

Charter Commission Meeting

December 13, 2021



Charter Commission

Agenda

Section

Time

Welcome & Commission Business

5 min

Verbal Public Comment

45 min

Community Engagement Update

5 min

Issue Committee Progress Reports

60 min

- Form of government (20 mins)
- City Council elections (20 mins)
- Discussion

Next Steps & Closing

5 min

CHARTER REVIEW TIMELINE

We are here



**Proposals for
feedback**



**Ballot
Referral**



Election



	Aug 2021	Sept 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	June 2022	July 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022
	Monthly Work Sessions with Public Comment																
Phase I Issues	Evaluate and synthesize data and information Host community listening sessions					Determine charter amendment proposals		Collect feedback on proposals through public hearings and revise			Report	Educate Portlanders on proposed charter amendments				Election	
Phase II Issues						Determine phase II priority issues		Evaluate and synthesize data and information Host Listening Sessions			Determine proposed charter amendments		Collect feedback on proposals through public hearings and revise			Phase II Report	

Phase II Public Comments

Top Public Comment Categories to date *	# of overall comments	% of overall comments
Houselessness: Comments about people experiencing houselessness, camps, pods, and unstable housing	116	15
Climate justice: Comments related to climate change, climate crisis, climate action and environmental justice	84	11
Safety: Comments related to overall public safety (ex: crime, guns, violence, fear)	49	7
Police: Comments about police and police reform	37	5
Accountability: Comments related to lack of accountability in government	28	4

* Excluding Form of Government & City Council Elections comments

Phase I Community Engagements Projections

ENGAGEMENTS**	TO DATE	PHASE I PROJECTIONS
# of public comments received	699	1,765
# of targeted events (including events with our community partners)	19 events, 359 attendees	36 events, 500 attendees
Stakeholder Letter Engagement	255	500
Number of people receiving email updates	741	1,150

** Example of engagements being tracked, not an exhaustive list of all engagements

Commissioners & Staff Engagements

83 ORGANIZATIONAL ENGAGEMENTS TO DATE:	
19 – Culturally-specific & multi-cultural organizations	8 – Public: City of Portland
12 – Civic & democracy focused organizations	4 – Academic & Think Tanks
13 – Media	4 – Public: Other
16 – Place-based organizations	4 – Advocacy
8 – Business & Professional Associations	

Community Listening Sessions – preview of January sessions

- Opportunity to learn about the charter review process, the options of reform for our government and elections, and join small breakout rooms
- The Coalition of Communities of Color and it's 12-member collaborative will be also be hosting sessions

Portland Charter Commission

Virtual Community Listening Sessions!



SAT
Jan. 11th
6-8 p.m.

OR

TUES
Jan. 22nd
12-2 p.m.

Questions? CharterReview@portlandoregon.gov or call 503-865-6818

Comisión de la Constitución de Portland

Sesiones Comunitarias Virtuales



MARTES
Enero 11 de
6-8 p.m.

O

SABADO
Enero 22 de
12-2 p.m.

¿Preguntas? CharterReview@portlandoregon.gov o 503-865-6818

Form of Government Committee Progress Report

December 13, 2021

Desired Outcomes for Form of Government

1. Participatory and growing democracy
 - *More voices being heard in elections*
2. Accessible and transparent government
 - *Councilors who are easy to reach*
3. Reflective government
 - *Councilors who look like the community they represent*
4. Responsive government
 - *Councilors who understand your community needs*
5. Accountable government
 - *Councilors who answer to the people*
6. Trustworthy government
 - *Councilors who safeguard democracy*

Research Questions

- **Legislative Authority:** Who should have the power to make the laws?
- **Executive Authority:** Who should have power to carry out the laws?
- **Role of Mayor:**
 - Should the Mayor be a member of City Council?
 - Should the Mayor vote with Council?
 - Should the Mayor have veto authority?
- **Appointment Authority**
 - Who should be able to appoint and remove a CAO or City Manager?
 - Who should be able to appoint and remove bureau directors?
- **Policy:** Who should be responsible for developing policy?
- **Budget:** Who should be responsible for preparing the budget?

