinances .....2.17**

- Section 2.17- when was this passed? Are these fines meaningful?

**Powers of the People .....2.18 – 2.25**

- Sec, 2.18, 2.19, 2.20 - The citizens’ initiative process, including best practices such as the number of required signatures
- Sec. 2.18 – Sec 2.25 – Review how the Charter allows the use of initiatives to change City ordinances, including the possibility of a third party review similar to the Attorney General review of State initiatives
- Sec. 2.25 - Replace “freeholder” with appropriate language such as ‘steward’ or as otherwise defined in state law
  - Getting rid of “freeholder” and citizenship requirements (4 requests)
- **Initiatives**
- **Should revisit increased metrics for qualified signatures to get an initiative considered/on the ballot; 10% of votes cast in a Mayoral election is a small fraction of the overall community**
- **Sec. 2.19-2.20 –**
  - **Require Citizens of Tacoma to carry out complicated bureaucratic procedures before ordinances or amendments are voted on by the people. While some ordinances may not be of significant concern to the majority of citizens, these procedure requirements are carried out in a way that assumes public input or approval is unnecessary for most ordinances, even on topics that are known to be of major concern to citizens, like housing and crime. Tacoma is capable of innovating a more inclusive procedure in which it is instead assumed that citizens want their voices to be heard in these decisions and can opt-out if they do not, even if only for known special topics.**
- Section 2.19e “Notification of the ballot title shall be posted at City Hall, on the City’s web page[, and a newspaper chosen by the City to publish news.]”
- Section 2.19h “... to collect signatures [via written form or through e-signatures online from registered voters].”
- **2.18 Powers of the People**
- **2.19 Initiative by the People re new ordinance/amendment to existing ordinance**
- **2.20 Referendum by the People on Passed Ordinances**
- **2.21 Special election for initiated and referred ordinances**

- 2.22 Council Referendum on Proposed Ordinances
- 2.25 Charter Review Committee & Board of Freeholders
  - 2.25- Review why the council must review recommended amendments before they go to a public vote
- 2.26- Review why the council must review recommended amendments before they go to a public vote

**III. The Administrative Branch**

- Review the inclusion of boards and commissions in the charter, including a review of the Landmarks Preservation Commission, Tacoma Humane Society, and the Planning Commission. The review should include consideration of state law requirements.
  - Review the inclusion of boards and commissions in the city charter in Section 3. In particular, I would like to explore the possibility of including a Community Police Advisory Commission.

- **Administrative Branch**

**The City Manager .....3.1**

- **3.1 The City Manager**

**Council-Manager Relationships .....3.2 – 3.4**

- Form of Government – (3 requests- see also Council-Manager Relationships)
- Council-Manager Relationships- form of government (9 requests)
  - Shift from Council-Manager form of government to a more elected accountable Mayor-Council form
  - Section 3.2 - “Except for purposes of Inquiry”
    - Revise for more clarity
  - Form of Governance:
    - Explore pros and cons of existing system vs. strong mayor
    - Can we explore ways to increase accountability of staff for mayor/council actions and interests?
    - The electorate thinks that when they elect the mayor, they are electing the person who is where the buck stops, so to speak, but they aren’t because departments report to the city manager. Is there a way to make things more transparent to the public?
    - Potentially have the sheriff report directly to the mayor?
    - Provide for the City Council to have its own City Attorney who reports directly to the City Council.
    - Have City Clerk report to City Council?
- A functional Legislative Branch requires their own employees and discretion to support the work of legislating; the City Manager hiring and managing the support staff for Council is not warranted and should be changed if the form of government is not (2 requests)



- Barring a change in form of government, I would like to see more input and decision making on city departmental Director hiring by Council rather than simple notification, meet/greet, or confirmation of chosen candidate
- Roles (Council, Mayor, City Manager) - the FOG concerns/addressing challenges, without changing the FOG

**City Attorney ..... 3.5 – 3.6**

- Section 3.5 – Appointment of the City Attorney ( 2 requests)
  - City Attorney should be appointed by the Council (Leg Branch); responsible to Council, but still retaining advisory role to rest of city administration
  - **3.5 & 3.6 City Attorney**

**City Clerk .....3.7**

- For potential discussion in relation to providing better information access to the City Council

**City Planning Commission .....3.8**

- Section 3.8 - Planning Commission representation from certain communities/ industries/vocation of interest
- Section 3.8 – Planning Commission. Consider adding a note indicating “one or more” planning commissions to allow consideration of tiers of Planning Commissions or ways to triage and prioritize work between two commissions in the TMC in order to allow for more timely review of planning issue
- Planning Commission
  - Removing the prohibition on compensation for the Planning Commission
- **Section 3.8b “... environmental [health] community;”**

**Tacoma Public Library .....3.9**

**Tacoma Humane Society .....3.10**

- Is it appropriate for a city charter to call out a specific organization that existing outside the city structure in this document?
- **Remove reference to a private entity in the Charter. Consider if the section needs to be there at all.**

**Administrative Organization .....3.11 – 3.12**

- Sec. 3.12 - Review boards defined in the charter, to include parameters to remove board members for dereliction of duties
  - If an appointee no longer meets the residence requirement, add that change in status as a reason for removal.

