

The Charter Commission currently has three areas of agreements. All of these are supported by a significant majority of Commissioners.

## **Agreement #1: To shift the constituency of City Council from all at-large seats and to increase the size of City Council**

For more than 100 years, Portlanders have been electing City Councilors in an at-large system, meaning any eligible candidate in the city can run for office and be elected, regardless of their geographic location. Despite Portland's continued growth, especially within the last few decades, the number of seats on City Council has not kept up pace, depriving Portlanders of political representation fit for complex cities of our size and decreasing the sheer number of opportunities for diverse communities and interests to elect candidates of choice. Historically, candidates of choice for Black, Indigenous, and communities of color as well as other political minority groups have lacked access, power, and representation in Portland city hall. An accounting of the demographics of previous city commissioners shows that our elected representation was continually and disproportionately dominated by white, affluent, and male councilors despite a demographically diversifying city. Moreover, while city commissioners are elected at-large, city commissioners have resided in the Portland downtown area or west of the Willamette River in significantly higher proportions. These disparities are hard to ignore over the course of Portland's history and will remain persistent challenges without reforms of the underlying system.

### **Increased City Council Size**

The City of Portland's current five-member City Council has not grown for more than 100 years, despite a nearly three-fold increase in the city population. This is a major problem. Portlanders are underrepresented compared to cities of similar size in the United States. Increasing the size of City Council increases the chance that Portlanders can find someone on Council who represents their interests. Expanded Council capacity should also improve government's ability to respond to large, complex problems facing our community. Increasing the size to a greater number can ensure that more leaders are responding to Portland's diverse communities and devote more time to passing new policies. To keep up with comparable cities, Portland will need to consider drastically increasing the size of council. The Commission is considering several options for representation style which will primarily drive determination of the number of city councilors. Currently the range of potential council members being considered by most Commissioners is 9 to 15.

Proponents of keeping a smaller City Council argue that having fewer voices to make decisions keeps those decisions more streamlined, but the dysfunction and gridlock seen in our current form of government would suggest that fewer voices offer no inherent upside. Increasing the number of seats on City Council may give underrepresented communities more voice in the decision-making body and offer a chance to help alleviate dissatisfaction with city council, because more Portlanders are able to elect leaders that represents their interest and understands their experiences.

### **Geographic Representation**

The Commission agrees with the resounding calls from public input to consider shifting City Council from all at-large seats to a system that includes district-based geographic representation. The mayor, if it remains a chief executive position, would still be elected citywide. Both desire for guaranteed council representation from

more parts of the city and lowering financial barriers for candidates to compete were key considerations in favor of this reform.

Dividing Portland into districts so that elected leaders can represent geographic areas of the city instead of the entire city also helps ensure that East Portland residents, who have been continually shut out from representation and political attention in city hall despite making up a large part of the city population and landmass, have representation. The Commission believes that City Councilors should be easy to reach and having leaders represent certain parts of the city can make it easier for people to reach out when they have an issue. Having geographic based representation could also lend itself to more localized and neighborhood-based constituent services, and civic participation that is not dependent on Portlanders' ability to access downtown. Proponents of at-large elections have argued that an incumbent could have a stronghold on a district and prohibit newer voices from running for that seat, but our current system has given dominance to certain areas of the city (west side, inner NE and SE side) with the lion share of city councilors living in those neighborhoods.

Shifting the constituency of City Council from all at-large seats to district seats also addresses the problems associated with the significant financial barrier to a candidate running for office city wide. District-based elections will likely also reduce the cost of campaigning because candidates focus on a smaller constituency. Proponents for keeping at-large seats argue that it allows more people the flexibility to run, instead of being limited to run only in one geographic area. However, this is not how our history has played out, when only a handful of city councilors have been elected east of 82nd out of the dozens to have served. At best, at-large elections allow greater opportunities for financially resourced and politically well-connected candidates flexibility, and those individuals have been shown to be concentrated in particular areas of the city.

To achieve geographic representation, the Commission has looked at several alternatives including multi-member districts, single-member districts, and hybrid forms, where some council members represent districts, and some are elected at-large. No decision has been made, though most Commissioners favor the concept of multi-member districts. Multi-member districts for Portland would mean that more than one elected leader would represent each geographic area, and multiple city councilors would be elected out of the same pool of candidates. Multi-member districts acknowledge the simple truism that it's incredibly difficult for any one single elected individual to represent the diversity of viewpoints and experiences in a geographic district. Having multiple people allows for a greater chance that more viewpoints and experiences will be represented. Further exploration is underway around potential impacts districts may present on addressing issues that require city-wide coordination and planning, such as housing construction, zoning, public transportation and road networks, health and human services, and land-use planning to name a few.

