City of Portland
Remote Charter Commission Meeting

August 25, 2021 at 6:00 PM

1. Call the Meeting to Order

   a. Due to the existence of an "emergency or urgent issue" the Charter Commission will conduct this meeting by remote methods/technology at the Zoom link provided below, in accordance with the requirements of 1 M.R.S. section 403-B and the Charter Commission Remote Participation Policy.

      Please click the link below to join the webinar:
      https://us06web.zoom.us/j/84802360159?pwd=MjhqSlNvV0JCYkJaVS85UE9RSnF1UT09
      Passcode: 807501
      Or One tap mobile :
      US: +16465588656,,84802360159#,,,,*807501# or +13017158592,,84802360159#,,,,*807501#
      Or Telephone:
      Dial(for higher quality, dial a number based on your current location):
      US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799
      Webinar ID: 848 0236 0159
      Passcode: 807501
      International numbers available: https://us06web.zoom.us/u/keuHCzd8RQ

   Commission Chair Kebede called the meeting, held by remote participation by Zoom videoconference, to order at 6:02 PM.

   Present were Chair Kebede, Vice Chair Stewart-Bouley, Secretary Eglinton, Commissioners Barowitz, Buxton, Chann, Houston, Lizanecz, O'Brien, Sheikh-Yousef, Washburn, Waxman (All present, quorum established)

2. Approval of the Prior Meeting Minutes

   a. Motion to approve meeting minutes of August 11, 2021, prepared by attorney Katsiaficas, and additional meeting notes prepared by Commissioner Washburn.

      Moved by Commissioner Eglinton, seconded by Commissioner Washburn. Motion passes 12-0.

3. Goal Setting

a. Commissioner Barowitz proposed setting a commission goal and shared following document: https://civicclerk.blob.core.windows.net/stream/PORTLANDME/679d3285-2651-4a13-b87b-765fff5f76a0.pdf?sv=2015-12-11&sr=b&sig=uwqB1p1UY8Bg3IxqEDTmKefL%2B1c3hSfYl1XjKMrcLFQ%3D&st=2021-08-30T01%3A55%3A47Z&se=2022-08-30T02%3A00%3A47Z&sp=r&rscc=no-cache&rsct=application%2Fpdf

He reflected his desire to build a common lens through which to view issues that come before the Commission, believes a goal/vision statement should be used as a tool to evaluate if an issue matches the shared goal(s). It would be a tool for efficiency and an evaluative tool.

b. Proposed language from Commissioner Barowitz:

"Create a structure of government which maintains expert administration while also promoting robust democratic representation, and public participation. This structure should ensure accountability, transparency, and accessibility while increasing equity, inclusion, diversity and justice."

c. Discussion:

i. Commissioner Waxman asked about the intent of this proposal and whether we needed to make a motion to discuss it. Commissioner Stewart-Bouley asked how the statement would fit into our work. Commissioner Barowitz suggested using the goal as a benchmark to measure different items we are discussing. He expressed a desire for cohesion.

ii. Commissioner Kebede noted that the commission's proposed reforms just need to be legal under state and federal laws, and cautions that the suggested vision/goal might prolong or exacerbate discussion as we try to fit all our work within this narrower goal. He emphasized that he does not disagree with anything in this language, but wanted to bring this up for consideration.

iii. Commissioner O'Brien asked whether this language could be considered as an early draft for preamble in our Charter.

iv. Commissioner Kebede said he would be happy to adopt the proposed goal as guidance, like our adoption Robert's Rules of Order, if we can agree to not have prolonged debates about how proposed reforms specifically fit into this language.

v. Commissioner O'Brien offered to make a motion to adopt the guidance with a "friendly amendment" (adding an Oxford comma).

vi. Motion to adopt the language presented as a guiding statement for the work of the Charter Commission.

Moved by Commissioner O'Brien, seconded by Commissioner Lizanecz. Motion passes 12-0.

vii. Commissioner Chann thanked Commissioner Barowitz for his work. He added that he would like to flag the idea of an indigenous land acknowledgement for the preamble.

4. Conflicts of Interest

a. Commissioner Barowitz expressed a concern that during our early onboarding commissioners were not shown any language about what constitutes Conflicts of Interest under laws and ordinances. He expressed a desire to tackle this issue more broadly and, in the interest of modeling good behavior, proposed to develop our own Conflict of Interest and Code of Ethics disclosure forms. He added that he would like to explore such disclosure in the Charter (stronger than the city code).

b. Commissioner Barowitz provided two examples:

i. Current Secretary of State Shenna Bellows disclosure: https://civicclerk.blob.core.windows.net/stream/PORTLANDME/0b0b6552-8226-47e9-92bd-d68582a017d2.pdf?sv=2015-12-11&sr=b&sig=MXzCEUlt4xl8%2F6cCyHfVuqNzFK%2BK390aejwNb9V%2B1tA%3D&st=2021-08-30T02%3A05%3A21Z&se=2022-08-30T02%3A10%3A21Z&sp=r&rscc=no-cache&rsct=application%2Fpdf

ii. Town of Windham policy: https://civicclerk.blob.core.windows.net/stream/PORTLANDME/7c8de083-9f60-4020-b550-3d96ea3f1f46.pdf?sv=2015-12-11&sr=b&sig=EEBlLpWuutdRQlP2XPWWfKOTN7I2fzR5xtmhorMWQuA%3D&st=2021-08-30T02%3A06%3A07Z&se=2022-08-30T02%3A11%3A07Z&sp=r&rscc=no-cache&rsct=application%2Fpdf

c. Discussion

i. Commissioner Barowitz said that the city's current process is that an elected official chooses to disclose, and then it is evaluated by the city attorney, etc. There is no clear mandate. He proposes that we complete our own disclosure form, and display them for the commissioners on our website(s), similar to the state one. Commissioners could opt to sign on to these.