Agreement #1: Increase the Size of City Council

Relevant Outcomes: A participatory and growing democracy; a reflective government; and a responsive government.

Reason: Brings more voices and people into decision-making by increasing both the number of people with power to make the laws and the overall capacity of City Council.

Reason: Increases interactions between City Council and constituents and clarifies pathways from community voice to government action.

Reason: Improves the quality of laws and government responsiveness including more able to address long-term complex problems and respond in a timely manner.

Recommendation was sent to the City Council Elections Committee for consideration.

Agreement #2: Remove the role of Commissioner-in-Charge of bureaus from City Commissioners and shift the management authority elsewhere

Relevant Outcomes: A responsive government; a reflective government; an accessible and transparent government; an accountable government; a trustworthy government.

Reason: Increases City Council capacity to make the laws, engage constituents, and bring constituents voices into decision-making.

Reason: Improves the quality of laws and government responses.

Reason: Creates a more unified voice in city operations, more collaborative and cohesive responses, and better alignment of priorities.

Reason: Provides for more consistent supervision and control of bureaus.

Reason: Creates checks and balances through the separation of powers.

Reason: Increases trust when laws are made.

Alternatives to Commissioners managing bureaus

Mayor-Council

- Mayor is the chief executive of the city and can be held accountable for policy and budget implementation.
- Councilors are assigned to Committees to work on policy and budget.
- Chief Administrative Officer, who reports to Mayor, oversees bureaus.
- Numerous pathways for communities to shape city-wide strategies and budgeting to address public needs

Council-Manager

- City Council can be held accountable for setting policy while a city manager implements the policy
- City Manager oversees bureaus
- City Manager reports to City Council and Mayor
- Separation between legislative and executive functions.

Analysis of Alternatives

Mayor-Council

- Council able to engage community/districts and develop responsive policies and budget. (*Increase capacity for policy making*)
- Public has increased access to Council and pathways for addressing issues (*Quality laws/increased trust*)
- Mayor is the one responsible for operations (Improves government response)

Council-Manager

- All of Council can focus on community engagement and policy (*Increase capacity for policy making*)
- Responsiveness to issues, and increased access to Mayor and Council (*Creates a more unified voice in city operations*)
- City Manager is accountable to City Council in creating the strategy and carrying out Council priorities (*Provides for more consistent supervision and control of bureaus*)

Areas of Agreement between the Mayor-Council form and Council-Manager form

- Under both forms of government, the council has the ultimate authority. It makes laws, sets policies and determines annual budgets.
- In both models, the executive must operate within the bounds of policies set by council, whether that is a mayor or city manager.
- Functionally speaking, a chief administrator or managing director in a mayor-council form of government may sound the same as a city manager in a council-manager form of government.

Agreement #3: Clearly (re)define the roles and responsibilities of the Mayor and City Council

Relevant Outcomes: An accessible and transparent government; a responsive government; an accountable government.

Reason: Portlanders know who is responsible for what and their confidence in our government improves.

Reason: There are clear roles and responsibilities and clear pathways from community voice to government action.

Reason: Mayor and Council roles make gridlock less likely, and government is better able to respond and respond in a timely manner.

Reason: Government is better able to address complex long-term issues and there is more consistent supervision and manage of bureaus.

Reason: Enables bureaus to function more efficiently, not duplicate work, and have more consistent supervision. Promote trust in bureau director appointments.

Reason: There are checks and balances on law-making.

Reason: There is a match between authority and responsibility.

Alternative roles and responsibilities for Mayor and City Council

Mayor-Council

Mayor

- Mayor has executive authority and oversight over CAO defined by policy and budget approved by the City Council
- Mayor prepares 1st draft budget based on needs and issues from Bureaus
- Mayor serves as member of Council and participates in committees

Council

- Councilors sit on committees to develop policy agenda and budgets through committees
- Councilors amend and vote on Mayor's 1st draft budget
- Council can create issue-based committees

Council-Manager

Manager

- The City Manager has the executive power for implementation and is overseen by City Council and Mayor
- Drafts budget with Mayor
- hires and fires bureau directors, coordinates City-wide policies and initiatives and reports back to Council.

