



City of Portland Charter Commission Meeting

Due to the existence of an "emergency or urgent issue", the Charter Commission & its Committees will conduct meetings 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.

1 Call to Order 6:00-6:05pm

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81088068673?pwd=SUlkRGZHYUhFWkdoMlgrcEROVjBJUT09>

Passcode: 218054

Or One tap mobile :

US: +16465588656,,81088068673#,,, *218054# or
+13017158592,,81088068673#,,, *218054#

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: 810 8806 8673

Passcode: 218054

International numbers available: <https://us06web.zoom.us/j/81088068673?pwd=SUlkRGZHYUhFWkdoMlgrcEROVjBJUT09>

2 Review and Approval of Minutes 6:05-6:10pm

Draft January 26, 2022 Minutes

3 Public Hearing, deliberation, and vote on Preamble and Land Acknowledgement Proposal from Procedures Committee 6:10-6:25pm

Description: Commissioners will hold a public hearing, deliberate, and vote on whether this proposal should be submitted to voters for approval.

Relevant document (s):

- a. Preamble and Land Acknowledgement proposal.

4 Public Hearing, deliberation, and vote on Amended Police Oversight Proposal form Department's Committee 6:25-6:50pm

Description: Commissioners will hold a public hearing on an amended version of the police oversight proposal from the Departments Committee. There will be a public comment and a vote.

Relevant document(s):

- a. Commissioner Buxton's amendment

- b. Proposal in charter language
- c. Membership Amendment to Police Oversight Proposal

5 Workshop on Governance Models 6:55-8:30pm

Description: Commissioners will deliberate about reforms to the basic structure of Portland's government.

Relevant document(s):

- a. Governance Committee's leadership model proposal
- b. Commissioner Sheikh-Yousef's leadership model proposal
- c. Matrix comparison of leadership models
- d. Commissioner Barowitz's organizational charts
- e. [Relevant research and interviews](#) :

6 First read of Proportional Ranked Choice Voting proposal form Elections Commission
8:30-8:45pm

- Description: members of the elections committee will present a proposal to amend our ranked choice voting system. There will be no voting on this proposal.

Relevant document(s):

- a. Proportional Ranked Choice Voting Proposal
- b. MC Amendment of Proportional Ranked Choice Voting Proposal

7 New Business

8 Adjourn



City of Portland Charter Commission Minutes Charter Commission Meeting

January 26, 2022 (Remote via Zoom)

1. Call to Order

- a. Due to the existence of an "emergency or urgent issue", the Charter Commission Committees 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.

You are invited to a Zoom webinar.

When: Jan 26, 2022 06:00 PM Eastern Time (US and Canada) Topic: Charter Commission Governance Committee

Please click the link below to join the webinar:

[https://us06web.zoom.us/j/82222487849?pwd=NHp0V2J5LzZpL0VHY25wODZQTElHUT09](https://us06web.zoom.us/j/82222487849?pwd=NHp0V2J5LzZpL0VHY25wODZQTElHUT09Passcode:270952) Passcode: 270952

Or One tap mobile :

US: +13126266799,,82222487849#,,, *270952# or
+16465588656,,82222487849#,,, *270952#

Or Telephone:

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

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or
+1 720 707 2699 or +1 253 215 8782

Webinar ID: 822 2248 7849

Passcode: 270952

International numbers available: <https://us06web.zoom.us/j/82222487849>

- b. Chair Kebede called the meeting to order at 6:02 p.m.

Present were Chair Kebede, Vice Chair Stewart-Bouley, Secretary

Eglinton, Commissioners Barowitz, Buxton, Chann, Houston, Lizanecz, O'Brien, Sheikh Yousef, Washburn, and Waxman (Quorum established)

2. Review and Approval of Minutes

- a. Motion to approve the draft meeting minutes of January 19, 2022. Moved by Commissioner Washburn, seconded by Commissioner Eglinton. Motion passes 12-0 by roll call vote.

DRAFT

3. Extension Request

The Commissioners discussed the City Clerk's concern that extending the Preliminary and Final Report dates would result in missing the November 2022 election.

Commissioners noted that the 2010 Charter Commission Reports had been submitted past the original deadlines, and the Commission, by consensus, directed its legal adviser to discuss with and request an extension of report deadlines from City staff and Councilors.

Note: Although the agenda mentions a memorandum from Attorney Katsiaficas regarding the City's timing constraints, no memorandum was prepared. The information was provided orally at the meeting.

4. Public Comment, Deliberation, and Vote on Communications Proposal

The Commission considered a proposal for a Charter provision governing communications between City staff and elected officials.

Several members of the public presented their comments on the proposal. Comments included appreciation for the proposal format, which showed specific amendments to language in the current Charter, and a concern about creating a solution to a problem that may no longer exist.

Commissioners Washburn and Barowitz explained that with the proposed language, the Procedures Committee was not trying to dictate a policy, but rather to address problems regarding Council access to staff for policy development and information; the proposed language places the development of an actual policy before the City Council and the City Manager/Administration, where it belongs. Commissioner O'Brien supported the language and suggested adding an intermediary to facilitate Council-staff communication. Commissioner Chann supported the intermediary concept and suggested adding a sentence to make it clear that Councilors may communicate with department heads. Commissioner Stewart-Bouley suggested that the Commission set this proposal aside until the Committee puts these pieces together.

On motion by Commissioner Waxman, seconded by Commissioner Houston, the Commission unanimously voted to table this proposal.

5. Public Comment, Deliberation, and Vote on Preamble Proposal

The Commission considered a proposal to amend the Preamble to the Charter.

Several members of the public presented their comments on the proposal. Comments included suggestions that the Commission proposals show the current Charter text and the proposed additions and deletions, and that the Commission present an overview description of each proposal before the public comments on it.

Commissioner Washburn explained that the proposed new text on a Land Acknowledgement was drawn from a number of sources. When she asked several Native American tribe members for their comment, they were unanimous that this was a good and positive action. She said that while the present Preamble is not bad as is, it could do a

DRAFT

better job of representing citizens' intentions for the City and that a Land Acknowledgment would honor those who lived here first.

In response to public comment as to whether this proposal had received a first reading and was in order for a vote to approve it, Commissioner O'Brien suggested the Commission treat this agenda item as being the first reading and that the Preamble return for a vote at a future meeting. Commissioner Waxman moved to amend the agenda item to convert it from a vote on the proposal to a first reading of the proposal. Commissioner Washburn seconded the motion which was approved unanimously by a roll call vote.

Following discussion of public comment on the use of the term "unceded," Commissioner Barowitz suggested an addition to recognize the role indigenous peoples played in the development of America – the concept, voiced by Chair Kebede, that the European enlightenment happened because of communication with indigenous and native peoples. There was a recommendation to speak with indigenous people first before pursuing this suggestion further.

Commissioner Buxton asked why the scope of resident entitlement is limited to public education – why not also housing, and an enumeration of other entitlements? Commissioner O'Brien wondered whether the Land Acknowledgement accurately captured the history of the Aucocisco Band of the Wabanaki, and volunteered to research this further.

6. Public Comment, Deliberation, and Vote on Police Oversight Proposal

The Commission considered a proposal for a Charter provision governing police oversight.

Commissioner Barowitz presented a summary of the police oversight proposal and of the extensive process the Departments Committee undertook in researching approaches to police oversight, from the civilian review board approach to investigative and audit approaches. He explained that Committee concluded that continuing the civilian review board approach, with improvements such as creation of a "community liaison" position and expansion of the board membership would be sufficient (particularly in light of Maine legal constraints on criminal investigation information, as noted by Commissioner Lizanecz). Commissioner Barowitz also explained that the Committee proposed to place this review board in the Charter rather than in the City Code of Ordinances, where the current process is, because policing is an essential government function, as is the oversight of policing to build and maintain public trust in the police.

Several members of the public presented their comments on the proposal. Comments ranged from the proposal being a good start and being a laudable structural change to it being too little. Some wanted to see the actual charter language that would contain this proposal. Some thought 12 members were too many, that the cost of the proposal would be too great, while others thought cost should not be a concern. Some preferred voluntarism to stipends for board members. Some thought the Charter should address just the structure and leave details to the City Council and the Police Department. There was a

DRAFT

question about what would happen if there were both a Civilian Police Review Board created by the Charter and the existing Police Citizen's Review Subcommittee under the City Code of Ordinances, since the Commission cannot repeal a City ordinance.

Commissioner Lizanecz agreed that the proposal is not currently in a Charter language format but noted that the concept is there to be readily written into that format. He noted that while 12 members are proposed, nine would be voting and three non-voting. It was observed that a central feature of the proposal was the creation of the "community liaison" position to serve as a trusted "credible messenger" to address the mistrust of police felt particularly by people of color. Concern was voiced that a 12-member Review Board could be intimidating to those who might bring complaints before it, so that a smaller board may be preferable. Commissioners also raised questions of whether stipends should be paid to Review Board members when they are not paid to other boards' members and whether the Charter should specify levels or sources of funding for the Review Board.

Commissioner Barowitz stated that having two boards would be redundant and that it would be up to the City Council to disband the current Board. Commissioner Sheikh-Yousef supported the Civilian Police Review Board Charter proposal as the next step for accountability. Commissioner Houston agreed that increasing the accountability of the Portland Police Department is the intent of the proposal and that it is a good step forward. Commissioner Eglinton and Commissioner Waxman stated their support for the concept and of moving it along to the next step of preparing Charter language. Commissioner Stewart-Boulay "absolutely endorsed" the concept language.

On motion by Commissioner Chann, seconded by Commissioner Eglinton, the Commission unanimously voted by roll call vote to endorse the conceptual framework of the Civilian Police Review Board and to send it to the Commission's attorney for the purpose of drafting Charter revision language which will be brought before the Commission at a later date.

7. New Business

No new business was discussed.

8. Adjourn

On motion by Commissioner Houston, seconded by Commissioner Lizanecz, the Commission unanimously voted by roll call vote to adjourn at 9:58 p.m.

Proposed Preamble and Land Acknowledgement

Replace current preamble:

~~We, the People of Portland, Maine, establish this Charter to secure the benefits of local governance and to provide for the general health, safety and welfare of our community. In so doing, we build a government that meets the needs of the people it serves and whose character it reflects. Our government shall further cooperation, encourage leadership, solicit our input and support the active participation of our residents in their governance. Our government shall be effective and accountable and shall promote equal rights and representative democracy. Our government shall provide public education that enables all residents to acquire the knowledge and skills necessary to participate fully in Portland's civic, intellectual, cultural and economic life, in order to enrich and strengthen our community and our common future.~~

With:

Preamble

We, the people of Portland, Maine, establish this Charter to secure the benefits of local governance and to provide for the health, safety, and common good of all people in our community. In so doing, we seek to build a representative, responsive, and effective government that encourages leadership and participation from all members of that community, with an emphasis on accountability, equity, and inclusion, and a system of public education that supports Portland's civic, intellectual, cultural, and economic life.

Land Acknowledgement

Portland is located in the unceded territory of the Aucocisco Band of the Wabanaki, which also includes the Abenaki, Maliseet, Mi'kmaq, Passamaquoddy, and Penobscot people. European colonizers displaced Wabanaki people by force and went on to displace and harm indigenous peoples throughout what is now Maine and the United States. We acknowledge that displacement and that harm with sorrow, even as we celebrate and honor the Wabanaki knowledge and culture that continue to thrive in the Tribal Nations that have and always will call this place, the Dawnland, their home.

