



Legislative Committee Meeting
Meeting
October 7, 2019

AGENDA

I. Call to Order

II. Approval of Meeting minutes

- a. Approval of September 23rd, 2019 Meeting Minutes.

III. RCV Discussion

- a. Discussion of Ranked Choice Voting

IV. Meeting Schedule

V. Adjournment

**CITY OF PORTLAND
LEGISLATIVE COMMITTEE
September 23, 2019 MEETING MINUTES**

The September 23, 2019 Meeting was called to order by Committee Chair Ali at 8:02 a.m. in Room 209, Portland City Hall, Portland, Maine.

A. Attendance/Introductions:

Committee Chair City Councilor Pious Ali; City Councilor Jill Duson; Kate Knox, Bernstein Shur team; Alysia Melnick, Bernstein Shur; Chris Feeney, Bernstein Shur; Jon Jennings, City Manager; Heather Brown, Assistant City Manager, Deivy Periana (Staff).

B. Approval of minutes:

August 26, 2019 minutes - motion by Councilor Duson; second by Councilor Ali; 2-0 approved. Mayor Ethan Strimling was absent.

C. Legislative Update and General Discussion

Mr. Jennings briefed the committee about the language that was put together in collaboration with Alysia and Kate. He has asked the Department of Public Safety to conduct an analysis and study of the best practices to ensure the safety of Municipal buildings. In conversations with the Bangor City Manager, she was very supportive but asked for the bill to be expanded to more than just municipal buildings, for it to include other buildings such as parks, open spaces and libraries. Mr. Jennings hopes to obtain support from other City and Town Managers, because at the end of the day it is also about the safety of their buildings.

Mr. Jennings also spoke with the Commissioner of Public Safety and the Governor's office and they showed interest in sponsoring the bill. They should get back to us before Friday, which is cloture day. If the committee is comfortable with the language that has been developed, we are ready to move forward. We will reach out to MMA, and he reiterated that this is not about weapons but figuring out ways to protect the safety of Municipal buildings, we have had multiple incidents during my time here at City Hall where the staff felt threatened, so we need to have tools to be able to protect our staff the same way other government entities do.

Councilor Duson is interested in reading the language at some point and how the space is defined, Municipal or State. She finds it great that we are moving forward and recommends that we touch base with the Gun Safety Coalition, as we have partnered with them in prior bills. They will have lobbyists in the State that can team up with our guys. Kate mentioned that Alysia has been in touch with them, having ongoing conversations.

Councilor Duson recommended that we go through the Legislative Policy Committee and the three Portland delegates attend when the bill is discussed.

Councilors Duson and Ali agreed to support the bill.

Kate has been working with the City on the Safety Bill and talking about if there is anything else bubbling up that is an emergency that needs to be addressed. The cloture to submit the bill title is September 27th. If the Governor does not sponsor, we have other sponsors lined up.

Councilor Duson stated that strategically you want to be lined up and get a title and pre-description in the list because you can always go forward with it if the Governor goes over with her; her dateline is far away.

Kate said that part of it will be to assess if she agrees to sponsor it, and how strongly she feels about it. If she gives us reassurance about it, then the strategy is to put in the title. You can always withdraw the title, so this will be done in the next four days or so to make sure we have a placeholder. September 27th is the next impending deadline and we will get the bill list next week, just a list of titles with no context related to the titles. Towards the end of October the legislators will meet and begin the process. The list will thin out quite a bit; and at some point in November we will get a final list of bills after the appealing time is done. Kate will circulate the final list of bills once it is completed. Councilor Duson asked for a reminder to be sent with the link.

Mr. Jennings said at the request of the committee he reached out to the staff and councilors. He didn't hear back from anyone and intends to ask in the staff meeting scheduled today, but he doesn't think there is anything urgent that the City is seeking other than the current issue, but nothing else is percolating.

Councilor Duson would like an update in regards to G.A from Aaron and staff and the housing bill. Mr. Jennings mentioned that the TMC bill is done (the uber bill); and we are currently collecting fees and doing very well at the Jetport. Kate confirmed that not much has been done in regards to G.A. Alysia will look into it; she believes the housing bill is sitting on the appropriation tablet, but she will meet with Drew and see if the bills on the appropriation table are worth putting some time and energy behind or is it unlikely that they will go anywhere. Kate will start the second session tracker now and pull everything that was done from last year to reflect anything that still is pending or live.

Mr. Jennings said as soon as the legislative update is done he would like to brief the committee in regards to a conversation he had with the Administration concerning Asylum Seekers.

Councilor Duson would like for the committee to look into the priority list that was done last year and do a refreshed list and be prepared to send a similar communication at some point in October or November as a heads up as to what the general area of concern will be this year. Mr. Jennings said a priority list was sent after the last meeting at the request to the committee but it makes sense to send a refreshed list with what still in the carryover list.

