



City of Portland, Maine
Charter Commission
Governance Committee
MINUTES

November 10, 2021

Committee Members Attending via Zoom: Commissioner Robert O'Brien (Chair), Commissioner [Ryan Lizanecz](#) (Vice Chair), Commissioner Shay Stewart-Bouley, Commissioner [Nasreen Sheikh-Yousef](#) (Secretary).

1. Call Meeting to Order and Conduct Roll Call

Chair O'Brien called the meeting to order at 5:32 pm and called the roll. All committee members were present.

2. Acceptance of Notes from Mayors Interviews on November 8, 2021

Chair O'Brien explained that the minutes format has changed to include detailed notes from interviews. As such, he said the minutes from Monday's meeting are not ready for ratification as of yet. Commissioner Lizanecz was volunteering to take notes of the interviews again.

3. Governance Committee Work Plan: review and discuss

Committee members discussed the scheduling of future meetings at the end of November to interview city councilors and begin deliberations of a leadership model for city hall to recommend to the full Commission.

4. New Business

Chair O'Brien reiterated Commissioner Lizanecz's prior recommendation of hosting a Google Drive with all of the Committee's documentation and making it available for the public. Commissioner Lizanecz volunteered to set up the drive so O'Brien could populate it with Committee materials.

Commissioner Sheikh-Yousef asked when in our Work Plan the Committee would be taking up other issues in the City's structure. O'Brien replied that after a

leadership model is recommended to the full Commission, this committee may take up additional issues in the winter/spring.

5. Public Comment (paraphrased)

George Rhault raised the point that the Charter is not “self-executing”, meaning that there is no one person responsible for enforcing it if no one objects to a breach. He cited the case of District 2 councilor Victoria Pelletier being elected in November to a vacant seat, but not being installed until December at the City’s inauguration – despite the seat being vacant.

The second issue that Mr. Rhault raised is the political influence of neighborhood associations without demographic parity. He offered for consideration a former body politic in Portland called the Common Council, with three members elected for every district in the city, who could focus extensively on neighborhood issues and be a conduit between the Council and residents.

Bill Weber expressed his positive impressions of the Committee’s interview of Dr. Jim Svara, who is editor of the 9th edition of the Model City Charter by the National Civic League. He noted that the 9th edition is stressing equity in government structures. He urged committee members to compare their recommendations against the 9th edition. Mr. Weber recommended the Committee pose the question to tonight’s interviewees whether they think the office of city manager is a vehicle of systemic racism.

The Committee recessed until 6:00pm in keeping with the timing of the published agenda.

6. Interviews of City Managers

Joe Gray: former Portland City Manager for 10 years, 30 years in municipal government, just prior to the last major Charter changes in 2010.

- Considerable background in urban planning and city management, particularly in the City of Portland. Experience watching Portland change.
- Began his work in Portland as an urban planner in the late 1960s, first managing the Reiche School development in the West End, which included the clearing of three city blocks of housing.
- Was asked to serve as city manager to replace Bob Ganley, who passed away unexpectedly. Bob Ganley had been a popular, strong city manager.
- How would you describe the role of the City Manager before you took over?
 - Delivering city services and the budget in a sound fiscal management.
 - Positive relationship with the community, mayor, and city council.
 - Cooperative relationship between council and management. For the position to work well, you need the mayor, manager, and council to work together.

- Putting together a budget that everyone can get behind and one that everyone will stand behind and work to carry out.
- Ups and downs, at one point there was great discourse between council and manager. Leads to a difficult year going forward with a new budget.
 - It is up to the manager to try to ensure this positive relationship.
- Communication on the budget is key, what will impact services, etc. in working with the council and mayor.
- When did you start engaging with the finance chair and mayor?
 - Started developing budget in January and proposing it by March to the council. Looking at the various departments to see where the revenue is.
 - Example: the city gets lots of money from excise taxes on cars. When people don't buy cars, this tax revenue decreases.
 - In February, sit down with the finance chair and the mayor to discuss where we are. Ex: "This is what needs to be cut, this is what doesn't need to be cut."
 - Looking at where we need adjustments and what needs to change with department heads.
 - March and April: presentations with departments to the Finance Committee.
 - Public meetings would then be held and the council would vote on the budget.
- What about public participation?
 - Neighborhood meetings, mostly. But now at those meetings they more broadly discuss issues in the neighborhood. Otherwise, not much besides this and public comment.
- Created neighborhood advisory committee made up of various representatives from the neighborhoods to talk with the manager every month on what their priorities are.
- Established a business advisory committee with business representatives from all areas of the city to look at what issues are facing the community.
 - Council also had informal networks in districts and other committees from which they gave feedback on to the manager.
- Council/Manager/Mayor Relationship?
 - Met with the mayor at the beginning of their term, as well as multiple times per week.
 - Trusting and honest relationships with each other.
 - Annual reviews, and when the council was upset with something they were able to get through to him.