Mayor

- The Mayor and City Council hires and oversees the City Manager
- Sets policy agenda and budget
- Could have veto power

Council

- Constituents can influence Council members, submit public comment, and lobby when they want to change how the City Manager operates

Analysis of Alternatives

Mayor-Council

Mayor

- elected and is accountable to the voters for implementation of policy agendas and budgets.
- CAO is accessible and accountable to Mayor and Council

Council

- Councilors through *district representation* provide space for community voice to action
- Committees focused on short-term and long-term policy solutions by remove Councilors from day-to-day affairs
- Identify areas of duplicate work through committees

Council-Manager

City Manager

- A professional and *non-elected* official
- Accountable to Mayor and approved with simple majority of Council

Mayor

- Limited executive authority over implementation
- Voice to action through City Manager Review Committee appointed by the Mayor to review performance of the City Manager

Council

- There is a concern how the City Council can provide effective oversight of the City Manager

Preferred alternatives for accountable and responsive implementation

Mayor-Council

- Mayor creates 1st budget with CAO
- Council amends and approves budget through committee assignments based on *district* input
- Mayor votes with Council
- The Mayor directs CAO in carrying out the policy agenda and budget and is accountable to voters

Council-Manager

- City Manager nominated by Mayor and approved by Council
- The City Manager carries out the policies and budget and programs approved by a simple majority of Council.
- The City Manager oversees all the bureaus and reports to Mayor and Council

What Portlanders are saying about form of government

Overview of numbers:

- 387 public comments on Form of Government
- 292 listening session attendees
- 40+ organizations participating
- Youngest person to testify is 12 years old

What Portlanders are saying about form of government

Listening Session themes:

- Portlanders want change
- Portlanders want to be heard by city hall
- Portlanders want a government that creates positive movement on issues that matter to us

CCC Partner session themes:

- Portlanders experience a lack of info and knowledge about the City, its services, bureaus and process. This includes barriers to accessibility, lack of outreach and communication from the city.
- City government does not adequately or equitably respond to the community's needs or concerns. This includes the City is not taking sufficient action to meet these needs; Community voices are not being meaningfully centered in city decision-making processes.

What Portlanders are recommending

Lessons from Community partner sessions :

- Reduce barriers to access
- Increase community outreach and ensure outreach meets the community where they are
- Increase transparency of what is being done and how decisions are made
- Ensure decision-making processes take into account transportation, language, and scheduling barriers
- Appointing of a City Manager. This continues to be a request of many, but what is meant is left to interpretation.

Lessons from various sessions:

- Modernize Form of Government
- Clear roles for Commissioners and Mayor
- Strong preference for a form of government in which City Commissioners do not directly manage bureaus
- Increase the size of City Council
- Bring equity to city services and spending
- End waste and red tape
- Interest in participatory budgeting
- More community say in zoning, housing,

Upcoming Community Survey Questions

- Who would you prefer to help you when you reach out to the city government for assistance?
- What should the Mayor be responsible for?
- Who should be responsible for managing the city's daily services?

City Council Elections Committee Progress Report

December 13, 2021

Desired Outcomes for City Council Elections

1. More voices being heard in elections
 - *Participatory and growing democracy*
2. Councilors who are easy to reach
 - *Accessible and transparent government*
3. Councilors who look like the community they represent
 - *Reflective government*
4. Councilors who understand your community needs
 - *Responsive government*
5. Councilors who answer to the people
 - *Accountable government*
6. Councilors who safeguard democracy
 - *Trustworthy government*

Research Questions

Elected offices: Which offices should be elected by the people?

Council constituency: What should the constituency of Councilors be? Examples include at-large, district, or a mixture of at-large and district. If the Committee recommends districts, how should they be drawn.

Council size: How many City Councilors should we have to fulfill the work of Portland?

Form of voting: What form of voting should we use to elect city elected offices? Should our system retain a winner-take-all/loser has none approach?

Timing of elections: Should we have a two-round system that includes a primary and a general election? Should local elections be aligned with the presidential general election?

Expanding democracy: Who should have the ability to vote on Portland's elected leaders? Who should have the ability to take part in direct democracy ballot measures?

Campaign finance: How can funds be raised and spent? What is the role of public financing?

