



Referendum Petitions

City of Tacoma | Office of the City Attorney

Government Performance And Finance
Committee

November 19, 2024

Item #

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BACKGROUND



- **DIFFERENCE BETWEEN AN INITIATIVE AND REFERENDUM:** An "initiative" allows voters to directly enact new legislation or amend existing legislation, while a "referendum" allows voters to overturn legislation enacted by the City Council.

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BACKGROUND



- **CITY CHARTER REFERENDUM PROVISIONS:** Section 2.20 of the Tacoma City Charter establishes the process and authority for voters to submit a referendum petition to the City Council.
- **CRC RECOMMENDATION:** The 2023 Charter Review Committee's proposed amendment No. 3 would have amended the charter to extend the time-period for gathering referendum petition signatures from 30 days to 90 days.

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BACKGROUND



- **CHARTER AMENDMENT:** The signature gathering time-period can only be changed through an amendment to the City Charter
- **REFERRED TO GPFC:** The proposed amendment was considered by the City Council at its July 9th City Council meeting and referred to the Government Performance and Finance Committee for further discussion.

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BACKGROUND



- **ORDINANCES SUBJECT TO REFERENDUM.** Voters may submit a referendum petition upon any ordinances passed by the City Council except ordinances that, (1) are passed as emergency measures, (2) relate to local improvements and assessment, (3) adopt budgets, (4) levy taxes, and (5) make appropriations. The Charter also prohibits submission of a referendum when doing so would conflict with state law.

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BACKGROUND



- **TIME-PERIOD TO FILE PETITION:** A referendum petition must be filed no later than **10** calendar days after the City Council has approved the ordinance.
- **EFFECT OF FILING PETITION:** The timely filing of a petition will suspend the ordinance as long as the petitioner complies with the referendum process.

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BACKGROUND



- **WHEN WILL THE ORDINANCE BE EFFECTIVE?**

The ordinance will be suspended until the petition fails to meet the requirements of the charter referendum process or the election is certified and the proposition fails. If the referendum is approved by the voters, the ordinance will be repealed without taking effect.

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BACKGROUND



- **GATHERING OF SIGNATURES:** The charter provides that the gathering of signatures will begin 10 days following receipt of the ballot title by the petitioner.
- **SUBMITTAL OF SIGNATURES:** The petitioners have 30 days to submit the required number of valid signatures to the City Clerk (10% of votes cast in last Mayoral Election).

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● ● ● CRC PROPOSED AMENDMENT NO. 3



- **CRC RECOMMENDATION:** The 2023 Charter Review Committee's proposed amendment No. 3 would have amended the charter to extend the time-period for gathering referendum petition signatures from **30** days to **90** days.

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● ● ● RATIONALE FOR AMENDMENT



- **Rationale for Amendment:**
- **Fundamentals of Democracy.** 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.
- **Engagement.** A 30-day window can be unduly restrictive, especially for grassroots movements and issues that require deeper community engagement.

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RATIONALE FOR AMENDMENT



- **Empower Diverse Voices.** Providing petitioners with a 90-day period empowers diverse voices and ensures adequate time for meaningful dialogue, education, and outreach. This amendment fosters inclusivity, greater representation of diverse viewpoints, and an enhanced democratic process.
- **Mirror State Law.** A 90-day period mirrors the referendum signature timeframe allowed at the state level.

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RATIONALE FOR AMENDMENT



- **Removes Barriers.** This amendment 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.
- **Greater Participation.** Ultimately, this extension promotes a more democratic environment where residents can effectively exercise their right to participate in the referendum process.

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RATIONALE OPPOSING AMENDMENT

RATIONAL OPPOSING AMENDMENT:

- **Process Works Well.** 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.
- **Adequate Time Before Adoption.** 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.

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RATIONALE OPPOSING AMENDMENT

- **30 Days is Adequate.** 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.
- **Not Broken.** This proposed amendment is a solution looking for a problem to solve where none exists.

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DISCUSSION

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