**Landmarks Preservation Commission .....3.13**

- **Section 3.13 “... composed of members with such powers and duties as are provided by the ordinance [with respect and acknowledgement to the indigenous lands we inhabit.]”**

**IV. Public Utilities**

- **Public Utilities (4 requests)**
- Wouldn't mind seeing an added provision in these Sections that gives the Utility Board staff support to help with Board decision making and/or gauge performance metrics

**General Powers Respecting Utilities .....4.1**

- **Sec. 4.1 - Clarifying internet as a Utility**
  - Powers Respecting the Utility
    - Should “internet service” be added a public utility?
    - **Add internet as a listed utility**

**Power to Acquire and Finance .....4.2**

**Rates .....4.3**

**Diversion of Utility Funds ..... 4.4 – 4.5**

**Disposal of Utility Properties ..... 4.6**

**Franchises for Water or Electric Utilities .....4.7**

**The Public Utility Board ..... 4.8 – 4.9**

- **Sec. 4.8 – The Public Utility Board and all other sections related to their powers and duties**
- **Sec. 4.8 - TPU Board membership and barriers to serving on the TPU board (3 requests)**
  - I would be willing to entertain a conversation about a rotating, non-voting member of the Board that represents the interests of adjacent communities who receive service from the city's utility
  - **Sec. 4.8 - Number of Utility Board Members; Membership of the Utility Board Defined**
- **Sec. 4.9 - Compensation for TPU board members – (2 requests)**
  - Current Utility Board members can apply for certain reimbursement, but we should consider formalized compensation for their time and work.
  - **Residency requirement for Board membership - allow at least one member to be from the utility territory outside the City limits.**

**Powers and Duties of the Public Utility Board ..... 4.10 – 4.17**

- Sec. 4.12 - TPU budget submittal to council
- Sec. 4.13 Utility Board meetings Add hybrid option language?
- Section 4.13 “... The time and place of all meetings shall be publicly announced [at least 2 weeks in advance...]”
- Sec. 4.14 and 4.15 - Public Utilities performance and rate audit (does SAO do this or external)
- Sec. 4.17 – Shared services/ Duplication of services, including the structure of the public utility as a separate entity- – (2 requests)
  - Review the effectiveness of this provision in the current environment

**Administrative Organization .....4.18 – 4.22**

- Section 4.19 - “Except for purposes of Inquiry”
  - Revise for more clarity

**Location and Relocation of Utility Works ..... 4.23**

**V. Nominations and Elections**

- Add a campaign finance section that institutes contribution limits

**Application of State Election Laws ..... 5.1**

**Filing and Certification of Candidates .....5.2**

**Election of Council Members – Numbered Positions ..... 5.3**

- Section 2.1 / Section 5.3 - Number of Council districts (adding districts)
  - Number of Council Districts (3 requests)
    - Should the CRC consider adding a 6th council district to better represent district residents
    - Would the addition of a 6th district increase number of Councilmember to 9 or would the CRC remove 1 at-large council position to have total number of Councilmember remain at 8?
  - Would be interested in looking at a different composition of Council Members/Districts outside of a change in form of government
  - 5.3- change "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." to voters rank candidates for an office or offices in order of the voter’s preference and ballots are counted in rounds. The person with the highest number of votes after these rounds for the office of Council Member for the position for which they are a candidate shall be declared duly elected.
  - 5.3- change "The Council shall change the lines of the election districts, in the time and manner as prescribed by state law." to A Citizen's Commission on Redistricting shall change the lines of the election districts, in the time and manner as prescribed by state law.

**Election Contests ..... 5.4**

**Other Provisions ..... 5.5**

**VI. City Officers and Personnel**

- **City Personnel and Boards (2 requests)**
- Making it so people who serve on boards and commissions can be paid for their time, in order to get more diversity.

**Unclassified Service .....6.1**

- **Unclassified Service**

- **Should the Charter add unclassified services to serve the City Council. An example of this language would be, “all principal officers and assistants to the Council as prescribed by the affirmative vote of not less than six members”**

**Classified Service ..... 6.2**

**Eligibility for Employment ..... 6.3 (7 requests)**

- **Sec. 6.3 - Employee residency requirements– the city cannot enforce this; it limits some hiring pools and it cannot be enforced**
- **Sec. 6.3 - Requires that COT employees be citizens – this should be removed**
  - **Remove citizenship requirement**
- **Sec. 6.3 – Eligibility for employment**
  - **Eligibility for Employment**
    - Under state and federal law is this section enforceable? If yes, which sections? If no, which sections?
    - CRC should consider removing unenforceable requirements
  - Remove city resident eligibility for employment, it’s not enforced and it doesn’t make sense
  - **Sec. 6.3 - Resident requirement (classified)**
  - 6.3 Eligibility for Employment
  - Requiring department heads and managers to live in the city.
  - Residency and Citizenship Requirements for employees needs review and clarification.