AMENDMENT DRAFT LANGUAGE

Civilian Police Review Board

- **The establishment of a Civilian Police Review Board (CPRB)**
- **Purpose and Goals**
 - Increase confidence/trust in the police department by the public
 - Discourage police misconduct
 - Help officers feel vindicated in both their own eyes and the public
 - Reassure the public their complaints are investigated thoroughly and fairly.
 - Help the public understand the nature of police work.
 - To provide oversight to Internal Affairs.
 - Diffuse public hostility.
 - Reduce the likelihood of lawsuits against the City.
 - To improve police practices, procedures, policies in regards to interactions with the public. For example:
 - Helping officers identify individuals having a mental health crisis
 - Identifying people whose disability or medical condition may be affecting their behavior.
 - De-escalation methods
 - Crowd control techniques
- **Powers & Duties:**
 - The Board shall receive community complaints and shall refer complaints to Internal Affairs and/or Command.
 - Command Staff and Internal Affairs shall report their conclusions to the Board for consideration no more than 14 days upon conclusion of their investigations.
 - The Board shall review investigations by Internal Affairs for due process in terms of being fair, thorough, objective, and timely
 - The City Council shall create an appeals process for complaints within the confines of applicable law.
 - The Board shall be granted authority to refer appeals to an appropriate body.
 - The Board may recommend data-driven policy evaluations of the Police Department and recommend policies based upon these findings annually to the City Council, as applicable.
 - The Board shall be able to make policy recommendations.
 - The Board shall prepare an annual report to the City Council, including (but not limited to) policy recommendations, funding, number of complaints, and number of resolutions.

- The Board, at its discretion, may address the city council on a quarterly basis.
 - The Board shall present the annual report to the City Council and Mayor.
 - The City Council and Mayor may add duties and responsibilities as it sees fit to the Board at any time.
 - The Council and Mayor may assign recommendations to members of city staff to enact.
- **Membership:**
 - Members of the board shall be any resident of the City of Portland over 18 years of age.
 - Three members of the board are appointed by the City Council.
 - Five members appointed by Community Chairs¹ if applicable (if not, council)
 - One member appointed by the Mayor
 - Three Non-Voting members: (e.g., community groups nominees, student reps, organizational representatives) as determined by the city council.
 - Length of term to be three years with opportunity for reappointment.
 - A plan whereby members of the current PCRS would become members of the new CPRB and to on-board new members by a specified time.
- **Staff & Funding:**
 - The Board shall be funded by the City Council in the annual budget.
 - The Board shall have professional staff.
 - Must include Community Liaison (“credible messenger”)
 - The Board shall work in partnership with the Communications Department, Internal Affairs, and any other offices and agencies including the Office of the Corporation Counsel and the Police Department/IA.
 - Shall include police liaison familiar with Standard Operating Procedures
 - Board members shall receive a stipend to be determined by the City Council. Members may opt out of the stipend.
 - Board members shall receive thorough training germane to the Board’s function
 - The Board shall engage city residents as to the board’s purpose and goals.
 - Findings
 - Complaint Process
 - Roles
 - Limitations

¹ Pending proposal to create another level of elected office - smaller than council district but larger than neighborhood - perhaps comprising 2-3 neighborhoods. Roles would be non-legislative, but they could have some duties, including (1) liaison between council member and community; (2) run participatory budgeting meetings; (3) role in appointments to boards and on committees; (4) review and recommend policy initiatives ; (5) platform for leadership development. Not under consideration by the Departments Committee at this moment. Should this proposal not advance, membership appointments shall return to the council.

AMENDMENT DRAFT LANGUAGE

Civilian Police Review Board

- **The establishment of a Civilian Police Review Board (CPRB)**
- **Purpose and Goals**
 - Increase confidence/trust in the police department by the public
 - Discourage police misconduct
 - Help officers feel vindicated in both their own eyes and the public
 - Reassure the public their complaints are investigated thoroughly and fairly.
 - Help the public understand the nature of police work.
 - To provide oversight to Internal Affairs.
 - Diffuse public hostility.
 - Reduce the likelihood of lawsuits against the City.
 - To improve police practices, procedures, policies in regards to interactions with the public. For example:
 - Helping officers identify individuals having a mental health crisis
 - Identifying people whose disability or medical condition may be affecting their behavior.
 - De-escalation methods
 - Crowd control techniques
- **Powers & Duties:**
 - The Board shall receive community complaints and shall refer complaints to Internal Affairs and/or Command.
 - Command Staff and Internal Affairs shall report their conclusions to the Board for consideration no more than 14 days upon conclusion of their investigations.
 - The Board shall review investigations by Internal Affairs for due process in terms of being fair, through, objective, and timely
 - The City Council shall create an appeals process for complaints within the confines of applicable law.
 - The Board shall be granted authority to refer appeals to an appropriate body.
 - The Board may recommend data-driven policy evaluations of the Police Department and recommend policies based upon these findings annually to the City Council, as applicable.
 - The Board shall be able to make policy recommendations.
 - The Board shall prepare an annual report to the City Council, including (but not limited to) policy recommendations, funding, number of complaints, and number of resolutions.

- The Board, at its discretion, may address the city council on a quarterly basis.
 - The Board shall present the annual report to the City Council and Mayor.
 - The City Council and Mayor may add duties and responsibilities as it sees fit to the Board at any time.
 - The Council and Mayor may assign recommendations to members of city staff to enact.
- **Membership:**
 - Members of the board shall be any resident of the City of Portland over 18 years of age.
 - ~~■ Three members of the board are appointed by the City Council.~~
 - ~~■ Five members appointed by Community Chairs⁺ if applicable (if not, council)~~
 - One member appointed by the Mayor
 - **A minimum of five board members appointed by the City Council**
 - Three Non-Voting members: (e.g., community groups nominees, student reps, organizational representatives) as determined by the city council.
 - Length of term to be three years with opportunity for reappointment.
 - A plan whereby members of the current PCRS would become members of the new CPRB and to on-board new members by a specified time.
- **Staff & Funding:**
 - The Board shall be funded by the City Council in the annual budget.
 - The Board shall have professional staff.
 - Must include Community Liaison (“credible messenger”)
 - The Board shall work in partnership with the Communications Department, Internal Affairs, and any other offices and agencies including the Office of the Corporation Counsel and the Police Department/IA.
 - Shall include police liaison familiar with Standard Operating Procedures
 - ~~○ Board members shall receive a stipend to be determined by the City Council.~~
 - ~~Members may opt out of the stipend.~~
 - Board members shall receive thorough training germane to the Board’s function
 - The Board shall engage city residents as to the board’s purpose and goals.
 - Findings
 - Complaint Process
 - Roles
 - Limitations



**CITY OF PORTLAND, MAINE
CHARTER COMMISSION
GOVERNANCE COMMITTEE**

CITY LEADERSHIP MODEL RECOMMENDATIONS

January 11, 2022

PURPOSE

This report serves to summarize the activities and recommendations of the Portland Charter Commission's Governance Committee in its objective to propose structural changes to the leadership model of Portland's municipal government.

COMPOSITION

The Governance Committee comprises four members of the Portland Charter Commission:

- | | |
|------------------------------------|--------------------------------|
| • Robert O'Brien, Chair | Elected in Portland District 2 |
| • Ryan Lizanecz, Vice Chair | Elected in Portland District 5 |
| • Nasreen Sheikh-Yousef, Secretary | Elected At-Large |
| • Shay Stewart-Bouley | Elected in Portland District 1 |

RECOMMENDATIONS

The Governance Committee met eight times in the fall of 2021 and interviewed 17 speakers with experience in municipal government, in addition to phone calls, emails, and conversations that committee members may have had with engaged members of the public and public officials.

Several issues emerged about Portland's leadership structure:

- No elected mayor has been provided the opportunity to meaningfully influence the development of the city's draft budget, as specified in the current Charter.
- There are no clear mechanisms by which an elected mayor may propose policies outside of the Council committee structure.
- Council procedures make it difficult for individual councilors to advance policies outside of the committee structure.
- City Councilors' access to staff has been inconsistent over several administrations.
- There is no method for holding the Council accountable to its own rules or for keeping the administration in line with the Charter.

As such, these shortcomings have led to public impressions that the city manager is unaccountable and that the mayor is ill-equipped to pursue a policy platform. Furthermore, the limitations of developing policy only in Council committees has diminished the city's ability to be agile and proactive amid changing societal dynamics and a gentrifying economy. As a result, the Council is frequently reacting to external urgencies, and referenda campaigns have increased in number and success at the polls.

To address these issues, the Governance Committee recommends the following changes to Portland's leadership structure.

Regarding the Mayor

- Ensure that the elected mayor has a prominent role in the development of the city's draft budget with access to department heads and staff support.
- Allow the mayor to form by right a staffed public task force around any policy endeavor not taken up by Council committee.

Regarding access to City Hall staff

- Create a new Chief of Staff who reports directly to the Council and whose office shall:
 - Coordinate Council staffing needs and requests for direct access to staff.
 - Receive, initiate, and track constituent services.
 - Fulfill all Freedom of Information Act (FOIA) requests.
 - Notice all City meetings and post all materials.

Regarding policy development at the Council

- Formally allow individual councilors to introduce a policy proposal not on a Council committee at a Council workshop or public hearing.
- Allow a member of a Council committee to "call the question" (initiate a vote) on a policy that has been assigned to the committee for more than 90 days.
- Allow a councilor to sponsor a policy initiative on behalf of a constituent that is not already assigned to a Council committee.

- When a referendum campaign has reached a threshold of two-thirds of the required signatures, initiate a public hearing at the City Council.

Regarding accountable governance

- Require a duly elected Charter Commission to nominate three of its standing members and one alternate to serve on an arbitration panel after the Commission has been dissolved (and until such time as a new Commission is elected).
- The arbitration panel will convene when called upon by act of the City Council to interpret Charter language and provide a formal decision. These decisions will be binding for City business unless appealed to a court of law.

These recommendations are referred to the Charter Commission by unanimous consent of three members of the Governance Committee: Commissioners Robert O'Brien, Ryan Lizanecz, and Shay Stewart-Bouley. Commissioner Nasreen Sheikh-Yousef was absent from the committee's December 8 deliberations and has since sponsored her own proposal to the Charter Commission.

METHODOLOGY

At its meeting of August 11, 2021, the Charter Commission assigned these topics to the Governance Committee to examine:

- Redistricting and Council Structure
- Mayor/City Manager Roles, Powers, Duties, Accountability
- School Board/City Council Relationship
- Community and Neighborhood Boards
- Office of Public Advocate
- Home Rule
- Human Rights Commission
- City Staff Relationship to Elected/Appointed Officials

From this list of topics, on September 8, 2021, the Governance Committee distilled related structural themes into one, overarching leadership topic:

1. City Leadership Structure: powers & duties, relationships, districts, terms.
 - a. Administration
 - b. Mayor Position
 - c. Council
 - d. Council-Appointed Positions (Clerk, Corporation Council)
 - e. Neighborhood Voices

The remaining topics assigned by the Commission were set aside for later examination.

At the meeting of September 8, all four committee members agreed to design a leadership model on a zero-basis, founded on input from research and interviews, rather than adopting or hybridizing an existing model.

WORK PLAN

Election of Officers & Development of Work Plan

September 8, 2021

Recording: https://townhallstreams.com/stream.php?location_id=42&id=39849

Minutes: <https://tinyurl.com/minutes-sept-8>

Values Mapping & Desired Outcomes

September 22, 2021

Recording: https://townhallstreams.com/stream.php?location_id=42&id=40131

Notes about Values: <https://tinyurl.com/commission-values>

- With facilitator David Plumb

Chair O'Brien researched and sought input from fellow committee members on the speakers invited for interview sessions. Speaker nominations were derived from the personal knowledge of committee members, proposals from engaged members of the public, and discussions with the Maine Municipal Association (MMA) and the International City/County Management Association (ICMA).

