

24. Form of Government

Charter Review Committee

Amendment Summary

Form of Government specific changes to Articles II, III, IV, V, VI, VII, IX, X

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, Diamtris 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 2.1XX – 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 ~~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. 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.~~18~~~~XX~~ – 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 a#~~

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 3.11XX – 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-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., ~~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, †~~ 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.