- Describe policy development: how does this happen under a City Manager?
 - Bringing in various players.
 - Neighbors, the council, the State (if appropriate), and businesses.
 - The applicable council committee would be involved, the neighborhoods, and (in some cases) the State.
 - Manager should be bringing the parties together to a solution. Not everyone is going to agree.
- How does the City Manager respond and allow marginalized communities to be heard?
 - E.g.: unhoused folks, recent immigrants, etc.
 - This can be done by working with agencies and nonprofits.
 - Funding outreach workers to identify where the people are who need a hand.
- How were you informed about what the needs were in the community? Especially marginalized ones?
 - Health and human services department.
 - Manager building relationships with agencies and service providers.
- Large scale development projects: how did this work?
 - Formal process: the city process, regulatory process, neighborhood meetings, permitting, etc.
 - Informal process: building relationships with the development group, so we know that this is something that will work in the neighborhood.

Tanisha Briley: City Manager in Gaithersburg, MD; recently City Manager in Cleveland Heights, OH.

- 20 years of public service total. Various municipalities.
- Describe what the role of the mayor is in other places you've worked?
 - Davenport:
 - Basis of the council/manager system.
 - Mayor fills the political role. Head of the city council and has the power to veto certain things.
 - Still has a city manager as the executive. City administrator is accountable to the mayor and city council.
 - Cleveland Heights:
 - 7 councilors decided who would be the mayor for two year terms.
 - The mayor has no additional responsibilities besides appointing to committees (with approval).
 - Manager works with the mayor to set the agenda. And the mayor ensures facilitation.

- They are now moving toward a strong mayor form of government and recently had a charter change. The new mayor will have the ability of full executive authority.
 - Gaithersburg:
 - Part time mayor. No vote or veto. Acts as the lead of the council. Facilitates the dialogue in council meetings. No executive authority in that role.
 - In the council/management form of government, you need a positive relationship between the branches.
- How do you get input from various stakeholders and parts of the city?
 - Critical that the staff is responsive to resident needs.
 - The basic core services run through the manager's office, so community engagement and public input is extremely important.
 - Find innovative ways to engage the community and bring in various communities. For people who don't have time to get involved in city government and get to these meetings: how do we reach them?
 - Try to find a balance so it's not just one person in the room or one group with a loud voice. We should be reaching those who rely on those services.
- How do we get diverse voices at the table?
 - Find out how to meet people where they are.
 - Each community has its own challenges. Find common ground and captive audiences.
- How do you handle policy development?
 - Manager's staff work with the council every day. Talks to the mayor every day.
 - Building a strong relationship with the council to get objectives across.
 - Count on councillors to share concerns as well.
- Is there a structure for more big, bold proposals to come forward (versus regular business)?
 - In the beginning, big policy changes are always disruptive.
 - Mayors and councilors don't need to be expert; they bring their experiences as residents. They need to be connected to their community.
 - A lot of ideas come from the council and are passed into the manager's office.
 - This happens on the manager's side as well. Managers can look at bigger ideas, too.
 - Ideas can come from anywhere.

- But any major policies need to be approved by the council. There are clear lines between the manager and the council on authority.
- Elected leaders call the major shots.
- You work for the council, but also the mayor, and the public. How do you prioritize competing concerns?
 - If there isn't a strong consensus, we don't move forward.
 - The Council should be there to represent the community.
 - Council needs to weigh recommendations from staff with community concerns.
 - Manager is usually aligned with the staff.
 - It's up to the mayor and council to make the decision. Align with the community or align with staff.

Kevin Sutherland: former Chief of Staff in Ithaca, NY; former City Administrator in Saco; finalist for City Manager in Bar Harbor.

- Ithaca: Strong executive mayor form of government.
 - Realized that a Chief of Staff was required to help make decisions. Having inexperienced mayors led to massive spending and more debt due to short-sighted agendas.
 - The Chief of Staff helps run the offices of the city while the mayor focuses on policy and politics. The mayor has the final say in everything.
 - Staff knew they could drag their feet until the mayor left in order to prevent the agenda.
 - Council had to go through the mayor or Chief of Staff to get things done.
 - Council approves Department Heads, including Chief of Staff.
 - Council doesn't have interactions with staff, just on policy issues.
 - Public input:
 - Community input is extremely important. Community meetings are the typical venue for that.
 - Every two weeks holding community meetings on important topics.
 - Developers were required to have neighborhood meetings.
 - Social media outreach.
 - Using newly elected officials to bring ideas to staff.
 - Asking: What have you learned on the street? How do we get this done?
 - How were budgets developed?
 - Look at the programs in each department and target what goals you are trying to achieve. This is all policy.