Increasing opportunities for communities of color to elect their candidates of choice has also been a driving goal for the Commission. Portland does not have a geographic distribution of BIPOC residents that could allow for a drawing of a majority BIPOC district, nor does it have the level of income or age segregation and stratification that characterizes other large cities. The Commission continues to investigate reforms that might give smaller and historically under-represented communities (e.g., renters, young residents, communities of color, minor political parties) a greater ability to form coalitions to elect candidates of their choice.

The Commission is prioritizing multi-member districts because this system would help community members feel more connected to their elected leaders and increase accountability between communities and elected leaders. Because multiple leaders would represent one area of the city, this would also increase collaboration and coalition building for geographic issues between those leaders.

### **Districting and Redistricting Process**

To suppose geographic district representation also supposes a process to draw official district lines. A majority of the Commission supports a districting ballot measure that outlines a districting process but would not propose a formal map for adoption. The Commission would look to propose a clear set of criteria to inform the drawing of the lines and a fair community-involved process to draw and implement district lines and district-based elections. The ballot measure referral for districts should articulate clear sets of criteria to inform the drawing of the lines and outline a community-driven process for how the district map will be drawn, as well include a time period for initial districting and subsequent redistricting. The Commission needs to support an engagement process to inform what is described in the ballot measure.

## **Agreement #2: To shift from the commission form of government to a form of government in which City Councilors do not directly manage bureaus**

In our commission form of government, the mayor assigns each member of City Council a portfolio of bureaus to manage. When this form of government was created over 100 years ago, it allowed for cities and towns to be nimble in responding to urgent crises as the councilors could make quick decisions for their bureaus. Additionally, often individuals would run for a seat that reflected their professional technical area of expertise. In modern day Portland, however, this supposed benefit of the commission form of government is not being fulfilled. Additionally, the mayor assigns and reassigns bureaus and Portlanders do not know which bureaus a candidate for office will manage. The Commission continues to hear that this form of government creates siloes, avoids accountability, and lacks transparency. The commission form of government is not driving towards the outcomes that Portlanders have identified as their needs for clear, consistent delivery of services and responsiveness to pressing city issues.

### **Separation of Executive & Legislative Powers**

The unanimous consensus of the Commission is that City Council members should not directly manage bureaus, and that a form of government should be pursued that would ensure a separation of executive (administrative) and legislative (policy) functions in city government. Removing the role of Commissioner-in-Charge of bureaus from City Commissioners and shifting bureau management elsewhere increases City Council and Council staff capacity to focus on legislation, such as making laws, engaging constituents, and bringing community voices into decision-making. Expanded legislative-focus and capacity will improve the quality of laws passed and overall government responsiveness. Removing the bureau management role should also create a more unified voice in city operations, more collaborative and cohesive responses, more consistent supervision of bureaus, create checks and balances through the separation of powers, and increase trust when laws are made.

## **Proper Role of City Councilors & Chief Executive**

The Commission imagined the role of City Councilors when not directly managing bureaus to be traditionally legislative in nature, focusing on policymaking and oversight, with budget authority derived from the elected city council. By removing commissioners from overseeing bureaus, councilors will have additional capacity to focus on solving complex challenges and meeting with their constituency to draft policy and budgets. The imagined role of city councilors would include:

- Greater focus on policymaking (legislating)
- Increased constituent engagement, outreach and community relationship building
- Greater ability to link on-the-ground constituent engagement into effective policy reforms
- More collaboration on major initiatives and long-term strategic planning for the city
- Budgeting
- Oversight and accountability towards city bureaus and executive branch
- Intergovernmental relationship building, collaboration and communication
- Taking up issues that face their districts

The form that the chief executive will take it yet to be decided, but the desired function is clear: a single office in charge of coordinating and overseeing the city's civil service, its bureaus, programs, and resources to deliver a working government and implement city policy passed by the city council. The executive must operate within the bounds of policies set by the council, whether that is a mayor, a chief administrator, a managing director or city manager, or some combination of executive positions. The council has ultimate authority to make laws, set policies, determine annual budgets, and provide proper oversight on city programs and agencies. Several key factors being considered going forward are systems that have streamlined accountability, and numerous pathways for community members to shape city-wide strategies and budgeting to address public needs. The Commission is also examining the consequences of having a mayor that is or is not a member of City Council and when they would vote on issues brought to city council. In connection, the Commission is also exploring the question of appointment authority related to the power of appointing or removing bureau directors and other administrator leaders, and the process involved to provide political accountability.

## **Agreement #3: To shift to a form of voting that allows a decision in one election, eliminates the primary, and adopts a voting method that captures people's preferences**

Currently in our nonpartisan City Council elections, several people can run for one at-large seat ahead of the May primary. If a candidate for that seat wins over 50% of the vote, then they win the race outright. If no one makes it over that threshold, then the top two candidates go to a runoff in the November general election. Proponents of keeping the primary argue that it allows for a process of elimination that can dwindle the number of candidates down to two, instead of having three or more candidates to decide from in the general

election. The Commission favors methods that elect candidates when the most people are likely to be voting. There are fundamental, structural differences between the May and November election turnout and composition of voters.

