



CITY COUNCIL WORKSHOP
MEETING TO BE HELD REMOTELY

DATE: February 3, 2021

TIME: 5:00 PM

ZOOM:

The Portland City Council will hold a meeting on Wednesday, February 3, 2021 at 5:00 PM. This meeting will take place remotely using Zoom.

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to portlandmaine.gov/livestream the next day. For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82731050461?pwd=SC9zNlRtcnpubEhqUpHU3dDOENFZz09>

Passcode: 845725

Or iPhone one-tap :

US: +19292056099,,82731050461#,,, *845725# or +13017158592,,82731050461#,,, *845725#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 827 3105 0461

Passcode: 845725

International numbers available: <https://us02web.zoom.us/j/kB0GVfTYG>

AGENDA ITEMS:

Discussion re: June 2021 Charter Commission Elections

a. Presentation by City Clerk

b. Councilors Questions and Answers

ADJOURN

TO: Mayor Snyder and members of the City Council
FROM: Katherine Jones, City Clerk
DATE: January 22, 2021
RE: June 8, 2021 Charter Commission Election

Title 30-A M.R.S.A. 2103 (1) (A)(1)-(3) States:

“The Charter commission must consist both of several voters from the community and three people appointed by the municipal officers. The elected members must consist of either; six people elected in the same manner as the municipal officers, except that they must be elected at-large and without party designations; one member is elected from each voting district or ward in the same manner as the municipal officers, except that each member must be elected without any party designations; or voter members are elected both at-large and by district or ward, as long as the number of voter members is the same as the number of municipal officers in that community and the voter members are elected in the same manner as the municipal officers. “

The City Council voted to have the Charter Commission members be elected from each voting district and At-Large representing the City Council. Nomination papers will be available on February 1, 2021 for all seats.

City Charter states:

“For the positions of Mayor, City Councilor and School Board Members, the city clerk shall implement a ranked choice voting protocol according to these guidelines:

- (a) The ballot shall give voters the option of ranking candidates in order of choice.
- (b) If a candidate receives a majority 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 (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.”

The ballot set up is currently being programmed with Elections System and Software of Nebraska. This is the company that the city has a contracted agreement with to perform the ranked choice voting. Elections System and Software asked for assistance in discussing the multi race seat from

To: City of Portland, Maine
 From: Chris Hughes, Ranked Choice Voting Resource Center
 Re: Ranked-choice voting in Portland Charter Commission Elections
 Date: 01.29.21

The City of Portland has a four-seat at-large Charter Commission contest scheduled for June 8, 2021. In previous elections for this contest, voters had four votes to cast among all candidates. Voters could cast as many or as few of those four votes as they wanted. In 2010, the Charter Commission proposed and voters adopted a separately elected mayoral office for the City and required that the mayor be elected by single-winner ranked-choice voting. On March 3, 2020, voters approved an expansion of ranked-choice voting to apply to Charter Commission seats. That provision of the charter requires that any candidates in a ranked-choice voting election receive 50% of the vote to be elected. Ranked-choice voting can be applied to multi-winner contests such as the four-seat Charter Commission contest. This memo briefly describes best practices for such elections and proposes options for the City of Portland.

There are multiple ways to elect multiple seats at once in a ranked-choice voting election. Standard, best practice in the United States is to use proportional ranked-choice voting (used in Cambridge, Massachusetts; Minneapolis, Minnesota; and Eastpointe, Michigan). Another option is known as multi-pass instant-runoff voting (used in Payson, Utah and Vineyard, Utah). In both these forms of election voters fill out a single ranked-choice voting ranking grid with voters making one selection for first choice, one for second choice, and so on.

Below are sample ballots from Payson, Utah and Cambridge, Massachusetts displaying these ranked-choice single voting grids. The ballot display and how voters mark each ballot is the same – rank your first choice, your second choice, your third choice, and so on. What differs is how those rankings are counted.

