



City of Portland Charter Commission Agenda

Remote

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.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be available following the meeting in our Agenda Portal.

For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

1. Zoom Information

- a. This meeting will be held remotely pursuant to the Remote Meeting Policy adopted by the Charter Commission and as authorized under 1 M.R.S. 403-B because of the existence of an emergency or urgent issue that requires the committee to meet by remote methods. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be available following the meeting.
For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please use *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/89523424922?pwd=dTU5T2w4ZFBzUG0yek0yaFdNTkRxZz09>

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Or One tap mobile :

US: +13126266799,,89523424922#,,, *508751# or
+19292056099,,89523424922#,,, *508751#

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Webinar ID: 895 2342 4922

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International numbers available: <https://portlandmaine-gov.zoom.us/j/89523424922>

2. Call to Order (6:00-6:05)
3. Review and Approval of Minutes (6:05-6:10)
 - a. Draft minutes from the June 29, 2022 Charter Commission Meeting.
4. Amendments to Governance Proposal (6:10-8:00)
 - a. Description: Commissioners will vote on amendments to the governance proposal

Relevant document(s):

a. Make a finding that our revisions are "minor modifications" under 30-A MRS §2105(1)(A)

Suggested Motion from Attorney Katsiafikas:

Motion that the Commission: finds, consistent with State law and prior City practice and precedent, that the proposed Charter revision constitutes "minor modifications"; recommends that the present Charter continue in force with only minor modifications; and finds it practicable that these modifications be submitted to the voters in eight separate questions as set out by the Commission in the draft Final Report (or list the eight separate questions).
 - b. Change of Chief Operating Officer to Chief Administrator
 - c. Repeal part of Ethics Board's role in the Mayoral removal provision

Section 5. Censure, removal or recall of the mayor.

The mayor may be censured or removed from office by the city council for cause. The city council also may order a recall election for the mayor to be conducted pursuant to article V, section 4.

At any meeting of the city council, it shall be in order for any member thereof to give written notice, seconded in writing by a majority of at least all of the members of the city council, of the intention to move, at the next meeting thereof, occurring within not less than ten (10) days, a resolution that the mayor be censured or removed from office.

Such notice shall specify as particularly as possible the acts complained of, shall be entered by the city clerk in the minutes of the city council, and the clerk shall within two (2) days serve a copy thereof, upon the mayor at the mayor's residence and electronically, as well as mail an electronic copy to each of the members of the city council.

Notwithstanding the forgoing, complaints received by the city from any member of the public or by a councilor that the mayor is engaging or has engaged in illegal activity or violations of the ethics code shall first be sent to the ethics commission for review. The ethics commission shall review such complaint under its ordinance and procedures. A recommendation to censure or remove the mayor for illegal activity or violations of the ethics code shall specify as particularly as possible the illegal acts or the violations of ethics code, should be filed with the city clerk, who shall serve a copy of that recommendation upon the mayor at the mayor's residence and electronically, as well as mail an electronic copy to each of the members of city council.

At any hearing of the ethics commission or meeting of the city council in which the censure, removal, or recall of the mayor is the topic, the mayor shall have the right to be present, speak, be represented by counsel, and present a defense, and such proceedings shall be conducted in accordance with state and federal laws and constitutional requirements.

Any vote to censure, remove the mayor from office, or order a recall election shall require a vote of three-fourths (3/4) of the full city council.

d. Clarify the Mayor's power to sponsor policy

Amendment:

Add new art. I-A, section 3(k)

To submit ordinances, orders, and resolves for city council consideration pursuant to the same rules and procedures that pertain to councilor-sponsored ordinances, orders, and resolves.

e. Barowitz amendment

5. Approval of Final Report (8:10-9:30)

- a. Description: Commissioners will vote to submit their Final Report to the City Council by the Commission's July 11th deadline.

Relevant document(s):

- a. Legal support for Clean Elections reform
- b. Legal support for School Board Budget Autonomy reform
- c. Final Report

6. New Business

7. Adjourn