In our election system currently, no matter how many candidates are on your ballot, you only select one option, and a candidate can win no matter how small their vote share ends up. Simple and familiar as it may be, what if voters had expanded options to offer opinions on multiple candidates of their choice? What would we learn from the Portland electorate if we retained information about their top preferences, their second preferences, etc., and what type of candidates they liked more than others?

### **Alternative Form of Voting (Ballot Style)**

A strong majority of Charter Commissioners have interest in adopting an alternative voting method to replace our current form of voting where voters are asked to choose one candidate, and the candidate who receives the most votes, even if they receive well short of a majority of the vote (50% of the vote plus one), is the sole person elected. There are many elements to voting, chief among them the ballot style, or how the ballot appears to voters and how many votes they are permitted to cast. Of the many alternative forms of voting explored, two key forms emerged as favorites on the Commission: ranked choice voting (RCV) in which voters rank candidates by preference on their ballots and Score Then Automatic Runoff (STAR) in which voters rate candidates on a scale of zero to five, with zero indicating no support and five indicating maximum support.

Key benefits from updating and modernizing our form of voting is to allow for voters to have a fuller accounting of their preferences for the election shown on ballot and allow them to vote their conscience and worry less about strategic voting. Portlanders today are asked to strategically calculate their vote to support a candidate they think can win the election - not necessarily for their preferred candidate in the race - or risk not having their vote impact the election at all. Voters are asked to privately and potentially compromise their vote. Instead, we could elect a city council that more accurately represents the diversity of viewpoints in Portland who would sort out compromise through governing. Adopting an alternative voting method could ensure a city council where more Portlanders are represented by someone from their top vote preferences.

The Commission felt that both RCV and STAR had their appeal and would help achieve desired outcomes, with a majority of Charter Commissioners preferring RCV. STAR voting is an innovative Oregon-invented ballot style but has not ever been implemented in any city or publicly elected body. RCV retains a more familiar ballot style to what voters are already accustomed to and has a track record of successful and recent implementation in other large U.S. cities, states, and counties.

### **Shifting to One November Election, Eliminating May Primary Election**

The Commission has a goal of achieving a participatory and growing democracy with more voices being heard in elections. When more voices weigh in (in this case with their vote) on decisions that affect all Portlanders, election turnout is higher, and Portlanders feel their choice mattered. Eliminating May primaries ensures that our city council is elected during the November elections which typically has the highest average voter turnout. This will better ensure more Portlanders help elect their city leaders. Under our current two-stage election system, a different (May) electorate often sets up candidate choices for another (November) electorate -- an electorate whose turnout more consistently mirrors the demographics of the city.

Election turnout results from this century consistently show that as little as one-quarter to one-half as many Portland voters turn out in May as they do in November. Of the past 15 city council races (not including mayoral races), only five went on to the November election. This means that a large chunk of voters in Portland didn't get a real say in who their elected city council member was because there wasn't an election in November for them to consider. Although Portland City Council races are nonpartisan, they occur within the context of larger statewide May partisan primary elections, whose turnout is driven largely by the attraction of closed primary contests (where only registered party members can vote in their respective primaries), which skews the makeup of the electorate in Portland.

The opportunities to see different types of candidates run for office could be tremendous. This reform serves both candidates and their constituents. Moving to a single election would reduce financial barriers for candidates and widens the pool of candidates who would even consider running by reducing campaign timelines and costs of a campaigns. The cost of campaigning places additional burdens on candidates without personal wealth or connections to large financial backers. Campaigns would not start as early (Portland City Council candidates now regularly declare more than year out from November election), City Councilors running for re-election would spend fewer total days campaigning for votes and fundraising for dollars, and hopefully more days focused solely on enacting policies.

## WHAT'S NEXT?

The Charter Commission will continue making the case for our phase one reforms to Portlanders, reforms that have been carefully measured and researched over the last eight months of analysis and continue to be analyzed. The Commission will spend the next month and a half hearing from the public and key stakeholders and updating progress reports based on continued discussion and investigation into reform options, with an emphasis on finding a cohesive package of reforms that fit together and makes sense for Portland in 2022 and beyond. The goal is to conclude March 2022 with a preliminary vote on which recommendations to send for charter amendment drafting and financial analysis. The Commission will articulate the intent of any recommendations and let the legal and fiscal analysis show what is legally possible for the November 2022 ballot under the "single-subject" ballot measure principle.

The potential for phase two research is also planned during Spring 2022. Some potential topics for discussion include the role of the city charter as it relates to city agencies like Prosper Portland, the Auditor's Office, proposed reforms brought forward by the city bureaus themselves, changes needed for future charter review processes, an independent campaign finance commission, how the city charter relates to city actions around items like climate justice, transparency, participatory budgeting, and expanding what it means to be an eligible voter to include non-citizen residents have garnered interest.