Mayors Interviews

October 13, 2021

Recording: https://townhallstreams.com/stream.php?location_id=42&id=40566

Notes from Mayors interviews: <https://tinyurl.com/mayor-interviews>

- Kate Snyder
- Michael Brennan
- Panel of Jill Duson, Jim Cohen, and Karen Geraghty
- Ethan Strimling

Experts Interviews

November 8, 2021

Recording: https://townhallstreams.com/stream.php?location_id=42&id=41035

Notes from Expert interviews: <https://tinyurl.com/expert-interviews>

- Dr. Chyrl Laird, recent Government professor at Bowdoin, now at U Maryland
- Dominick Pangallo, Chief of Staff in Salem, MA

- Dr. Jim Svara, UNC researcher/editor of 4th ed. of Nat. Civic League's *Model City Charter*

Managers Interviews

November 10, 2021

Recording: https://townhallstreams.com/stream.php?location_id=42&id=41102

Notes from Manager interviews: <https://tinyurl.com/manager-interviews>

- Joe Gray, former City Manager of Portland
- Tanisha Briley, City Manager in Gaithersburg, MD; formerly in Columbus Heights, OH
- Kevin Sutherland, ex Chief of Staff in Ithaca, NY; ex City Administrator in Saco; finalist for Town Manager in Bar Harbor (later hired)
- Sheila Hill-Christian, former Acting City Manager in Portland
- Note: former Portland City Manager Jon Jennings was invited but formally declined

City Councilors Interviews

November 29, 2021

Recording: https://townhallstreams.com/stream.php?location_id=42&id=41552

Notes from Councilor interviews: <https://tinyurl.com/council-interviews>

- Belinda Ray, 2015-2021
- David A. Marshall, 2006-2015
- Pious Ali, 2016-present
- Kimberly Cook, 2017-2020

Leadership Model Deliberations

December 8, 2021

Recording: https://townhallstreams.com/stream.php?location_id=42&id=41743

Notes from deliberations: <https://tinyurl.com/deliberation-notes>

- With facilitator David Plumb

FINDINGS

All committee agendas, minutes, and materials may be found at this link:

<https://drive.google.com/drive/u/1/folders/1Vivn114pB2mnff7fjbLUT0PYpZvmetFA>

Values

On August 25, 2021, the full Charter Commission ratified this Guidance Statement:

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.

On September 22, 2021, facilitator David Plumb led Governance Committee members in articulating which values they sought to be reflected in a leadership model. The results were:

Accountable and Responsive

- There are channels for concerns that are accessible and result in actual responses.
- There is a clear chain of command, and clarity on who you can speak with about your interests and concerns.
- People see the connection between the public voice and decision-making.

Transparent and Communicative

- People know what is going on and there is easy access to information.

Participatory

- There are vehicles to participate.
- Barriers to participate are removed – we recognize that time is a major barrier for working people.

Representative and Giving Voice

- Decisions are made considering the whole community.
- Local government includes people with different experience and background.
- Access to government is not defined by money.
- The systems work for everyone.

Efficient and Showing Leadership

- City can tackle problems and reach conclusions. Local government is seen a place of solutions.
- The city policy-making process works to address interests and concerns – people use it and see their interests met.
- The city has big plans and develop bold ideas through a democratic process.

Integrity

Key Takeaways: Mayors Interviews

- All three recent mayors (Snyder, Strimling, and Brennan) said there is misunderstanding by residents about the current mayor position's limited powers to pursue constituent services, to direct city services, or to enact executive orders.
- All three recent mayors said they had inadequate input on the city manager's draft budget.

- All three recent mayors said access to city staff changed dramatically among administrations, from virtually no prohibitions in the past to being highly regulated more currently.
- The panel of past councilor-mayors (Duson, Cohen, and Geraghty) said:
 - Councilor-mayors typically had outside employment and volunteered part-time at City Hall.
 - Councilor-mayors relied on a trusted, collaborative, and communicative relationship with the City Manager to pursue the mayor's objectives.
 - Councilor-mayors' goals were reliant on their relationships with fellow councilors.
 - Jill Duson noted that just prior to the last Charter Commission (2009-2010), the Council had gradually abdicated its policy-making powers to staff. The cultural norm on the Council had become for staff to present policies to Council for deliberation and endorsement.

Key Takeaways: Experts Interviews

- Dr. Chyrl Laird told the committee that the national movement to professional management of municipal government in the early 20th century was in response to corruption in political patronage systems, like Tammany Hall in New York City.
- Dr. Laird also said the city manager system served to insulate the business class from more populist sentiments on city councils. At-Large council seats further diluted populist momentum.
- Dominick Pangallo serves as chief of staff an executive mayor in Salem, MA (pop. 43,252). The current mayor, Kim Driscoll, has been a city manager in the past and has those professional skills. Salem's mayor does not sit on the council and the council elects its own president, who also chairs the school board.
- Mr. Pangallo said an executive mayor can see the city's needs universally, similar to an at-large councilor, and can direct resources and programming to areas most in need.
- Mr. Pangallo also said a mayor tends to be more responsive to public needs than a city manager on account of their elected status.
- Mr. Pangallo said a four-year term is a very long time for an incompetent or destructive mayor to run a city hall largely unchecked. Salem's proximity to Boston benefits the city by the number of residents with professional skills who could run for mayor.
- Dr. Jim Svava said the National Civic League's *Model City Charter* endorses the council-manager form of government.
- Dr. Svava said a mayor should serve by the power of persuasion rather than executive authority, being the chief diplomat of city hall, interfacing between the council, manager, public, business interests, and outside officials.
- Dr. Svava later [emailed](#) the committee to say that upon reading Portland's Charter, he sees Portland's conflicts deriving from the partial powers extended to the mayor, leading to confusion and posturing.

Key Takeaways: Managers Interviews

- Joe Gray has 30 years of experience at Portland City Hall. He was first hired as an Urban Planner during the Urban Renewal era. Mr. Gray was installed as city manager on December 24, 2000 upon the untimely death of popular City Manager Bob Ganley. Mr. Gray retired on February 11, 2011. Mr. Gray served in a council-manager form of government.
- Mr. Gray said effective leadership required constant and diverse input from the mayor, individual councilors, neighborhood groups, service providers, and business interests. Open, honest, frank, and regular communication was necessary to achieve productive outcomes.
- Mr. Gray saw his job as listening to the mayor's and council's goals and setting up the systems to deliver on them.
- Tanisha Briley is the city manager in Gaithersburg, MD (pop: 69,657), and formerly of Columbus Heights, OH (pop: 44,571). She talked about seeking out citizens where they are for input, namely events where she is likely to talk to busy parents.
- In Gaithersburg, all council seats are at-large and Ms. Briley appreciated that for their city-wide perspectives. She valued councilors as crucial for "ears on the ground."
- Kevin Sutherland was once employed as chief of staff for an executive mayor in Ithaca, NY (pop: 30,569).
- He mentioned that staff can sometimes drag their feet to wait out an elected mayor rather than implement a directive they disagree with.
- Ithaca had to add the chief of staff position more recently to provide the mayor the professional expertise to run a city. Prior to hiring a chief of staff, mayors' budgets led to excessive spending in efforts to fulfill their platforms.
- In addition to managing city services, the chief of staff served as the gate keeper between the Council and City Hall staff.
- In Saco (pop: 19,497), where Mr. Sutherland was the city administrator, the mayor was full-time with an office at City Hall. The mayor nominated the city administrator for hire to the Council. The mayor there chaired the Council but only voted in the event of a tie. Their primary responsibility was to build and bridge relations between the administration, the Council, and the public – which takes a great deal of effort and is time-consuming.
- In Bar Harbor (pop: 5,535), where Mr. Sutherland was soon to be hired as town manager, all ordinances go to public vote at the Town Meeting.
- Sheila Hill-Christian has served as chief of staff in Richmond, VA (pop: 226,622), for both a council-manager form of government, and an executive mayor form of government.
- She said in a council-manager system of government, there is more neighborhood focus. The council's and manager's staffs talked daily.

- With an executive mayor, Ms. Hill-Christian observed, there is an emphasis on political agenda and political relationships. There is a closer relationship between mayor's office and administration than there is with the administration and the council.
- Ms. Hill-Christian said the mayor's platform was considered to represent the public's goals, but the day-to-day operations of delivering city services do not always come into consideration. It can be hard for City Hall to focus on the day-to-day when dealing with political issues. Executive mayors, she said, struggled with oversight of chief administrative officers.
- In Ms. Hill-Christian's view, mayors tend to think a few years out, not as long term as career professionals. Mayors wanted groundbreakings and ribbon cuttings to keep getting reelected.
- Ms. Hill-Christian also had these thoughts on at-large councilors versus district councilors: Local constituencies that people can refer to is important; many small districts force local councilors to come to the table and compromise to get their fair share; smaller districts allow more communities to have more voice and not be ignored; smaller districts allow more people to participate in politics.

Key Takeaways: Councilor Interviews

- Belinda Ray served on the Portland City Council for District 1 from 2015-2021.
- She shared:
 - Council holds annual goal-setting meeting every winter. Goals reflected in the city manager's budget in the spring.
 - Policy initiatives from councilors, the mayor, and administration all go to Council committees.
 - All councilors have access to city staffers for support services and research upon request.
 - She met regularly with City Manager Jon Jennings and had an honest and frank rapport with him. She found the administration to be responsive to her requests.
 - Policy adoption reflects the temperament of the Council – some ambitious goals could be scaled back, while other ambitious goals could be expanded.
- David Marshall was elected to the Portland City Council for District 2 and served from 2006-2015.
- Mr. Marshall:
 - Had advocated before the last Charter Commission (2009-2010) for a much stronger mayor than what we have today, though the current iteration is an improvement over the councilor-mayor model from before.
 - Observed the current model today with the mayor as a member of the Council limits the elected mayor's ability to pursue a platform.
 - Felt the newly required annual goal-setting meeting on the Council was an odd process to evaluate the merits of policy ideas.

- Saw the city's government oscillate between "strong manager-weak council" and "weak manager-strong council" over different managerial styles. It was a matter of personalities, not the Charter structure.
- Pious Ali is on the Portland City Council as an At-Large member. He was first elected in 2016.
- Mr. Ali says:
 - It is difficult for councilors to move policies outside of the committee structure.
 - If the administration or staff are against your policy goal, they can interfere with its progress.
 - The mayor currently has no mechanism for moving policy proposals outside of committee structure.
 - Councilors are at the mercy of staff to fulfill individual requests or constituent requests. He has experienced some requests go unfulfilled.
 - He supports at-large councilors on the council makeup for their balancing of universal needs over local district desires.
- Kimberly Cook represented District 5 on the Portland City Council from 2017-2020.
- Ms. Cook observed:
 - There are no written, formal processes: the city manager will add items to the agenda as he sees fit.
 - The manager assigns staff, and how much a Councilor is helped depends on how much the manager supports an idea.
 - The difficulty of pushing forward big policy ideas on the Council is why Portland has seen public referenda in recent years.
 - Council rules are enforced only by Council, and inconsistently followed. There is no grievance mechanism when rules are breached. There is no means of holding the City responsible for its own rules of procedure.
 - Only one annual performance review of the city manager took place while she was on the Council, in 2020. The review was too narrow in its scope; there was not enough opportunity to ask questions, gather information, or engage the public.