Payson City Council Four Year Term Rank in Order of Preference 1-5 3 Council Seats Will be Filled					
	1st Preference	2nd Preference	3rd Preference	4th Preference	5th Preference
LINDA CARTER	○	○	○	○	○
CARY KENNETH STOCKWELL	○	○	○	○	○
DOUG WELTON	○	○	○	○	○
BRIAN V. HULET	○	○	○	○	○
SCOTT PINKHAM	○	○	○	○	○

Multi-pass IRV ballot
 Payson, Utah

Only one vote per candidate. Only one vote per column.		DO NOT USE RED TO MARK BALLOT														
SUKIA AKIRA, 343 Widoin Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
BURHAN AZEEM, 91 Skoway Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
DENNIS J. CARLONE, 9 Wynton Avenue	Candidate for Re-election	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
CHARLES J. FRANKLIN, 192 Hampshire Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
CRAIG A. KELLEY, 6 Sals Court Terrace	Candidate for Re-election	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
DEREK ANDREW KOPON, 8 Wright Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
ILAN LEVY, 168 Spring Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
ALANNA M. MALLON, 3 Maple Avenue	Candidate for Re-election	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
MARC C. MCGOVERN, 11 Pleasant Street	Candidate for Re-election	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
JEFFERY MCMAH, 116 Norfolk Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
RISA MEDNICK, 20 Maple Avenue		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
GREGG J. MOREE, 25 Fairfield Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
ADRIANE MUSGRAVE, 48 Harvard Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
PATRICIA M. NOLAN, 164 Haron Avenue		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
JOHN PITKIN, 59 Fayette Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SUMBUL SIDDIQUI, 283 Sidney Street	Candidate for Re-election	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
E. DENISE SIMMONS, 148 Harvard Street	Candidate for Re-election	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
BEN SIMON, 67 Bishop Allen Drive		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
JIVAN SOBRINHO-WHEELER, 16 Treebridge Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TIMOTHY J. TOOMEY, JR., 88 Oak Street	Candidate for Re-election	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
NICOLA A. WILLIAMS, 8 Brewery Street		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
QUINTON Y. ZONDERVAN, 225 Cardinal McDevote Avenue	Candidate for Re-election	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Proportional ranked-choice voting ballot
 Cambridge, Massachusetts

Proportional ranked-choice voting is the best practice for electing multiple seats with ranked-choice voting. Proportional ranked-choice voting gives proportional representation to voters in a jurisdiction: majorities win a majority of seats while sizable minorities also win representation. To win an election in a proportional ranked-choice voting contest, candidates must receive more

votes than the “threshold of election,” a share of votes calculated based on how many seats are up for election. If there are four seats up for election, the threshold of election is 20%: each candidate must receive 20% of the vote to win election. The Portland Charter, however, includes language requiring candidates elected in ranked-choice voting elections to receive 50% of the vote.

Multi-pass IRV, the other type of ranked-choice voting used to elect multiple seats at once, conforms to this majority requirement. Multi-pass IRV works by running single-winner ranked choice voting multiple times to fill all seats. To fill the first seat in an election for four seats all first choices are counted. If any candidate has a majority of first choices, that seat is filled. If no candidate has a majority the candidate with the fewest votes is eliminated and has their votes count for their next ranked candidate. These rounds of counting and elimination continue until someone emerges with a majority of votes in a round. That candidate is then elected.

After filling a seat, all ballots are reset to the start of the counting process. The same process used to fill the first seat is followed to fill the second seat, but any rankings for the candidate elected to the first seat are ignored. The same process follows for both the third and fourth seats using single-winner ranked choice voting counting rules, yet simply ignoring rankings on ballots for any candidates already elected. This process, of re-tabulating the same ballots for each seat to be filled, functionally gives voters four distinct opportunities to elect any of their ranked candidates while requiring them to only rank those candidates once.

The City of Portland is also considering a ballot format listing the same candidates in four separate contests. We advise against this practice because that method will likely confuse voters and may cause them to mark different rankings in each contest. Ranked-choice voting relies on voters having a single set of ordered preferences to work properly; different ranking orders introduce uncertainty into what voters’ preferred order of candidates is. This method may also result in the same candidate winning every seat. Multi-pass IRV performs the same function as those four separate contests while avoiding voter confusion as well as electing a different candidate for each seat.