Councilor Duson would like a Federal priority list of subject matters or key issues and for a communication to be sent out to all councilors. Mr. Jennings stated there will be a hyper focus in Federal grants, so we brought a grant writer, not sure if we have done as good of a job in the past seeking federal grant opportunities so he will be meeting with the grant writer shortly to seek as many federal grants as possible to help defer some of the local cost. Right now the biggest Federal issue is with FEMA as it relates with coastal maps. They have been very helpful, plus

they were very helpful during the Asylum Seekers process and continue soliciting us for any needs that we might have.

Councilor Duson, the MMA and Kate Dufour have started in Federal issues paper and had a conversation as the Executive board focus on the thank you for working in the issues concerning municipalities and thanking the delegation for being responsive and helpful. They will be coming to Portland to produce some examples on some of the areas.

Councilor Ali inquired if there will be a meeting with the Portland Delegation. Mr. Jennings confirmed that there still is interest. Alysia said that it's just finding the right time in terms of the cycle of the process. Alysia and Kate recommended having a function here at City Hall with a very precise agenda for the Portland Delegation.

Mr. Jennings was happy to report that the Governor asked the Commissioner of HHS to discuss how the State could be better prepared in case of another influx of Asylum Seekers. There is a significant interest from the Governor, the Commissioner and others; housing is at the table, having those discussions. Mr. Jennings also met with the South Portland City Manager and Fire Chief about more coordinated response.

Councilor Duson said she would have to get to the HHS Committee meetings to learn how it's going after the aftermath for people that came through the shelters and were placed in homes, how are things going. Mr. Jennings offered Mrs. Brown to give an update in regards to Councilor Duson's questions.

Mrs. Brown gave an update concerning the Asylum seekers, the housing placement and how the hope is to lower the number to have more capacity in the family shelter. Two families that recently arrived are in the warming center, and about 10-15 families are currently in hosted family homes. Everyone else have been placed in rental housing or family shelters. Mr. Jennings reminded the Committee that when this started in June all shelters were near capacity. Mrs. Brown shared that other services are being provided by other organizations of the community, such as the Congolese and the Angola communities, and they are forming their own working group and how they will handle things if this were to happen again. She also stated that there will be additional conversation between the City and those organizations once we have a stronger strategy on how we can partner.

Mr. Jennings give credit to the other neighboring communities, Brunswick, the municipal government and folks that stepped up and helped. Councilor Duson expressed how this experience might have given the opportunity to spread the message to other communities of what Portland staff was able to do in terms of collaboration. Mrs. Brown shared that Aaron with our partnership with Maine Housing spoke with a number of staff from other municipalities and private landlords to make sure they understand how GA works and people have the services they need.

In the homes they are moving to. We have offered to give some guidance to other municipalities like Saco; we have worked closely with Falmouth and Cumberland. Our team is willing to work with any town that would like to partner with us.

Mr. Jennings said that he has had conversations with many colleagues and finds that they are not opposed to having people come to their communities. It is more about how they create capacity at their level to be able to address all the needs. It is not about hiring a bunch of people, and his message to them is that there is an economic development/ work development opportunity in conjunction with all of this; these people are highly trained as soon as they are allowed to work.

Councilor Duson inquired about how we are responding to the need of our local homeless who are not international refugees.

Mr. Jennings said he wants to be brutally honest with you about everything that happened this summer. We didn't have a hyper focus on the emergency homeless population. We had to take resources away from our housing initiative on the emergency homeless side in order to address the emergency situation that we found ourselves in; with that said we continue to seek one of the benefits of what happened this summer and that City staff sees that if need be the resources are there for us to seek housing regardless if they are asylum seekers or local homeless. We have had a very consistent number of homeless in our shelters, as well as it has been a very troublesome summer at the shelters; but now we have shifted our focus back to the emergency homeless.

Councilor Duson inquired if the changes to the G.A rule are helping? I would think that the skills learned helping the asylum seekers will help us with the long-term emergency homeless.

Mr. Jennings thanked the Housing Committee and the councilors that we will have 40 new units of affordable housing that will be available in the next year, 11 of which at a minimum will be for the long-stayers program. We are already looking at other parcels of land in the City. There is at the councilor level and the staff level an effort to try to expand affordable housing in the City. We are hoping to bring a proposal about the West School to the Housing Committee soon which will be focused on workforce housing.

Councilor Duson stated there should be more opportunities for discussion of what we are doing in these forums. Mr. Jennings brings out a very relevant point that there are those people who do want to castigate the City in every level; who say we are not doing anything for housing, for instance, which is uncategorically untrue. Just in my four years the Housing Committee has been hyper focused on affordable housing - hint the reason why we were able to move that project on Middle Street as impressively through the Housing Committee and the Councilors to have affordable housing in Portland Downtown.