- What were the avenues for policy development?
 - Formal processes (for example: through the planning board and have community meetings).
 - Depends on the various ordinances.
- Where are the big ideas coming from in Ithaca?
 - Depends. A lot of times the mayor would still run on big idea platforms and a lot could come from there.
- Who are you beholden to?
 - The mayor, the public, but the relationship with the council is extremely important.
- **Saco: Weaker Mayor (some appointing power and full-time)**
 - Mayor doesn't have authority over personnel
 - The Mayor appoints the City Administrator subject to approval.
 - Their own office. Facilitates meetings..
 - Seven wards in Saco. Only votes in cases of a tie.
 - Required good working relationships with the mayor and council. Each mayor has different ideas on what this relationship looks like.
 - Building relationships with council members, members of the community, etc., can take a lot of effort and can be very time consuming.
 - Public input:
 - Online surveys.
 - Social media outreach is crucial.
 - Recently elected officials: What have you learned on the street? How do we get this done?
 - What were the avenues for policy development?
 - Formal processes (for example: through the planning board and have community meetings).
 - Depends on the various ordinances.
 - Where are the big ideas coming from in Saco?
 - More of a conservative community so big ideas weren't as much of a concern.
 - Holding public meetings, and having a pulse on the community is crucial.
 - Bold ideas generally come from the public.
 - Who are you beholden to?
 - The public, but the relationship with the council is extremely important.
 - Access to staff?
 - The Council has no direct access to the staff.

- **Bar Harbor: Council/management form of government**
 - All ordinances need to be approved by the public at town meetings.
 - **What model do you support (personally)?**
 - Council/Manager system: Council that is responsible for a manager that runs the day to day operations.
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Sheila Hill-Christian: former Acting City Manager in Portland just after the Charter was last changed; Chief of Staff in Richmond (both types of systems).

- What was it like moving between a city manager and mayor system?
 - Council/manager system:
 - More neighborhood focus.
 - Council and manager's office/staff talked, oftentimes daily.
 - Strong mayor:
 - Emphasis on political agenda and political relationships.
 - Closer relationship between mayor's office and staff (but also council)
 - The mayor's platform represented the public's goals.
 - But the day to day operations don't always come into consideration.
 - It can be hard to focus on what is happening on a day to day basis while dealing with political/policy issues.
 - Strong mayors struggled with oversight of chief administrative officers.
 - Mayors tend to think a few years out, not as long term. Mayors wanted groundbreaking and ribbon cuttings to keep getting reelected.
- Time in Portland (2 years)
 - Mayor's access to staff was more about key issues (ex: homelessness talks to more human services people).
 - Generally good communication between staff and City Manager.
- Who were you most beholden to in Portland? The Council? The Mayor? The Public?
 - All of the above.
 - Tried to reach out to everyone and build relationships. Sometimes the council's budget priorities and mayor do not align.
 - The manager should not be marshalling the mayor or the council. Should try to be objective and facilitate disagreements between the different groups.

- Open and available to the public. Anyone should be able to give feedback.
- Citizen engagement:
 - Neighborhood teams/neighborhood councils: Strong governing bodies based on the districts.
 - Voluntarily nominated. Received some funding by city hall.
 - These can influence the city-wide budget.
- Thoughts on at-large councilors v. districts:
 - Local constituencies that people can refer to is important.
 - Forces districts to come to the table and compromise to get their fair share.
 - Allows more communities to have more voice and not be ignored.
 - Setting up the community so people can participate.
- Serving along strong managers who push agendas:
 - A strong manager who can work with everyone (most people) can get a lot done.
 - Most of it is about personality.
 - Strong leaders who have vision and bring a community together, they perform the best. Building positive relationships.
- Recommendations for a system:
 - Fan of city manager form of government.
 - Strong mayors can be more effective at getting an agenda done, big projects and proving vision.
 - City manager seems to be effective at running day to day things.

7. Adjournment

Commissioner Shay Stewart-Bouley made the motion to adjourn, seconded by Commissioner Nasreen Sheikh-Yousef. The vote was carried unanimously.