[END OF REPORT]

Portland's Current Distribution of Powers & Authority Compared to Proposals for Change

<u>Powers & Authority</u>	<u>Current Portland Charter</u>	<u>Governance Committee Proposal</u>	<u>Shiekh-Yousef Proposal</u>
1) Who is the Chief Executive Officer?	City Manager	City Manager	Mayor
2) Who has policy making authority?	City Council	City Council; Mayor has special right to form staffed public task force on policy not taken up by Council Committee.	City Council; Mayor can propose policy to Council, which would be required to consider and vote on it.
3) Who oversees policy implementation?	City Manager	City Manager	Mayor
4) Who are the top city officials?(note 1)	City Manager, City Clerk, Corporation Counsel	City Manager, City Clerk, Corporation Counsel, Chief of Staff (note 2)	City Administrator, City Clerk, Corporation Counsel, Public Advocate (note 3)
5) What is the process for filling top city official positions	Mayor chairs committee with at least 2 other Council members to nominate City Manager, Clerk, and Corporate Counsel. Council confirms by majority vote.	Same as current for City Manager, Clerk, Counsel, and Chief of Staff	Public Advocate is elected. Clerk and Counsel nominated by Public Advocate. Administrator nominated by Mayor. Council confirms all by majority vote.
6) What is the process for removing top city officials	Mayor-chaired 3 person Council Committee may recommend removal; Council approves by majority vote.	No change	Public Advocate may recommend removal of City Clerk or Corporate Counsel; Council must approve with 2/3rds vote. City Administrator serves at will of the Mayor. Public Advocate may be removed by citizen's recall.
7) Who manages day to day operations of city affairs?	City Manager	City Manager	City Administrator under direct supervision of Mayor
8) How are Department Heads hired/supervised/ removed?	City Manager nominates, Council approves. Heads serve at will of the City Manager.	no change	Mayor nominates, Council approves; department heads serve at will of the Mayor.

<u>Powers & Authority</u>	<u>Current Portland Charter</u>	<u>Governance Committee Proposal</u>	<u>Shiekh-Yousef Proposal</u>
9) Is mayor a member of Council? If yes, does mayor have a vote?	Mayor is voting member and chairs the Council.	no change	Mayor is not a member. Council elects its own President from amongst its members.
10) Who Creates and Appoints members to Council Committees?	Mayor, but council may override with 2/3 vote.	no change	President of Council can create committees and appoint members.
11) Who appoints members of city boards and commissions?	Council	no change	PA nominates; Council approves/ rejects by majority vote.
12) Who has authority for preparing/ approving Municipal Budget	City Manager prepares with "guidance" from Mayor; Council approves.	Mayor prepares with assistance from Manager; Council approves.	Mayor prepares with assistance of Administrator; Council approves.
13) Who has authority for preparing/ approving School Budget?	School Board/Superintendent with guidance from Council; approval by Council and then by voters.	no change	Mayor prepares with School Board Chair and Superintendent; School Board approves and sends to voters; no Council vote.
14) Can Mayor veto the municipal budget approved by the Council?	Yes Override requires 6 (of 8) votes. Mayor does not vote.	No	Yes; 75% majority needed to override veto.
15) Can Mayor veto other Council decisions?	No	No	Yes -- full veto power over all policies, ordinances, orders, expenditures, etc.; Council requires 75% vote to override.
16) How long does the Mayor serve in office?	4 years	4 years	4 years, corresponding with Presidential election years
17) Are their mayoral term limits?	3 terms	3 terms	2 terms
18) Can Mayor be removed before term is over?	Via citizens' recall	Via citizens' recall	Via citizens' recall

Powers & Authority**Current Portland Charter****Governance Committee Proposal****Shiekh-Yousef Proposal**

19) Have new powers/authority been proposed for non-city officials

Not applicable

Charter Arbitration Panel (note 4) and required City Council hearing for Referendum Advocates (note 5). Council required to develop procedures through which citizens may formally propose policies for council consideration (note 6). None

Notes:

- 1) For purposes of this chart, current top city officials (other than mayor) include the city manager/administrator, city clerk, and corporate counsel as these are often in a town's Charter. New top positions proposed include a Chief of Staff and a Public Advocate.
- 2) Duties of proposed Chief of Staff: coordinate Council staffing need; receive and track constituent services and FOIA requests; post notices of city meetings and post all materials.
- 3) Duties of proposed Public Advocate: serve as independent ombudsman to improve city government. Provide outside review of city agencies, investigate citizen complaints, and make proposals for improvement to Mayor and Council. Respond to FOIA requests. Serves as Mayor in case of vacancy or incapacity of elected Mayor.
- 4) Arbitration panel will convene when called to act by City Council to interpret Charter language and provide a formal decision. Panel to consist of 3 members from previous Charter Commission.
- 5) When a referendum campaign has collected 2/3 of the required signatures, City Council will be required to hold a public hearing.

Dear fellow Commissioners,

I present the below proposal so that we can consider a system of government for Portland that more fully moves us away from our current undemocratic City Manager. It was developed based on the principles I told the voters I would represent, one-on-one feedback from fellow commissioners who also ran on these principles, testimony from our committee hearings (although we need to expand that input as described below), emails and comments many of us have received, my own research, and input from community members.

The core components of the model I am proposing are:

- **Democracy first;**
- **Strong checks and balances between both branches;**
- **Efficient administration;**
- **Public accessibility/accountability.**

What I outline is based on the Mayor-Council forms of government that almost all other states in America have in their largest cities (see attached document). Of particular note, I looked at the eight other northeast states, which all have elected mayors in their largest city (From [Bridgeport](#) to [Manchester](#) to [Providence](#) to [Boston](#), etc.). I also looked closely at [Wilmington, Delaware](#). Wilmington is perhaps the closest to Portland in terms of population vs ratio to the state (70,000 in Wilmington/1,000,000 in Delaware). It is also Delaware's service center, economic engine, and one of its most diverse cities, much like Portland.

That said, no individual model from another city will work perfectly for us. After reviewing and discussing the below proposal, I would suggest the committee invite a number of elected mayors from neighboring states to join us by zoom. We could then get their direct input on how their model works and what they would advise as we develop ours.

As you will see, I have tried to address some of the committee concerns regarding the day-to-day operations and ensuring that our elected Mayor does not get bogged down in the minutia, while still ensuring public accountability that services are being implemented according to our values.

Additionally, please note that my proposal contains an elected public advocate (PA). The public advocate position, as you'll see, is a bit of a bridge, but also creates third party accountability. It will be able to fulfill some of the roles that were described in the committee's version of a council chief of staff. The particulars are outlined below.

Thanks, and I look forward to discussing this further.

-Nasreen

Strong Council & Elected Mayor

Powers of the Council

City Council becomes the chief policy-making body of the city, including powers to enact all policy proposals, approve/reject all nominees for department heads and boards/commissions, approval of the city budget and all revenue changes (including ongoing scrutiny of expenditures/revenues), and emergency power approvals (further detail of these powers described in sections below). Councilors serve three-year terms, rotating, sworn in on the first Monday in January after the November election. No term limits.

City Council elects 2-year Council President from its own ranks with majority vote (removal by 2/3rds). The Council President is the voice of the Council and meets with the Mayor regularly. President chairs Council meetings, sets Council rules/agenda, and creates/appoints/removes all standing committees/committee members/chairs. The President may create and appoint members to any ad-hoc committee to investigate a particular policy and/or investigate government malfeasance. Plus, any/all other duties bestowed upon the office by a majority vote of the Council. Council Presidents may not serve more than 4 consecutive terms.

The City Council will have its own independent staff to meet its responsibilities, policy development, public communications, and administrative tasks. Council's budget will be determined within the annual city budget proposed by the Mayor and reviewed in accordance with the budget process.

Powers of the Mayor

Elected Mayor ensures the implementation of policy and oversees the efficient administration of the city. No longer a member of the Council and does not have a vote. Does have the ability to propose policy for Council review and must sign/veto all legislation enacted by the Council (described below).

The Mayor will nominate for Council review and approval a "City Administrator" who will be responsible for the day-to-day supervision of all Department Heads, also nominated by the Mayor, and city operations. The "City Administrator" will serve under the direction of the Mayor, however, will be required to attend any Council Committee meeting when a committee chair requests it.

Mayor is elected on the same cycle as the US President (effective 2024) and sworn in on the first Monday in January after the November election. May serve only two consecutive 4-year terms.

Nomination and Oversight of Department Heads

The Council reviews/approves/rejects all Mayoral nominees of Department Heads to lead city staff (Chief of Police, Director of Public Works, Director of HHS, etc.). Council approves/rejects each nominee with majority vote after the council committee of jurisdiction holds public hearings/vote on each nominee (for instance: Public Safety Committee reviews nominee for

Chief of Police). Staff below department heads are hired by their respective supervisors and do not need Council approval.

All Department Heads, after review/approval by Council, will report to and serve at the will of the Mayor after approval by Council, with day-to-day oversight administered by the City Administrator. All Department Heads, or designee, are required to provide all requested information to council committees of jurisdiction and testify to committees when called upon. All Department Heads may request to attend a Committee meeting to report on any matter pertaining to the committee's jurisdiction.

Policy Development

All policy proposals must go through Council for public review/amendment/final disposition.

All Councilors and the Mayor will have the right to submit policy proposals for Council consideration/review/action. All Department Heads, or their designee, will be available to elected officials for the purpose of any proposed policy development. (If a staff member or constituent wants to propose an idea for Council consideration, they can ask an elected official to sponsor the proposal).

All policies, ordinances, orders, expenditures, revenue changes, etc. approved by Council must then be signed into law by the Mayor or vetoed within 10 days of passage. Council may override all vetoes within 15 days, with 75%+ super-majority. If Council overrides, policy is enacted. If council fails to override, policy is not enacted. If Council fails to override, Council may amend to generate 75% support of Council or to gain Mayor's signature.

Council actions that solely impact the operations of the Council (rules, procedures, committee structures, vacancies, etc.) or that are non-binding statements do not need to be signed by the Mayor nor can they be vetoed.

Development, Passage and Implementation of Budgets

Mayor develops/proposes City budget, excluding education expenditures, for Council consideration. Council amends/approves after public hearings. Same veto standard.

The Mayor oversees implementation of the City budget through Department Heads. Council monitors implementation of the budget through committees of jurisdiction. May request that any Department Head under their jurisdiction attend their committee meeting to present budget progress and answer any questions.

Mayor develops/proposes schoolwide education budget, in consultation with School Board Chair and Superintendent, for School Board consideration. School Board amends/approves after public hearings and sends to voters for approval. The city council no longer votes on the school budget.

Compensation

Council salaries increased to \$17K a year (from \$6K), with annual COLA based on CPI (likely proposal from Procedures Committee member). Current benefits (HC/Pension, etc.) not changed. Commensurate for School Board members.

Mayor salary increased to twice the average income for a family of four in Portland as defined by the annual census (up from 1.5x to recognize the increased responsibilities). Adjusted at the start of each new term.

Succession Plan

In the event of a vacancy or incapacity of the Mayor, the “Elected Public Advocate” (described below) is first in line to replace the Mayor. Council President is second.

In the event of a Council or School Board vacancy, the Mayor nominates three people for consideration. Council or School Board may only seat from the list of nominations. Should they reject all three, the Mayor must nominate three others. Once seated, the nominee remains in place until the next general election. The seated individual may run for the seat.

Elected Public Advocate

The Elected Public Advocate serves as an independent ombudsperson for city government whose mission is to improve the transparency, responsiveness, and accountability of City government. An additional set of eyes and ears on the council and mayor branches.

Public Advocate is elected on the same cycle as the US President (effective 2024). May serve only two consecutive 4-year terms.

Duties of the Public Advocate

Public Advocate is charged with meeting constituent needs (direct or referred by any other elected official), providing outside review of city agencies, responding to FOIA requests, investigating citizens' complaints about city services, and making proposals to address perceived structural shortcomings or failures for Mayor or Council consideration. Public Advocate has authority to propose structural changes to city government and/or greater oversight controls for Council deliberation and consideration. In the event of a vacancy or incapacity of the mayor, the Public Advocate is first in line to become Mayor until the end of the elected term.

Nomination of the City Clerk

The City Clerk, overseeing elections and Clerk functions, becomes an independent office of the executive and legislative branches by being nominated by the Public Advocate at the beginning of their term. City Clerk is approved/rejected by the Council. Once approved, the City Clerk reports to the Public Advocate and may not be removed without recommendation by the Public

Advocate and 66% approval by the Council. The City Clerk is not term-limited and may cross over administrations.