**Oath of Office ..... 6.4**

**Surety Bonds .....6.5**

**Pecuniary Interest .....6.6**

**Discriminatory Actions ..... 6.7**

- Section 6.7 - Discriminatory Actions/update classes
  - 6.7 Discriminatory Actions (3 requests)
    - Section 6.7 “No applicant for employment and no appointed officer or employee shall be discriminated against in any personnel decision on the based of religion, race, [caste system], color, national origin or ancestry, political affiliation, sex, gender identity, sexual orientation, age, familial status, honorably discharged veteran or military status...”
  
- Broaden discrimination statement or change charter to require a predicted regular update to this statement or reference the Tacoma Municipal Code that will allow for more frequent updates

**Political Activity ..... 6.8**

- This seems interesting to address in certain situations, especially if Council Members are not paid a housing/living wage.

**Compensation of Officers and Employees .....6.9**

- Compensation
  - Should this section add specific Boards (TPU? Library) and Commissions, or generally note that Boards and Commissions are eligible to be compensation in accordance with ordinances adopted by the Council?

**Employee Welfare Benefits ..... 6.10**

**Civil Service Board ..... 6.11**

- Review Civil Service Board term limits

**Powers and Duties of the Civil Service Board ..... 6.12**

**Human Resources Director ..... 6.13**

**Personnel Rules ..... 6.14**

- Review rules related to how long employment lists should be kept (under civil service) as this charter requirement is in conflict with best and successful hiring practices and may be in conflict with equity goals.
- Section 6.14 Personnel Rules
  - Subsection (a) - City Council Comprehensive plan should create a diverse and inclusive workforce
  - Subsection (c)(3) - Include underrepresented demographic groups in addition to veterans for 10% grade provision

- Add Subsection (c)(13) concerning developing a diverse and inclusive work force

Special Provision Relating to Examinations ..... 6.15

Status of Existing Employees .....6.16

Arbitration ..... 6.17

Status of New Employee Groups ..... 6.18

**VII. General Finance**

- I'd like to learn more about the financial issues the City faces. If for no other reason than because of my background in finance.

Fiscal Year .....7.1

The Budget ..... 7.2

Budget Control .....7.3

- I want to know the relationship between what the Council passes as a budget, and what staff recommend as final passage, especially if there are components that Council Members think they are getting (a study on a policy, for example) that are not included in the staff recommendation; is there adequate notification of an exemption and reasons for it?

**Investment of Funds .....7.4**

- Should a Councilmember be added to the Finance committee in addition to the Mayor, Director of Finance, and City Treasurer?
- Include City Council Member here? Worth a discussion
- Section 7.4 – funds should only be invested in ways that increase global sustainability, ie-no oil companies.

Department of Finance .....7.5

Receipt, Custody, and Disbursement of Funds ..... 7.6 – 7.9

Purchasing and Contracts ..... 7.10 – 7.13

Independent Audit ..... 7.14

Taxation and Indebtedness ..... 7.15

Public Sale of Bonds ..... 7.16

**VIII. Franchises ..... 8.1 – 8.7**

**IX. Miscellaneous Provisions**

**Disposition of City Property ..... 9.1 (2 requests)**

- **Should the prohibition on the sale or disposition of waterfront property be amended to allow the Metropolitan Park District of Tacoma to purchase / be gifted waterfront property?**
- **Would make sense to end the prohibition on waterfront property sale in the specific case that the sale is made to Metro Parks Tacoma.**

**Public Records ..... 9.2**

**Claims Against City ..... 9.3**

**Parks ..... 9.4**

**Separability Clause ..... 9.5**

**X. Succession in Government**

**Continuance of Ordinances and Vested Rights ..... 10.1**

**Continuance of Departments and Officers ..... 10.2**

**Transfer of Functions and Personnel ..... 10.3**

**Preliminary Meetings of the Council ..... 10.4**

- **Sec. 10.4 - Preliminary Meeting of Council (1953 reference..)**

**Transfer of Records, Property, and Funds ..... 10.5**

**Effective Date of Charter .....10.6**

**All Sections**

- All – ensure gender neutral language throughout
- All – incorporate disability-related equity principals
- All - examine subsets of the City Government and make sure the City Council has oversight over public funds allocated by the City
- Address references/use of the word “citizen” (2 requests)
- **Address any references to “newspaper” or “official newspaper” or “official newspaper of the city of Tacoma” (3 requests)**
  - There are various mentions of official notice to be placed in the newspaper - Assess if this is still the most relevant way to distribute official notices and if there might need to be an electronic alternative or addition.
- **Technical - Translation (use DSHS used languages)**
- **Add Section - Climate Action Plan/Enviro Stewardship**
- New Article X - Review 2014 CRC Update (2014 CRC)
- **Add - Historical Preservation**

- Preamble “We the People of the City of Tacoma[...to uphold the Constitution and laws of the United States of America and the State of Washington and to promote a more equitable, just, and welcoming City do hereby enact this charter.]”

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