ii. Commissioner Washburn proposed that we ask the city clerk to create a form similar to state and the town of Windham. Chair Kebede offers to take lead on this communication. Commissioner Buxton suggested that the commission prepare a sample form for city clerk in order to lessen her workload. Commissioners Barowitz and Sheikh-Yousef offered to prepare a draft disclosure form; once the form is created, commissioners can choose to voluntarily complete the form.

iii. Commissioner Lizanecz asked whether we could invite any experts/advisors who assist the commission to complete the our disclosure form.

iv. Commissioner Chann asked about where these forms will live on the web (such as at a "Chart the Future" site). Commissioner Eglinton suggested that we could put them under a different heading on the Charter Commission webpage at portlandmaine.gov.

5. Scheduling for Commission and Committees

a. Update on the Commission's Budget

Commissioner Kebede said we have clarity on budget, as provided in a memorandum from the city manager. The $75,000 budget allotted to the City Attorney's office is at our discretion to use. The Commission will need to strictly follow the city procurement policy and other rules governing the expenditure of public funds. Some of those funds will go towards the city-appointed attorney, but much of that can go towards paying other experts and expenditures, including multiple Zoom accounts for overlapping meetings, if desired. Commissioner Kebede said this budget is a greater than the previous charter commission had.

b. Motion to Approve Committee Assignments

i. Moved by Commissioner Washburn and seconded by Commissioner Houston to adopt committee memberships as shown below. Motion passes 12-0.

ii. Chair Kebede offers that we should elect a chair at the first meeting of said committee. Chairs that were sent by email were merely suggestions.

Committees	Commissioners	Suggested Chair
Governance	Sheikh-Yousef, Lizanecz, O'Brien, Stewart-Bouley	O'Brien
Education	Houston, Eglinton, Chann	Houston
Elections	Buxton, Chann, Washburn	Buxton
Procedures	Barowitz, Waxman, Kebede, Washburn	Washburn
Departments	Houston, Lizanecz, Barowitz	Lizanecz

c. Discussion on Scheduling

i. Commissioner Waxman expressed concern that if we have concurrent meetings, the public and commissioners might not be able to attend more than one.

ii. Commissioners Barowitz and Washburn reflected on personal business/volunteer commitments.

iii. Commissioner O'Brien said that video recordings would be helpful especially for committees that want to hold public hearings outside of regular scheduled meetings. Commissioner Chann suggested that the chairs for committees could download the recordings and put them on YouTube or other online site (like Google Drive). Commissioner Kebede said the faster we can get them up, the better. Commissioner Washburn offered tech assistance, if needed.

iv. Commissioner O'Brien suggested that committees have three meetings or so before returning to general meetings of full group. Commissioner Kebede proposed skipping two meetings of the full group and meeting at end of October. Commissioner Stewart-Bouley said that meeting as a full group in mid- to late-October makes sense. Commissioner Chann said that providing 10-day notice to the public will also push some of these dates back, adding that he agrees with Commissioner O'Brien's proposal.

v. The consensus of the commission is that we will meet next as a full group on October 27. Between now and then the committees will meet at least twice. Commissioners agreed on the following committee schedule:

- Education: 1st/3rd Wednesdays
- Governance: 2nd/4th Wednesdays (except for full commission dates)
- Voting: 1st/3rd Tuesdays
- Procedures: 2nd/4th Tuesdays
- Departments: 1st/3rd Mondays

vi. Commissioner Washburn suggested that we make one request to the city clerk with all of the dates. Commissioner Kebede will do so.

vii. Commissioner Waxman raised a concern about meeting length. Commissioner Kebede recommended a 6:00 p.m. start time for meetings. Otherwise, committees will organize among themselves regarding the length of meetings.

viii. Commissioner O'Brien suggested that the executive team provide a boilerplate agenda for the first committee meetings, since they will start without chairs.

ix. Meeting attendance: Quorum is two-thirds. As long as there is a quorum, a meeting can proceed even if a commissioner cannot attend.

x. Zoom training: Commissioners Kebede and Stewart-Bouley will make themselves available to the chairs so that they can host and record zoom meetings and post to the city website.

6. Other Business

a. Commissioner Lizanecz asked about meeting on Labor Day. Commissioner Waxman advised that, due to number of organized labor activities, departments should not meet that day.

b. Commissioner Barowitz asked to share the city procurement process information on the city website for the public.

c. Commissioner O'Brien asked about the note-taking process for subcommittee meetings. Commissioner Kebede said that he is happy to allow committees to make the choice on how detailed notes are. Commissioner Eglinton suggested that we make sure we follow the Maine Freedom of Access Act requirements (document the date, time, place, members attending, all motions and records of votes). Commissioner Kebede asked that all committees provide at least the minimally required written minutes.

7. Motion to Adjourn

Moved by Commissioner Washburn and seconded by Commissioner O'Brien. Motion passes 12-0.