Nomination of the City Attorney

The City Attorney, providing legal advice to the Council/Mayor and constituents, becomes an independent office of the executive and legislative branches by being nominated by the Public Advocate and approved/rejected by the Council. Once approved, the City Attorney reports to the Public Advocate and may not be removed without recommendation by the Public Advocate and 66% approval by the Council. The City Attorney is not term-limited and may cross over administrations.

Development, Passage and Implementation of Budget

The Public Advocate's office will be funded with no less than .05% (half a percent) of total revenue to the city in order to keep it independent of Mayor/Council determinations (current City Clerk/Attorney budgets total \$1.5M). If they need additional funds, they may request such from Council for approval through the normal budget process.

Appointments to City Committees and Boards

The Council reviews all nominations to board and commissions for final approval/rejection, which are now made by the Public Advocate through an open and transparent application process. Council approves/rejects each nominee with majority vote after the council committee of jurisdiction holds public hearings/vote on each nominee.

Public Advocate's Salary:

Public Advocate will be paid 1.5x the average salary for a family of four in Portland as determined by the annual census.

Succession Plan

In the event of a vacancy or incapacity of the Public Advocate, the Council will appoint a Council member to fill the role, and a special election will be held to fill the term of the Public Advocate vacancy at the next general election.

Cost Analysis

This proposal is projected to be revenue neutral.

Implementing this Strong Council and Elected Mayor will save approximately \$200,000. With the elimination of the City Manager, the City will save about \$250,000 in salary and benefit costs. \$50K of that would be used for the enhancement of the Mayor's salary/benefits. The salary for the proposed City Administrator salary can be pulled from the current Chief of Staff position in the City Manager's office.

The Public Advocate's salary will be covered by shifting the current Deputy City Manager salary (will save about \$50K) and the Clerk and Attorney budgets will stay the same. The department will then have around \$250,000 for community liaisons, administrative work, and investigation costs.

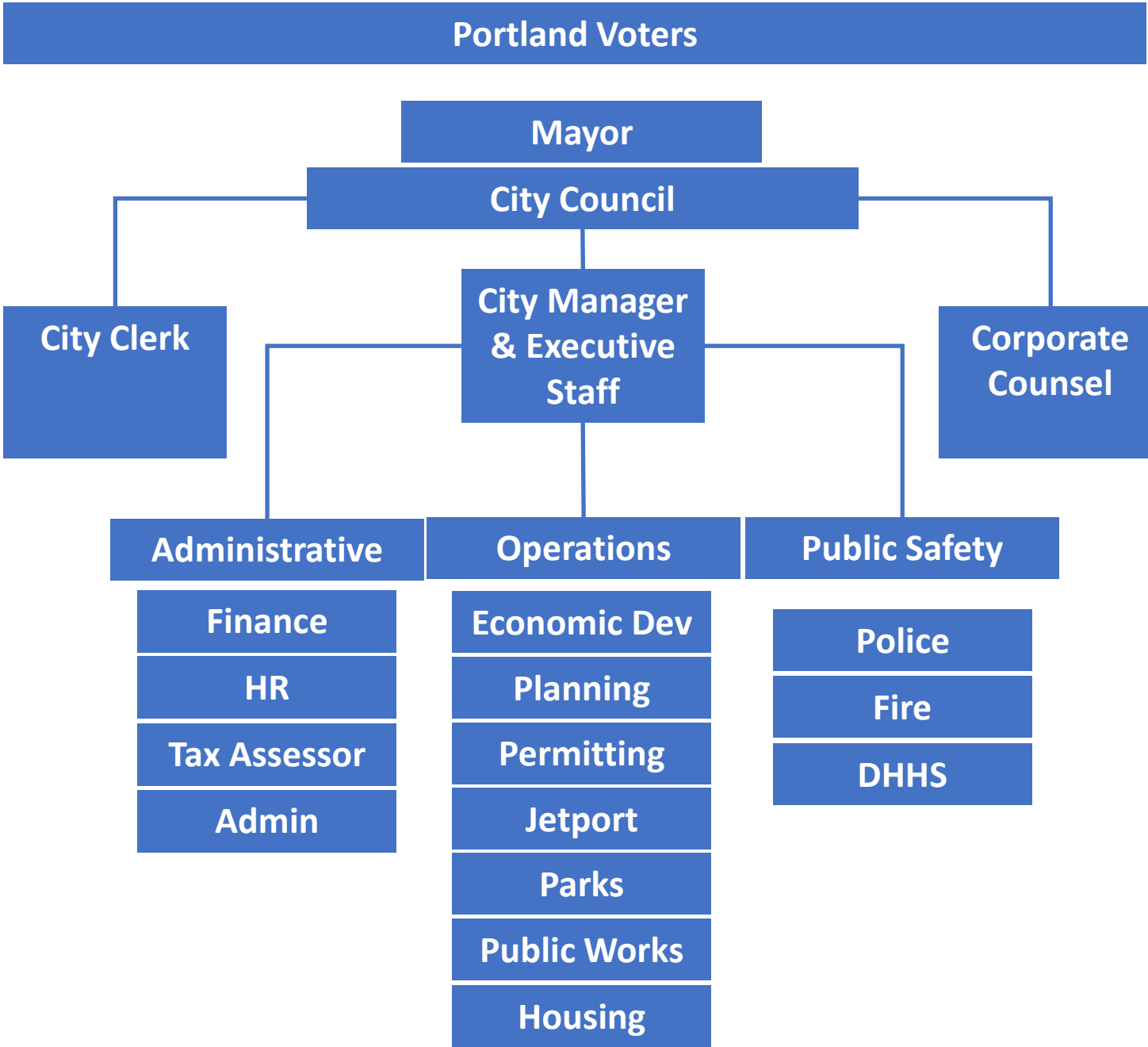
The cost for the increase to Councilor's salaries is being explored by the "Procedures committee" and will be priced out in that committee. This proposal should take into account that a future Council may want to provide an additional stipend for the Council President.

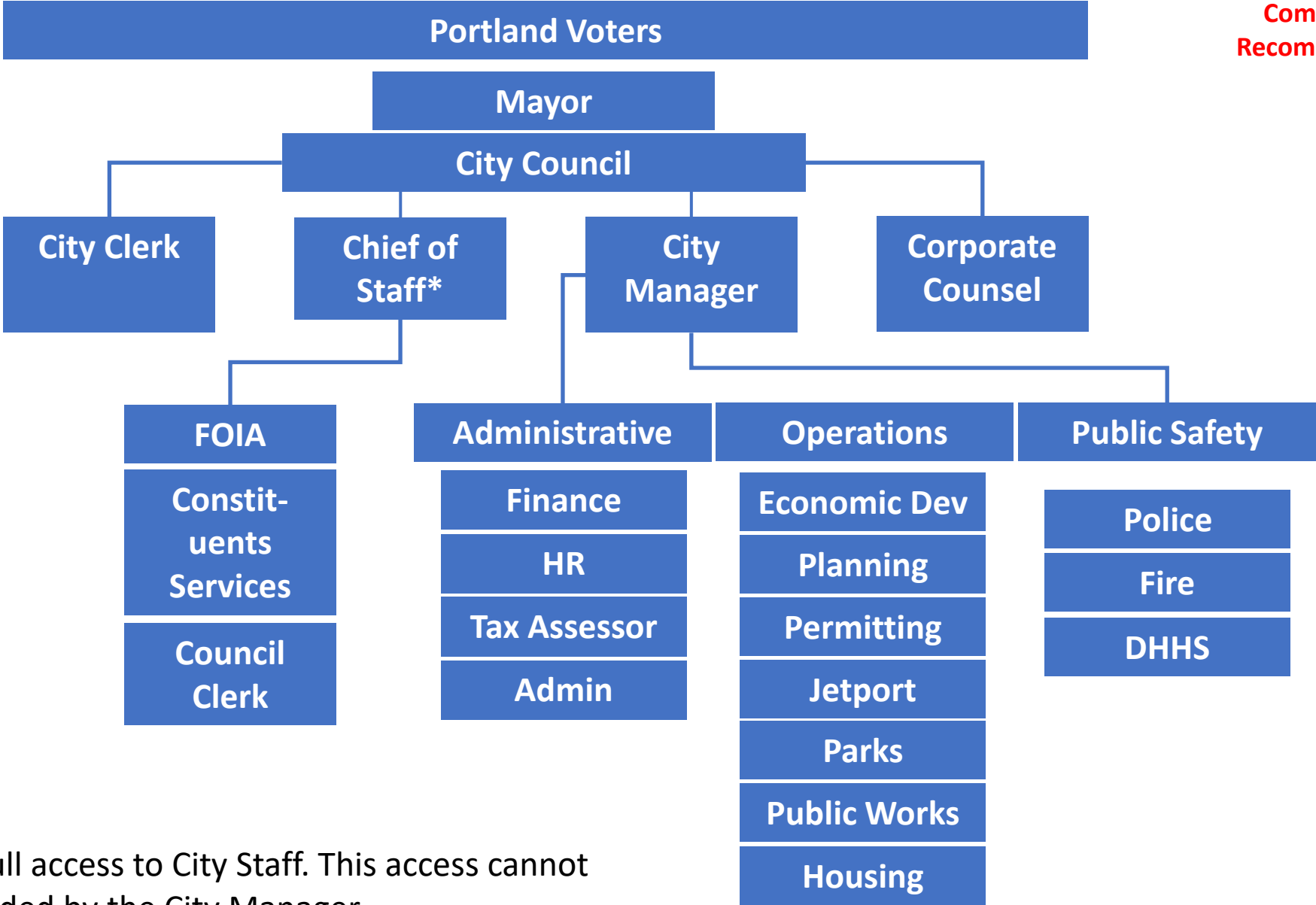
All that said, obviously if this passes, the annual city budgeting process will determine whether any particular provision should receive more or fewer resources.

<u>Forms of government for the largest city of every state</u>			
<u>State</u>	<u>Largest City</u>	<u>Population</u>	<u>Chief Executive</u>
<u>Vermont</u>	<u>Burlington</u>	42,899	Mayor
<u>West Virginia</u>	<u>Charleston</u>	47,215	Mayor
<u>Wyoming</u>	<u>Cheyenne</u>	63,957	Mayor
<u>Maine</u>	<u>Portland</u>	66,417	Manager
<u>Delaware</u>	<u>Wilmington</u>	70,635	Mayor
<u>New Hampshire</u>	<u>Manchester</u>	112,525	Mayor
<u>Montana</u>	<u>Billings</u>	116,827	Mayor
<u>North Dakota</u>	<u>Fargo</u>	124,844	Mayor
<u>South Carolina</u>	<u>Charleston</u>	136,208	Mayor
<u>Connecticut</u>	<u>Bridgeport</u>	144,900	Mayor
<u>Mississippi</u>	<u>Jackson</u>	164,422	Mayor
<u>Rhode Island</u>	<u>Providence</u>	179,335	Mayor
<u>South Dakota</u>	<u>Sioux Falls</u>	181,883	Mayor
<u>Arkansas</u>	<u>Little Rock</u>	197,881	Mayor
<u>Utah</u>	<u>Salt Lake City</u>	200,591	Mayor
<u>Alabama</u>	<u>Birmingham</u>	208,928	Mayor

