

# CHARTER COMMISSION



## Charter Commission Work Session

June 6, 2022



# Agenda

Section	Time
<b>Welcome &amp; Commission business</b>	5 min
<b>Review 5.31 changes &amp; topics</b> <ul style="list-style-type: none"><li>• Role of a mayor: proposing policy &amp; tie-breaking</li><li>• Salary commission: start date &amp; auditor's salary</li><li>• Independent Portland Elections Commission</li><li>• City Attorney's Office</li></ul>	60 min
<b>Council size &amp; constituency</b>	25 min
<b>Break</b>	15 min
<b>Ranked choice voting</b>	20 min
<b>Staggered elections</b>	15 min
<b>Succession</b>	5 min
<b>Ballot measure construction</b>	25 min
<b>Closing</b>	10 min

## 5.31 Direction to City Attorney's Office

- Role of a mayor
  - Proposing policy: intent is that a mayor can introduce policy like a councilor; remove “at its next legislative session”
  - Voting: tie-breaker only
- Salary commission
  - Include auditor's salary and remove language that the auditor and mayor make the same salary;
  - Initial commission – new start date in 2023; clarify it doesn't apply to current elected officials; appointed by mayor with council confirmation
- Independent Portland Elections Commission: new draft available 6.3 for consideration at 6.6 work session – prohibit candidates from serving and amend nomination/confirmation language
- City Attorney's Office: FPDR Director appointed by city administrator; technical edits; research re contract thresholds and disposal/purchase of real property; clarity on use of “city;” legislative oversight; corrective language in vacancies/RCV

# Role of a mayor: proposing policy & voting

**Section 2-401. The Mayor is not a member of Council. The Mayor has the following responsibilities:**

**(d) Introduce such matters as the Mayor deems necessary to come before the Council. The Mayor has the same authority to introduce matters as a Councilor.**

**(e) Vote in matters before the Council only to break a Council tie.**

# Salary Commission

## **Section 2-207. Salaries.**

**The City Administrator appoints members of a Salary Commission, subject to Council confirmation. The Commission consists of five (5) City residents who are qualified human resource professionals with compensation experience who represent a diversity of race, age and geography. Elected or appointed City officials and employees, and candidates for elected City office who have filed and been qualified to the ballot by the City Elections Office, may not serve on the Commission.**

**The first Commission must be confirmed by July 1, 2023, with salaries taking effect January 1, 2025.**

**Thereafter, the Commission must be confirmed by January 1 of each odd year, with adjusted salaries taking effect July 1 of each odd year.**

**The Commission sets the salaries for Councilors, the Mayor and the Auditor by the affirmative vote of at least three (3) Commissioners, documenting the basis of its decision.**

# Small donors: revised language for consideration

## **ARTICLE 2. INDEPENDENT PORTLAND ELECTIONS COMMISSION.**

### **Section 3-201. Independent Portland Elections Commission.**

The Independent Portland Elections Commission is hereby authorized and established upon City Council's adoption of an implementing Ordinance. The Commission consists of nine (9) residents of the City who represent a diversity of race, age and geography. Elected or appointed City officials and employees, and candidates for elected City office who have filed and been qualified to the ballot by the City Elections Office, are prohibited from serving on the Commission.

The Mayor appoints members of the Commission, subject to confirmation by the City Council.

The Commission may require bureaus and departments of the City to provide technical assistance. The Commission has a budget as provided by the City Council.

### **Section 3-202. Powers and Duties of the Portland Elections Commission.**

The Council will establish the Commission's powers and duties by Ordinance.

# City Attorney's Office

**Contract thresholds; Purchase/disposal of real property**

**City v. Council v. Mayor or City Administrator**

**Legislative oversight:**

Section 2-109. Investigations.