Councilor Duson said I do not like to respond to the negativity, but it is important to share all the stuff the City is doing.

Alysia asked out of the 100+ that has been consistent at the homeless shelter, do you have a sense of what portion of them are a long term versus transitional. Mr. Jennings stated, as you probably know, before I got here the City had been very focused on housing the homeless; and when I said we took resources away, that's the initiate where we took the resources away for the summer

because we needed those individuals to have the housing to help with the Asylum situation; but we have greatly reduced the long-term stayers to a lower percentage.

Councilor Duson announced that in the next couple of weeks the bi-annual Housing Report will be published and released to the Housing Committee first and will include the statistics of units built, investment made, long-time stayers, what the housing market conditions look like. It will give a good update of all housing issues.

D. Next Meeting Date

September 30, 2019

E. Adjournment

Councilor Duson moved to adjourn; second by Councilor Ali; vote 2-0 and the meeting adjourned at 8:56 AM.

**PROPOSED PORTLAND CHARTER AMENDMENT TO BE PLACED ON THE NOVEMBER 5,
2019, MUNICIPAL BALLOT**

RE: RANKED CHOICE VOTING.

Sponsored by Mayor Ethan Strimling and Councilor Pious Ali

PART I CHARTER

ARTICLE II. CITY COUNCIL

Amend--

Section 3. Ranked choice voting; instant runoff tabulation.

For the position of mayor, **councilors and school board members** ~~only~~, the city clerk shall implement a ranked choice voting protocol according to these guidelines:

(a) The ballot shall give voters the option of ranking ~~mayoral~~ candidates in order of choice.

(b) If a ~~mayoral~~-candidate receives a majority, i.e. at least one more than fifty percent (50%) of the first choice votes cast, that candidate is elected.

(c) If no candidate receives a majority of first choice votes, an instant runoff re-tabulation shall be promptly conducted by the city clerk and completed within five (5) business days of the election. The instant runoff re-tabulation shall be conducted in successive rounds, with the majority determined for each successive round by the number of votes cast in that round. The candidate with the fewest votes after each successive round in which no candidate receives a majority of the votes cast in that round shall be eliminated, and the votes in the successive rounds shall be re-tabulated among the remaining candidates until one candidate receives a majority of the votes cast in that round. In each successive round, each voter's ballot shall count as a single vote for

whichever candidate the voter has ranked highest who has not been eliminated in a prior round, if any.

(d) After the first round, a majority is determined as at least one (1) more than fifty percent (50%) of the votes cast for a remaining candidate in a particular round.

(e) The city clerk may adopt additional regulations consistent with this subsection to implement these provisions. The ballot shall contain instructions on how to vote for each office. (Referendum 11/2/10)

ARTICLE IV. ELECTIONS

Section 7. Form of ballot.

All official ballots for use in all municipal elections shall be prepared by the city clerk and furnished by the city, consistent with the voting machines used and the form of any state ballot(s), and the use of ranked choice voting for mayor, **councilor and member to the board of education**. Ballots for use in elections under this charter shall contain the names of the various candidates, with their residence, and the office for which they are candidates, and instructions on how to mark the ballot. The candidates for each office shall be grouped under the title of each office, plainly and distinctly marked. There shall be as many blank spaces under the name of each office as there are vacancies to be filled. The procedure for counting write-in votes shall be governed by Title 21-A, Maine Revised Statutes, unless inconsistent with article II, section 3, in which case the charter provisions shall govern. Notwithstanding the foregoing, in the event of an emergency such as the illness, death or disqualification of a nominee for municipal office prior to the general election, the time frame for accepting a declared write-in candidate may be shortened by the city clerk. Such ballots may also contain such measures as may be submitted to the voters of the city by the legislature or by the city council and shall be without party mark or designation.

In preparing all ballots for election under this charter, the city clerk shall arrange the names of all qualified candidates for each office in alphabetical order according to surnames. (Referendum 11/2/10)

Section 10. Canvass of returns.

The city clerk shall examine the records of the several voting places and within forty-eight (48) hours after such election shall determine and declare the successful candidates as follows: The person or persons, not exceeding the number to be voted for at any one time for any office, having the majority highest-number of votes cast at such election, shall be determined and declared to be elected. ~~Notwithstanding the foregoing, i-~~ If no candidate for mayor, councilor or the board of education has a majority of the votes cast as provided in article II, section 3, the city clerk shall conduct an instant runoff tabulation as provided in such section until the candidate for mayor, councilor or board of education with the majority of votes cast is determined. Successful candidates for other municipal offices shall be determined based on their receiving the highest number of votes cast. The city clerk shall provide written notice of the election results to all candidates. (Referendum 11/6/01; 11/2/10)