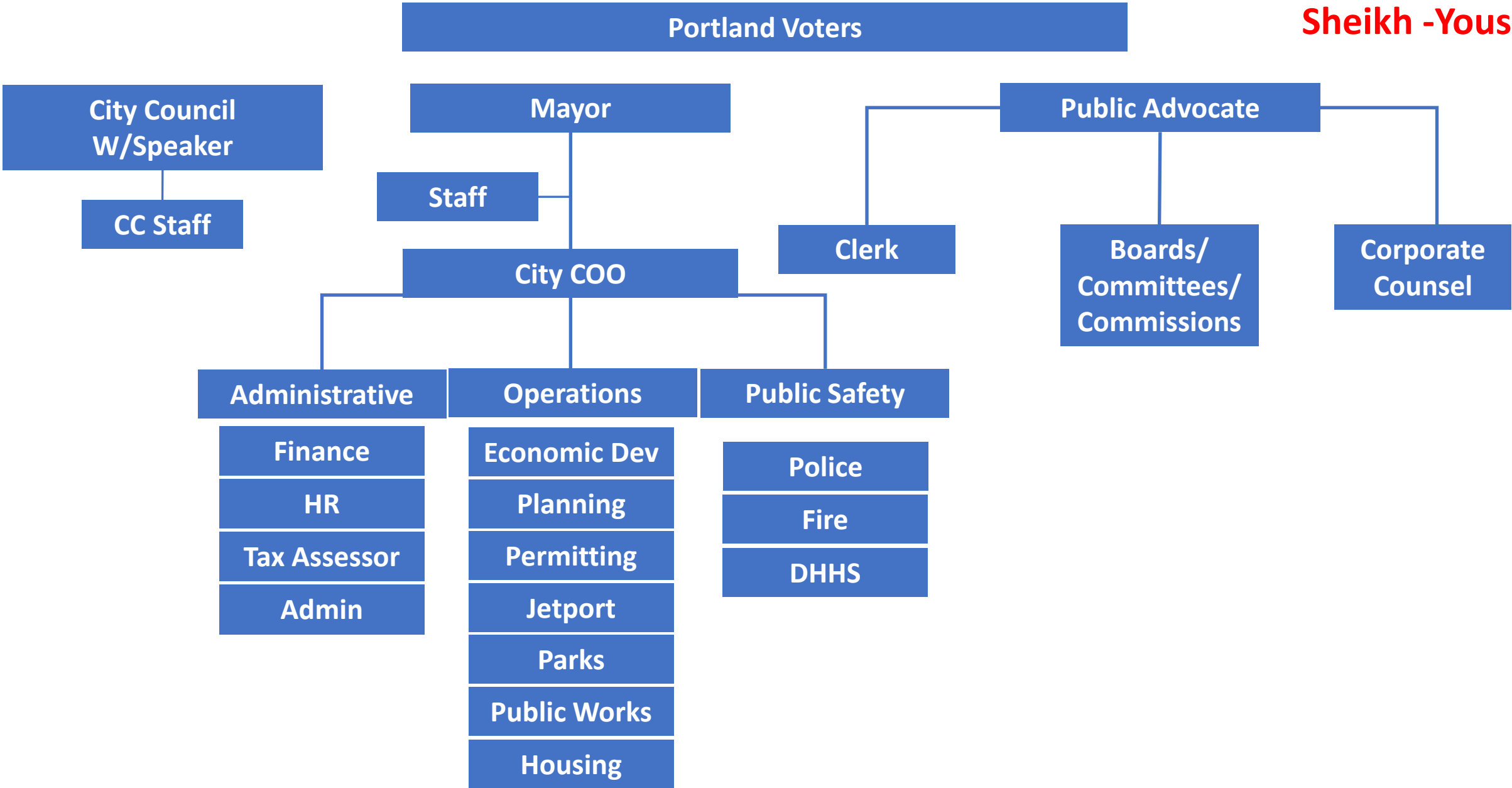
Iowa	Des Moines	216,853	Manager
Idaho	Boise	228,790	Mayor
New Jersey	Newark	282,090	Mayor
Alaska	Anchorage	291,538	Mayor
Hawaii	Honolulu	347,397	Mayor
Kansas	Wichita	389,225	Manager
Louisiana	New Orleans	399,187	Mayor
Minnesota	Minneapolis	427,728	Mayor
Virginia	Virginia Beach	450,189	Manager
Nebraska	Omaha	468,262	Mayor
Georgia	Atlanta	504,527	Mayor
Missouri	Kansas City	507,928	Mayor
New Mexico	Albuquerque	560,218	Mayor
Wisconsin	Milwaukee	592,025	Mayor
Maryland	Baltimore	599,827	Mayor
Kentucky	Louisville	620,578	Mayor
Nevada	Las Vegas	647,829	Manager
Oklahoma	Oklahoma City	649,021	Manager
Oregon	Portland	661,189	Commission
Michigan	Detroit	672,662	Mayor
Tennessee	Nashville	681,928	Mayor
Massachusetts	Boston	699,927	Mayor
District of Columbia	Washington, D.C.	702,455	Mayor
Colorado	Denver	716,492	Mayor
Washington	Seattle	749,627	Mayor

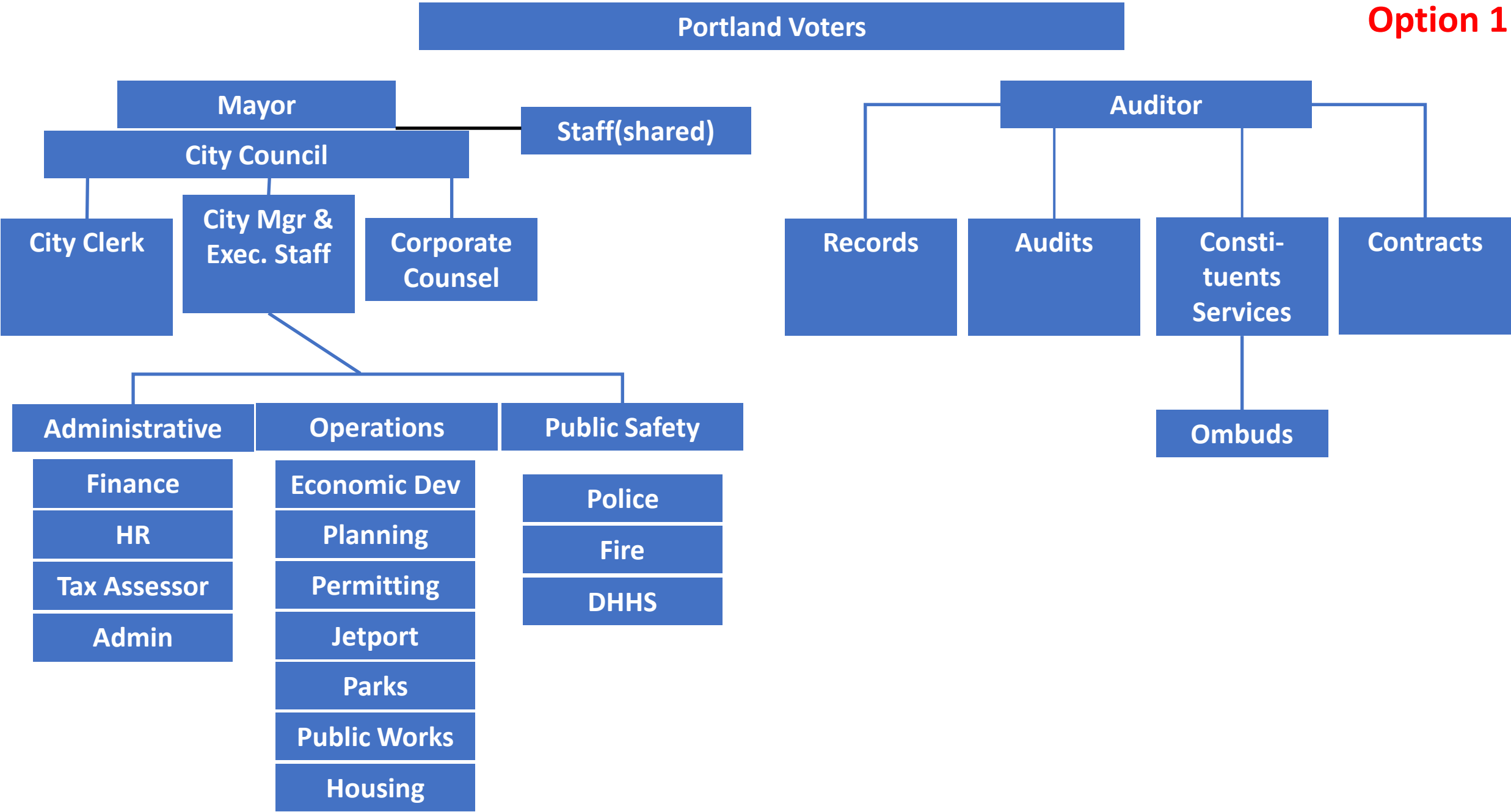
Indiana	Indianapolis	867,125	Mayor
North Carolina	Charlotte	881,819	Manager
Ohio	Columbus	895,477	Mayor
Florida	Jacksonville	903,889	Mayor
Pennsylvania	Philadelphia	1,587,828	Mayor
Arizona	Phoenix	1,660,272	Manager
Texas	Houston	2,325,502	Mayor
Illinois	Chicago	2,705,994	Mayor
California	Los Angeles	3,994,928	Mayor
New York	New York City	8,879,928	Mayor
Total Population		39,829,721	
Pop. Mayor Cities		34,206,907	
% in Mayor Cities		86%	
Almost 90% of Americans, in comparable cities to Portland, operate with a directly elected mayor.			