In aid of its legislative function, the Council, or a committee of the Council duly authorized by it, may investigate any board or department of the City government, and the official acts and conduct of any City officer, employee, or agent; and for the purpose of ascertaining facts in connection with such investigation, shall have full power to compel the attendance and testimony of witnesses, to administer oaths, and to examine such persons as it may deem necessary, and to compel the production of books, documents, and other evidence.

# 6.6 topics

1. **Council size & constituency**
2. **Ranked choice voting**
3. **Staggered elections**
4. **Succession**
5. **Ballot measure construction**

# Council size & constituency: current language

**There are four City Council districts. Each district is represented by three City Councilors for a total of twelve City Councilors.**

# We are on a 15-minute bio break

We will be back at 7:16pm

# Ranked choice voting in multi-winner elections

There are four City Council districts. Each district is represented by three Councilors for a total of twelve Councilors. Councilors of each district are elected using a proportional method of ranked choice voting known as the single transferable vote. This method provides for the candidates to be elected on the basis of a threshold. The threshold is determined by the number of seats to be filled plus one, so that it is the lowest number of votes a candidate must receive to win a seat such that no more candidates can win election than there are seats to be filled. In the initial round, the number of first rankings received by each candidate is the candidate's vote count. Candidates whose vote counts are at least the threshold are declared elected. Votes that counted for elected candidates in excess of the threshold are called the surplus. If fewer candidates are elected in the initial round than there are seats to be filled, the surplus percentage of all votes for the candidates who have received a surplus are transferred to the next-highest ranked candidates in proportion to the total numbers of next-highest rankings they received on the ballots that counted for the elected candidate. If, after all surpluses have been counted in a round, and no additional candidates have a vote count that is at least the threshold, then the candidates with the lowest vote counts are successively eliminated in rounds and their votes are counted as votes for the candidates who are ranked next highest on the ballots that had been counted for the eliminated candidates. The process of transferring surpluses of elected candidates and eliminating candidates continues until all positions are elected.

The Council must adopt a code by ordinance for the administration of ranked choice voting in accordance with this section.

# Staggered elections: current language

**At the November 2024 election, the Mayor and all Councilors from District No. 1 and District No. 2 are elected for a term of four years. At the same election, the Auditor and all Councilors from District No. 3 and District No. 4 are elected for an initial term of two years. At subsequent elections, those elected hold office for four years.**

# Succession: current language

In the event of the death or ~~crippling~~ disability preventing the performance of ~~three (3)~~ seven (7) or more ~~members of the City Councilors~~ due to natural disaster, calamity, accident or enemy attack, the following City officials in the order named ~~shall~~ succeed to the vacancies on the City Council: Mayor, City Auditor, City Attorney, ~~Chief~~ City Administrator~~ive Officer~~, and the Chiefs of Staff of disabled Councilors ~~members~~ in the order of their seniority ~~as an executive assistant~~.

## 6.6 Direction to City Attorney's Office

- City Attorney's Office will review entire charter for internal consistency with Commission's agreed upon changes
- Yes to the language as proposed regarding mayor proposing policy and voting to break ties
- Initial salary commission edits: (1) confirmed by March 15, 2023, completing work by August 1, 2023; (2) mayor appoints, subject to council confirmation
- No to inclusion of independent Portland Elections Commission
- Addition of "compact" to district criteria
- Ranked choice voting: Yes to the revised language with the addition to the penultimate sentence of the first paragraph ", until another candidate has a vote count that is at least the threshold."
- Succession: (1) reorder to chiefs of staff, city administrator, city attorney, city auditor, mayor; (2) clarify that elected officials can resume their role if they become able to perform; (3) add "deceased or" before "disabled Councilors;" and (4) if mayor dies or is unable to perform then filled by their chief of staff.
- Ballot measure construction: single ballot measure
- Highlight changes as compared to 5.3.22 version



# Next Steps

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**Charter Commission work session and final phase I vote**

**June 14**

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**Sixth progress report released**

**Est. June 20**

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**Auditor presents report at Council with redlined charter**

**June 29**

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**Phase II begins**

**July**

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