

### 3. Sec. 2.20 - Referendum

## Charter Review Committee

### Amendment Summary

#### Section 2.20

#### **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.