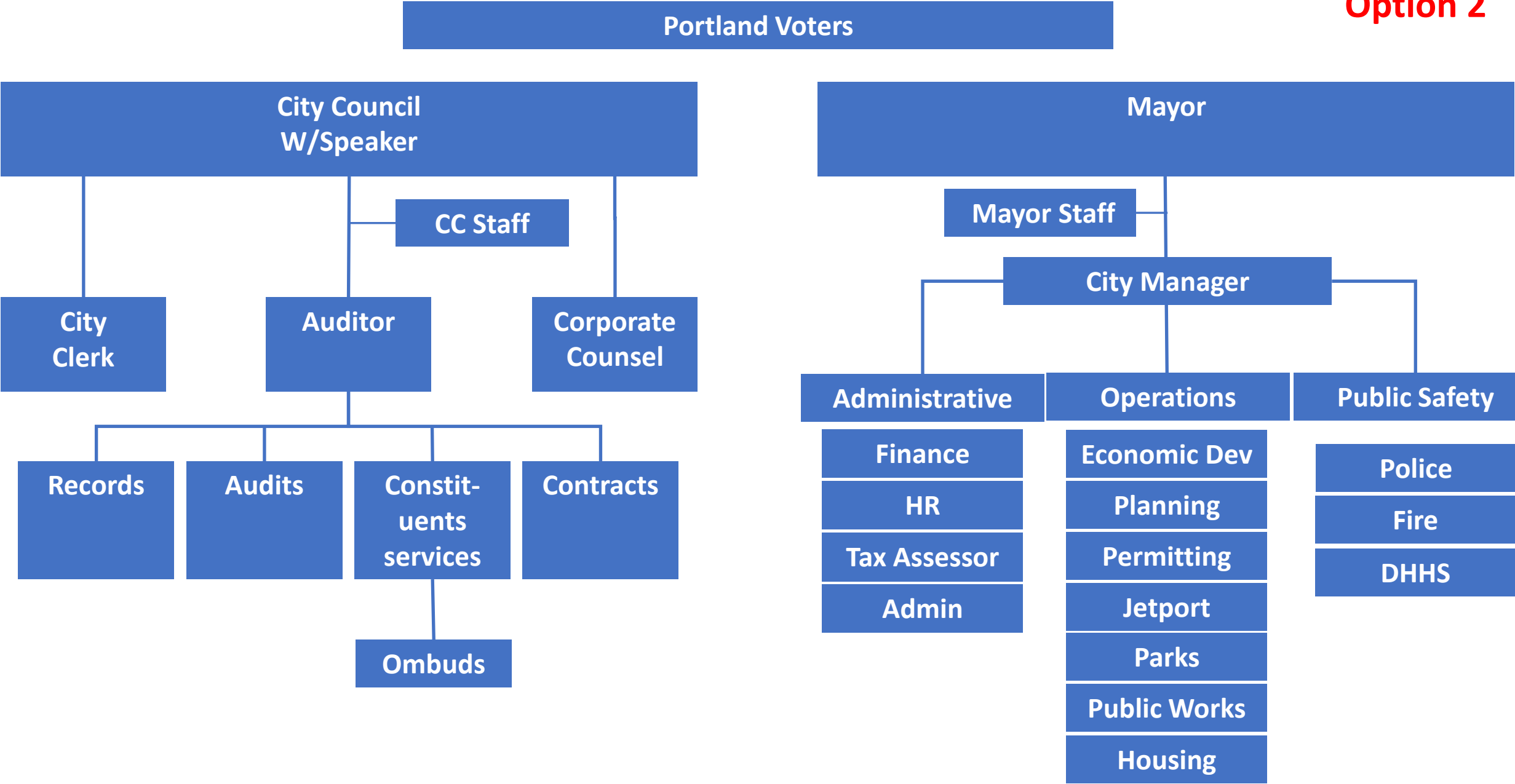


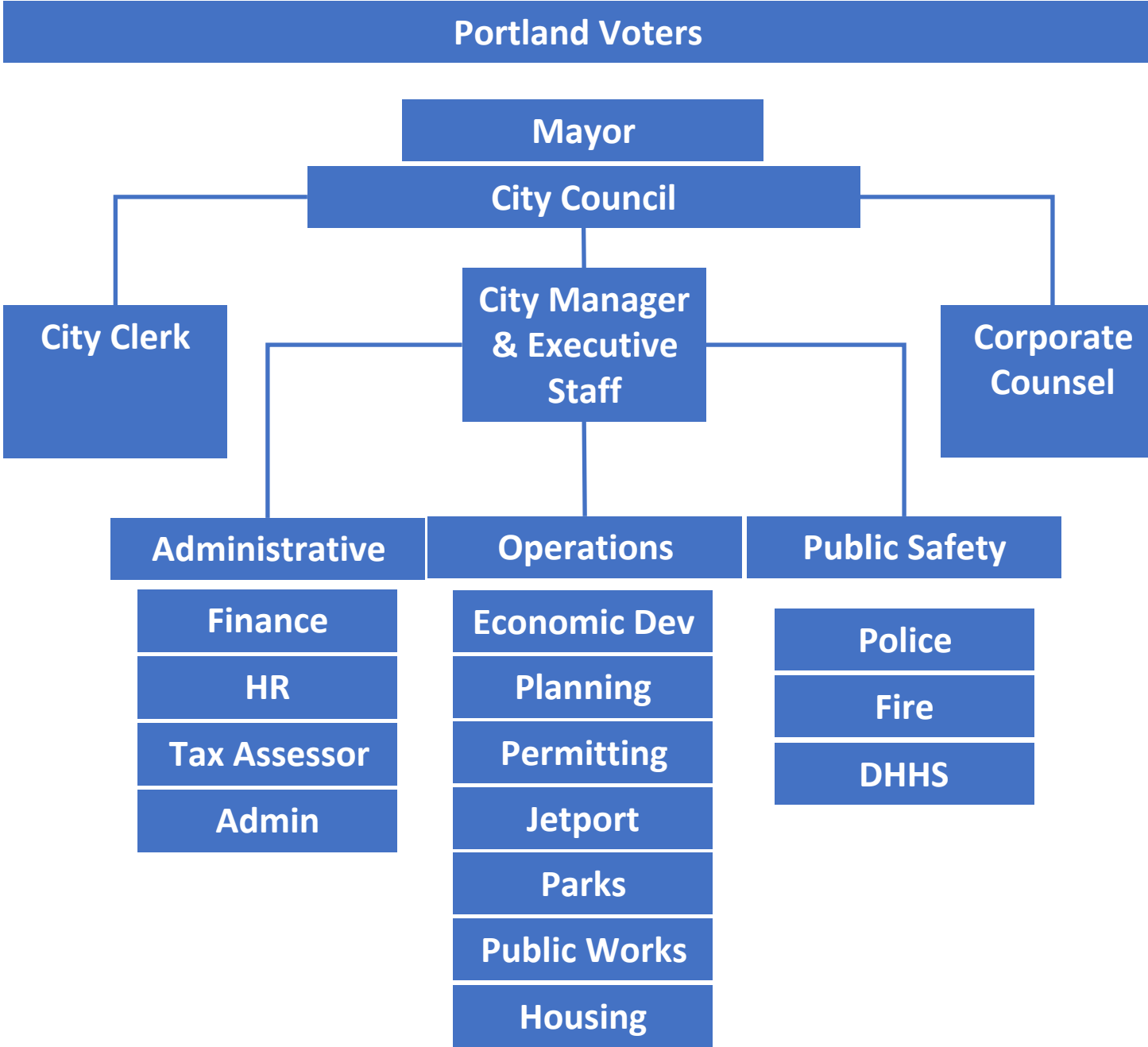


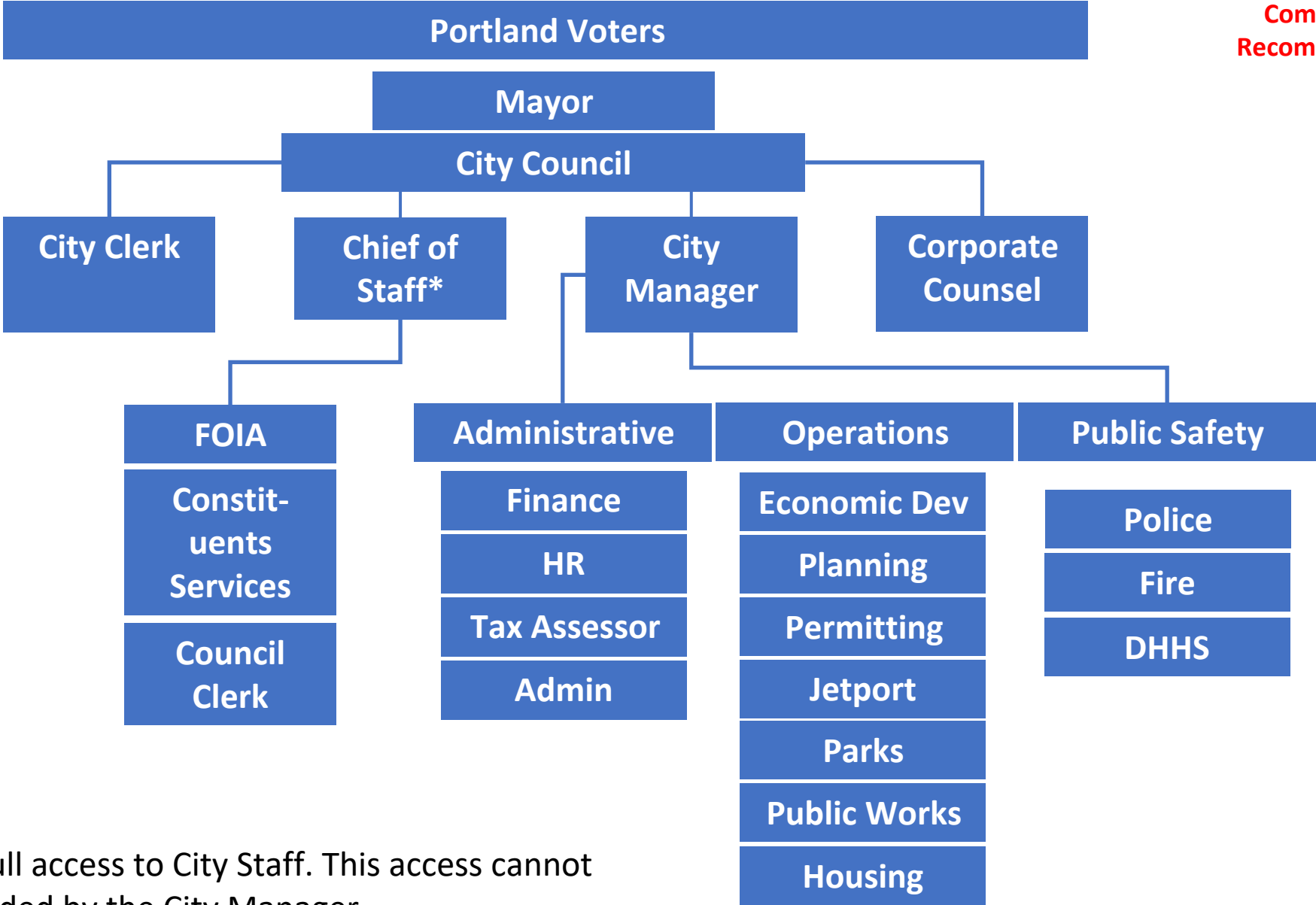
*Chief of Staff has full access to City Staff. This access cannot be curtailed or impeded by the City Manager.