Analysis of initial research questions beyond size & constituency, and form of voting

- Expanding democracy (push to Phase II)
 - There is still strong interest from commissioners & listening sessions yielded pride/value from Portlanders around having accessible elections
 - Discussion around State Constitution and City Charter compatibility; Elections office implementation w/ Multnomah County; what legislative and administrative actions needed to make this happen
- Campaign finance (push to Phase II)
 - There is still strong interest from commissioners and public on this issue
 - Discussion so far comes from Open & Accountable Elections (soon to be renamed Small Donor Elections) urging an independent commission embedded into the Charter with its own budgeting & management control (e.g. Prosper Portland model)
- Elected offices (push to Phase II)
 - Needs further attention; main discussion around City Auditor, CPA requirement to run, Auditor Office's recommended amendments

Agreement #1: Increase the Size of City Council

Relevant Outcomes: More Voices being heard in elections, more chances of finding someone who represents a constituent's interests and reflects our diverse communities.

Reason: Brings more voices and people into decision-making by increasing both the number of people with power to make the laws and the overall capacity of City Council.

Reason: Increases interactions between City Council and constituents and clarifies pathways from community voice to government action.

Reason: Equitable Representation – councilors who look like the community they represent and understand your community needs

Alternatives: Size and Constituency

At-large

Everyone running in the same pool

Districts

Single Member, Multi-Member, or Mixed

Hybrid

Both district and at-large

Analysis of Alternatives

Single- Member Districts

- Ensures geographic representation
- Encourages accountability to constituent services
- Compared to at-large systems, can increase diversity only when underrepresented groups are highly concentrated (not true in Portland)

Multi-Member Districts

- Ensures geographic representation
- When combined with winner take all it can harm communities of color but when paired with proportional voting, it supports those groups and give greater advantage for those groups

Hybrid Models

- Favored because of concerns about parochial approaches and NIMBY outcomes in district-only systems
- Member privilege – deferring to the district representative for projects in their district, gives undue power to one representative on something that might have citywide impacts

Prioritized Alternative

Multi-Member Districts

- District-based elections may ensure more geographic representation from other areas of the city. Historically, a large majority of elected councilors have come from the west side of city.
- Multiple members per district puts us in a better position for communities of color (and other historically underrepresented constituencies) to elect a candidate of their choice.
- Increased representation and ability of constituencies to elect a candidate of their choice and increased access and accountability between councilors and their constituents.
- Multiple councilors working on issues. Likelier to have a group of councilors who are compelled to work in coalitions – rather than one interest group.

Alternatives: Size and Constituency

Council Size	Ratio	Constituency
5	161,000 or 650,000	At-large Seats
9	72,000	3 districts/3 councilors
10	65,200	5 districts/2 councilors
12	54,000	3 districts/4 councilors
14	46,000	7 districts /2 councilors
15	43,000	3 districts/5 councilors
16	40,700	4 districts/4 councilors

Agreement #2: Shift to a form of voting that allows results in one election and captures people's preferences

- **Relevant Outcomes:** More Voices Heard in Elections, Enthusiastic About Voting and Invested in the Outcomes, Councilors Who Answer to the People and Who Safeguard Democracy, Equitable Representation
- **Reason:** Eliminating primaries ensures that the real race is always in November, when the highest number of Portlanders turn out to vote to determine who sits on the city council
- **Reason:** To allow for voters to have their preferences on multiple candidates (in large fields) expressed and allow them to vote their conscience; ensure majority winners where more Portlanders are represented by someone in their top preferences
- **Reason:** Campaigns and elections are costly to administer and prohibitively expensive for many potential candidates. Consolidating to one election reduces costs, shortens the length of campaigns, decreases # of days spent campaigning

Alternative forms of voting

(described in their single winner form, multi-winner form is the same for voters)