Multi-pass IRV, the option we suggest for Portland for this election, will provide representation to majority groups in Portland. It will likely provide representation only to those majority groups, however, and may lock out sizeable minorities from any representation at all. This representation for majorities is an improvement over Portland’s previous vote-for-four elections (where an organized minority could win all seats at the expense of a disorganized majority). The lack of representation for sizable minorities, however, can be resolved by adopting proportional ranked-choice voting. We hope to have the opportunity to work on permitting the use of proportional ranked-choice voting in multi-winner contests in Portland.

Ranked Choice Voting Resource Center is the premier source for information about ranked-choice voting. We are nationally recognized for our expertise in this area. We strive to provide a comprehensive library of information that meets the needs of anyone looking to learn more about ranked-choice voting. For more information on the Ranked Choice Voting Resource Center, please visit our website: www.rcvresources.org.

OFFICIAL BALLOT
GENERAL MUNICIPAL ELECTION
PORTLAND, MAINE
DISTRICTS ONE, TWO, AND THREE
NOVEMBER 3, 2020

Kathleen L. Fox
CITY CLERK

INSTRUCTIONS TO VOTERS

- A. To vote, complete the oval(s) ☐ next to your choice(s), like this: ☒
B. To vote for a write-in candidate, write the person's name in the write-in space and fill in an oval next to the name.
C. If you make a mistake, do not erase; ask for a new ballot.

AT LARGE COMMISSIONER SEAT 1
(Rank candidates in order of choice)
No more than one oval per row.
No more than one oval per candidate.

	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice
Candidate 1	☐	☐	☐	☐	☐
Candidate 2	☐	☐	☐	☐	☐
Candidate 3	☐	☐	☐	☐	☐
Candidate 4	☐	☐	☐	☐	☐
Candidate 5	☐	☐	☐	☐	☐
Write-in	☐	☐	☐	☐	☐

AT LARGE COMMISSIONER SEAT 2
(Rank candidates in order of choice)
No more than one oval per row.
No more than one oval per candidate.

	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice
Candidate 1	☐	☐	☐	☐	☐
Candidate 2	☐	☐	☐	☐	☐
Candidate 3	☐	☐	☐	☐	☐
Candidate 4	☐	☐	☐	☐	☐
Candidate 5	☐	☐	☐	☐	☐
Write-in	☐	☐	☐	☐	☐

AT LARGE COMMISSIONER SEAT 3
(Rank candidates in order of choice)
No more than one oval per row.
No more than one oval per candidate.

	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice
Candidate 1	☐	☐	☐	☐	☐
Candidate 2	☐	☐	☐	☐	☐
Candidate 3	☐	☐	☐	☐	☐
Candidate 4	☐	☐	☐	☐	☐
Candidate 5	☐	☐	☐	☐	☐
Write-in	☐	☐	☐	☐	☐

AT LARGE COMMISSIONER SEAT 4
(Rank candidates in order of choice)
No more than one oval per row.
No more than one oval per candidate.

	1st Choice	2nd Choice	3rd Choice	4th Choice	5th Choice
Candidate 1	☐	☐	☐	☐	☐
Candidate 2	☐	☐	☐	☐	☐
Candidate 3	☐	☐	☐	☐	☐
Candidate 4	☐	☐	☐	☐	☐
Candidate 5	☐	☐	☐	☐	☐
Write-in	☐	☐	☐	☐	☐

Typ:01 Seq:0001 Spl:01

THIS IS A TWO SIDED BALLOT

Ballot
design
using 4
individual
Rankings
not advisable

Chris Hughes, Ranked Choice Voting Policy Director, from Ranked Choice Voting Resource Center. I have attached a letter, from Mr. Hughes regarding the outcome of those discussions.

City Charter Article IV Section 7 Form of ballot: states:

"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 ballots(s), and the use of ranked choice voting. Ballots used in elections under this charter shall contain the name 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. 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."

The ballot is currently being formatted by City Charter standards. Once we have received the nomination papers from the candidates the candidates will be listed alphabetically by surname, and by their address. Instructions will be clearly stated on the ballot.

All polling places will be opened for the June election.

Lastly the City Clerk's recommendations; after considerable investigation, it is my conclusion that the optimum means for the City to comply with State and City Rules, for Ranked Choice Voting and multiple at large seats is to implement the Multi Pass IRV.