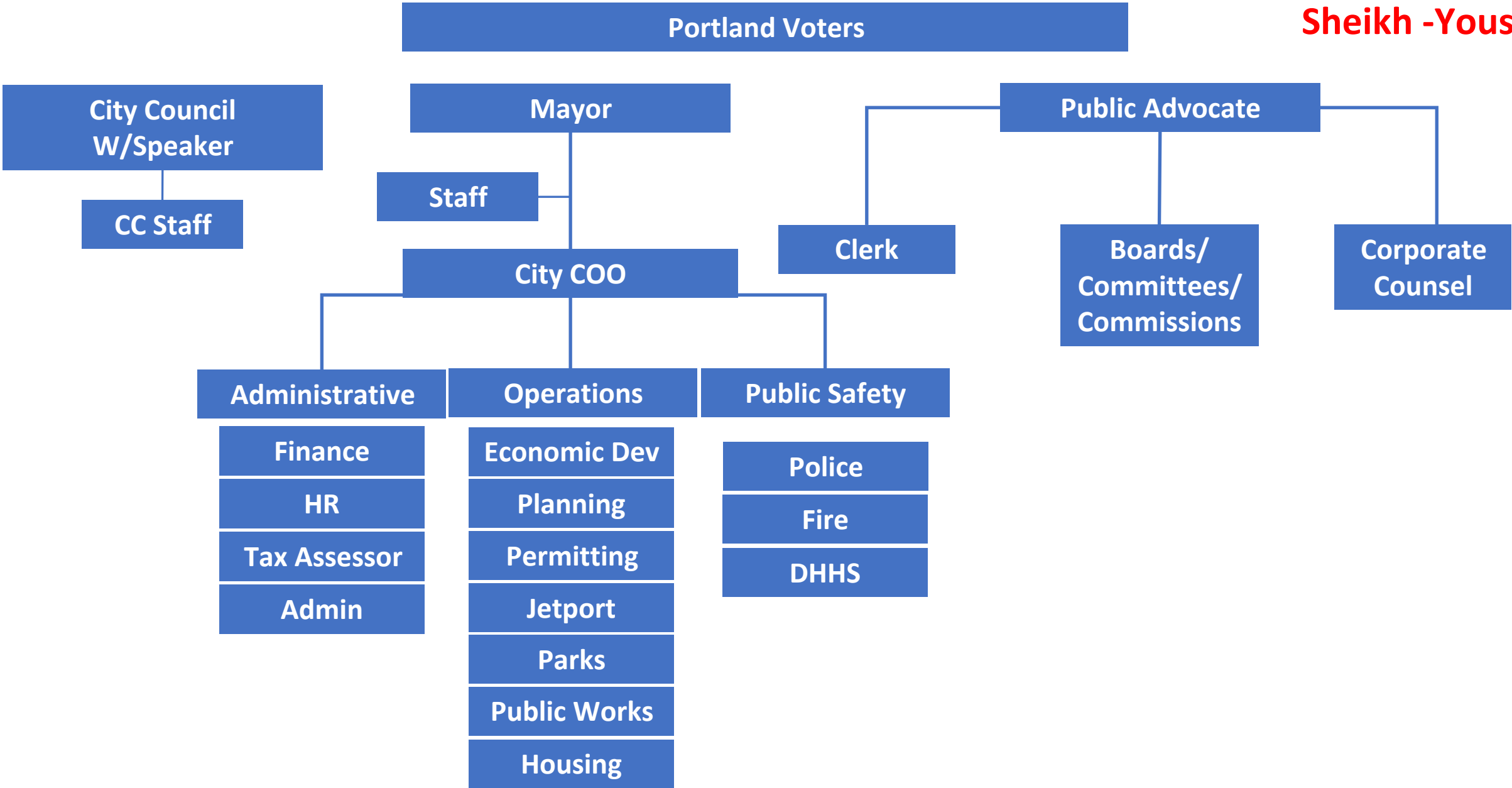


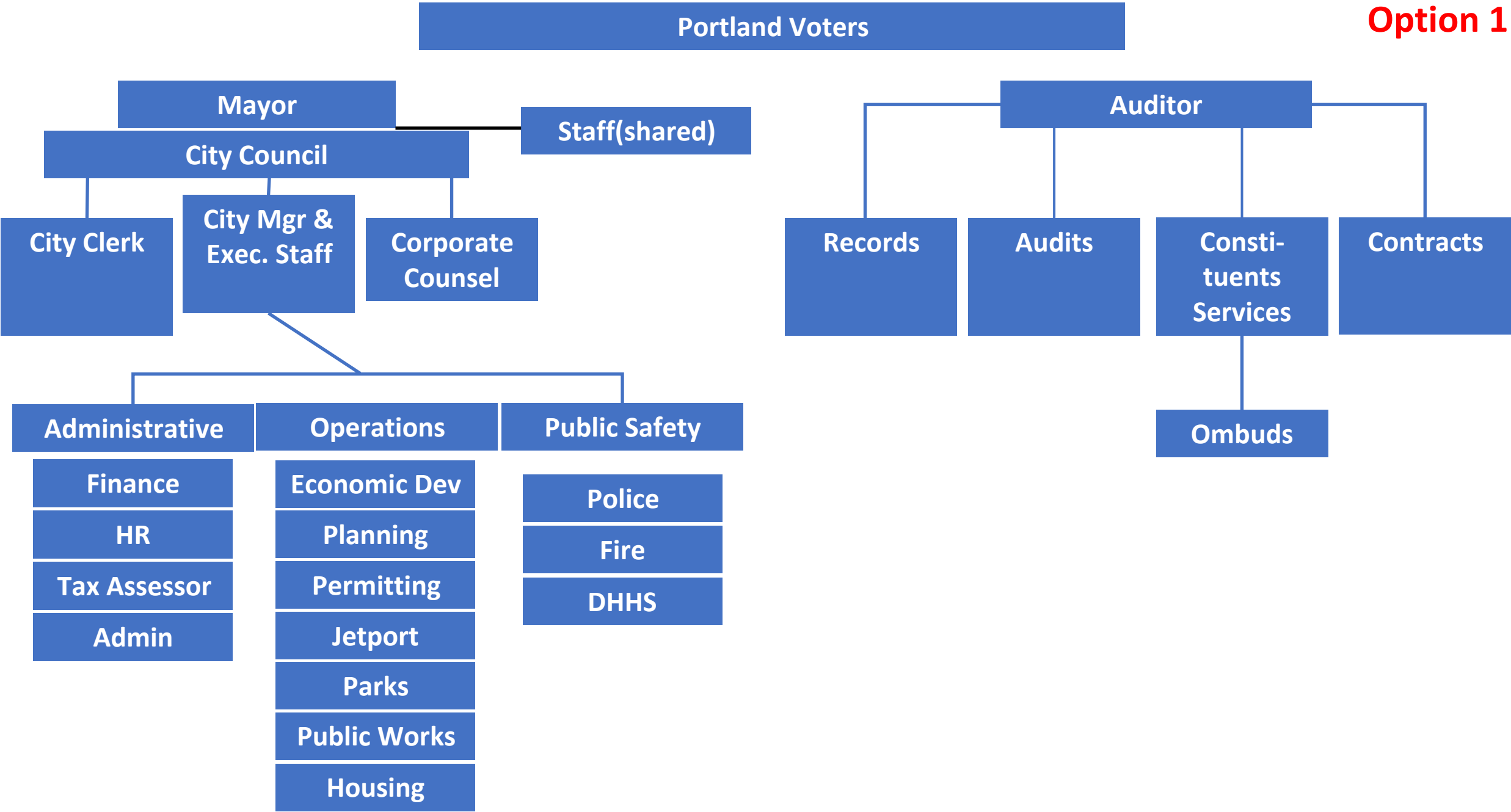


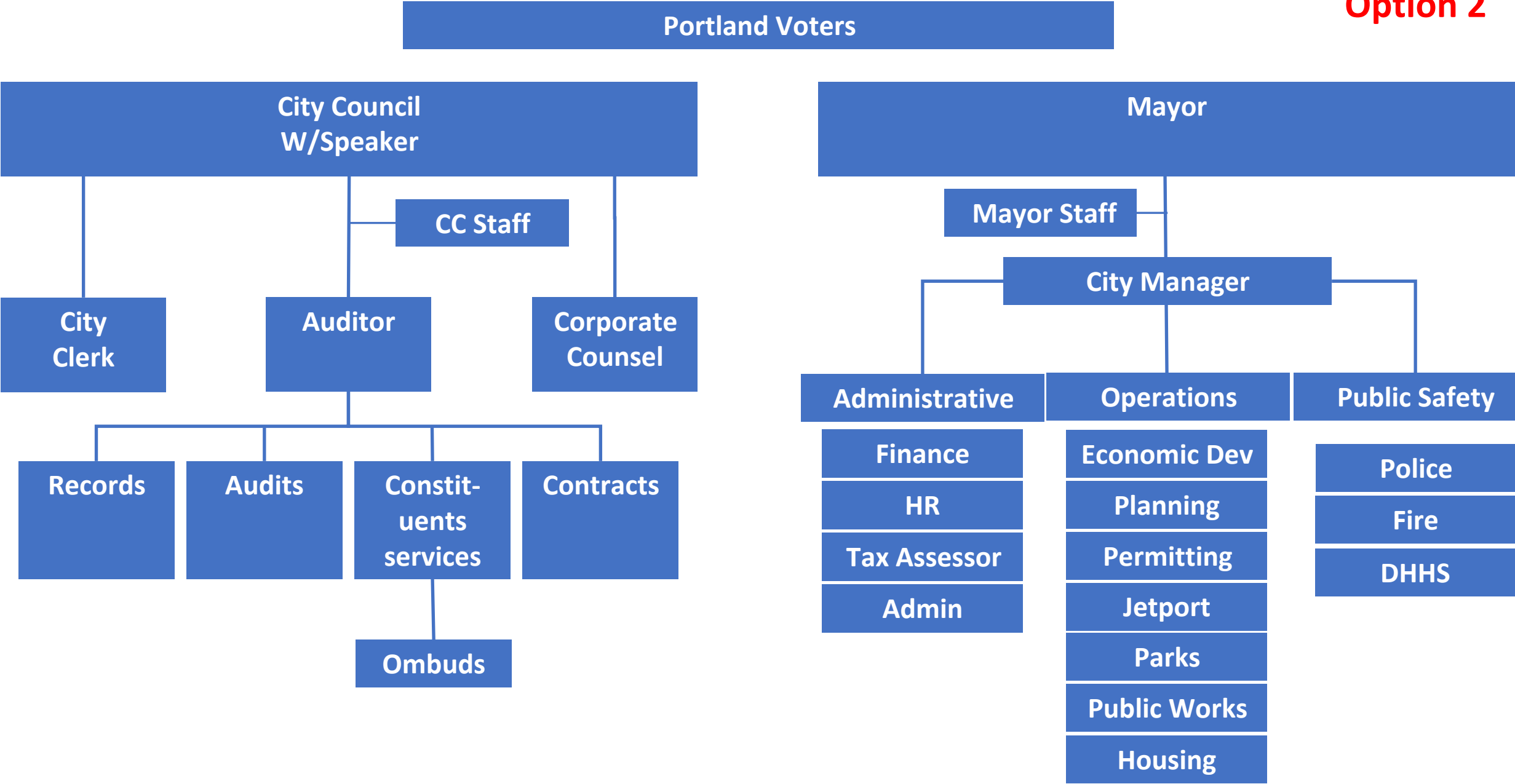




*Chief of Staff has full access to City Staff. This access cannot be curtailed or impeded by the City Manager.







Proportional Ranked Choice Voting Proposal
Sponsored by Commissioner Marpheen Chann (At-Large)

The purpose of this proposal is to address the issue of which ranked choice voting system is optimal in the event of an election where there are multiple candidates to be elected to one seat or constituency. Although elections for multi-winner seats do not occur often in the city of Portland, the recent Charter Commission election and the upcoming at-large school board elections, where multiple candidates are elected to one at-large constituency, are examples of when requiring a threshold of 50% is not best practice as suggested by ranked choice voting experts (see Clerk's email).

A proportion ranked choice system, rather than requiring one candidate to reach a winner-takes-all threshold of 50%, usually through multiple rounds and tabulations, puts in place a method that allows for multiple candidates to cross a lower threshold depending on the number of candidates. The result of PRCV is fairer representation in the case of multi-winner elections.

Proposal:

Section 3. Ranked choice voting; instant runoff tabulation.

...

(f) In the event of a multi-winner election, the City Clerk may administer a proportional ranked choice voting method similar to the guidelines above except that the threshold for a candidate to be elected shall be equal to the total number of valid votes cast in the election divided by the sum of the number one and the required number of winning candidates with respect to the election, rounded up to four decimal places.

Proportional Ranked Choice Voting Proposal
Sponsored by Commissioner Marpheen Chann (At-Large)

The purpose of this proposal is to address the issue of which ranked choice voting system is optimal in the event of an election where there are multiple candidates to be elected to one seat or constituency. Although elections for multi-winner seats do not occur often in the city of Portland, the recent Charter Commission election and the upcoming at-large school board elections, where multiple candidates are elected to one at-large constituency, are examples of when requiring a threshold of 50% is not best practice as suggested by ranked choice voting experts (see Clerk's email).

A proportion ranked choice system, rather than requiring one candidate to reach a winner-takes-all threshold of 50%, usually through multiple rounds and tabulations, puts in place a method that allows for multiple candidates to cross a lower threshold depending on the number of candidates. The result of PRCV is fairer representation in the case of multi-winner elections.

Proportional Ranked Choice Voting Proposal amended to read:

Section 3. Ranked choice voting; instant runoff tabulation.

...

(f) For elections conducted by ranked choice voting where more than one person is to be elected to a single office, the winners shall be determined by a proportional method of ranked choice voting. Such method shall provide for candidates to be elected on the basis of thresholds determined by the number of seats to be filled plus one, ballots to be counted in rounds, votes to be transferred from defeated candidates, and for votes, in fractions or in whole, in excess of the threshold to be transferred from elected candidates. The City Council shall by ordinance establish such a proportional ranked choice voting system.

Original Language Forwarded by Elections Committee:

Section 3. Ranked choice voting; instant runoff tabulation.

...

~~(f) In the event of a multi winner election, the City Clerk may administer a proportional ranked choice voting method similar to the guidelines above except that the threshold for a candidate to be elected shall be equal to the total number of valid votes cast in the election divided by the sum of the number one and the required number of winning candidates with respect to the election, rounded up to four decimal places.~~

Amended Language as it would appear in City Charter Article II, Section 3:

For the positions of mayor, city councilor, and school board member, 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, 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.

(f) For elections conducted by ranked choice voting where more than one person is to be elected to a single office, the winners shall be determined by a proportional method of ranked choice voting. Such method shall provide for candidates to be elected on the basis of thresholds determined by the number of seats to be filled plus one, ballots to be counted in rounds, votes to be transferred from defeated candidates, and for votes, in fractions or in whole, in excess of the threshold to be transferred from elected candidates. The City Council shall by ordinance establish such a proportional ranked choice voting system.