- **Ranked choice voting:** Voters rank candidates by preference on their ballots. If a candidate wins a majority of first-preference votes, they are declared the winner. If no candidate wins a majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated. First-preference votes cast for the failed candidate are eliminated, lifting the second-preference choices indicated on those ballots. A new tally is conducted to determine whether any candidate has won a majority of the adjusted votes. The process is repeated until a candidate wins an outright majority. *(NOTE: Locally used in Benton County Commissioners race)*
- **Approval voting (and their variations):** Approval voting is typically a single-winner voting method that allows voters to choose any number of candidates. The candidate chosen the most wins. Each voter may choose ("approve") any number of candidates, and the winner is the single candidate approved by the largest number of voters.
- **Score Then Automatic Runoff (STAR):** voters rate the candidates on a scale of zero to five, with zero indicating no support and five indicating maximum support. The scores for all candidates are then tabulated and the top two finishers advance to an automatic runoff, at which time a voter's full vote is assigned to whichever of the two finishers he or she scored highest. The candidate whom a greater number of voters gave a higher score in the runoff is declared the winner. *(NOTE: Locally used in Lane County Democrats/some internal Democratic Party of Oregon organization)*
- **Cumulative Voting:** Cumulative voting is a voting system used by organizations that allow voters to vote proportionately to the number of seats that will represent them. Each voter typically has one vote equal to the number of seats to be elected. The voter can split the votes among multiple candidates or apply them to just one candidate. *(NOTE: Locally used in Lake Oswego City Council elections)*

How we considered things

- How does the system treat residents before and after the election?
- What incentives does the system create for candidates and campaigns, and what kinds of candidates are best positioned to win?
- How does the system impact governance? Election administration and public education
- Alignment with an election system that elects multiple people at the same time

“Form of Voting” broken down

Ballot Style

*How it appears to voters;
how many votes do you get*

- Ranked Choice Voting
- STAR approval
- Cumulative voting
- Party List
- One vote (sq)

Election Decisions

*How election results are
tabulated*

- One round decisive
- Runoffs
- Primaries & General elections

Representation Style

*How representation is
decided*

- Proportional Representation
- Winner Take All
- Districts
- At-large

Analysis of Alternatives

- Favored RCV & STAR because it captures multiple preferences
- Favored decisive elections at one time, when turnout is highest
- Favored a proportional system where the same winners can't take all the seats
- Favored a system that allows more chances at electing candidates that Portlanders can identify with
- Proportional Representation: aims to ensure political representation matches the voting preferences of the electorate. Typically involves using multimember districts rather than single-member districts. The key difference between a proportional system and a plurality system (status quo) is that the seats in each district are awarded to multiple candidates based on their percentage of the vote, rather than simply having the most-voted candidate win all the seats — the election is no longer winner-take-all.

Prioritized alternatives

- **Proportional Ranked Choice Voting** (Single Transferable Vote) where multiple seats are collectively decided in a single **November election** gives us a system that is more proportional
- Key value is that we don't want voters to compromise their vote; we want a legislative body to sort out compromise in governing
- RCV is more proven, more resources, more places that can demonstrate its functionality and ensure success in Portland
- RCV is less prone to strategic voting, more familiar ballot style
- "Proportional" signifies the version of RCV that transfers preferences and elects multiple seats at once

Engagement

Overview of numbers:

Public comments:

- 216 comments regarding City Council Elections
- 54 comments regarding alternative voting methods

Listening Sessions

- 292 Attendees at the sessions

Targeted Outreach

- Professor Ruth Greenwood, Harvard Elections Law Clinic
- Professor Todd Donovan, Western Washington University & Whatcom County Commissioner
- Professor Jack Miller, Portland State University
- Professor Michael Latner, Cal Poly University
- Maria Perez, Democracy Rising
- Chris Hughes, RCV Resources
- Colin Cole & Billy Baugh, More Equitable Democracy
- Hank Schottland, Community Member

Community Listening Sessions

Themes

- Accessibility is the main barrier to participating in elections
- There's a disconnect between the community and candidates
- Portlanders want change
- Portlanders want to be heard by City Hall
- Portlanders want all of us to be enthusiastic about voting

Recommendations

- **Shift to district-based elections**
- Increase the size of City Council
- Adopt a voting method that captures people's preferences
- Reform campaign finance
- Increase access to voting

Upcoming Community Survey Questions

- What is most important for you to feel represented by a city elected leader?
- What are your beliefs about representation on City Council?
- How would you like to vote for candidates in our City Council elections?
- How often should City Council elections take place?