

CHARTER COMMISSION MEETING

February 17, 2011 — Portland City Hall, Rose Room

Commissioners Present

Jeffrey Bissonette, Jan Campbell, Cassie Cohen, Ann Collins, Justin Delaney, Tricia Knoll, David Martinez, Sue Pearce, Shelli Romero, Tricia Tillman, Steve Weiss, Mark White

Commissioners Absent

Sue Disciple, Brian Heron, Rebecca Kirk, Bonny McKnight, Hank Miggins, Lai-Lani Ovalles, Ayoob Ramjan, Anita Yap

Staff

Vanessa Holguin (Office of Commissioner Fritz), Linly Rees (City Attorney's Office), and Afifa Ahmed-Shafi (Public Involvement Advisory Council)

Co-Chair Mark White called the meeting to order at 6:12 pm.

1. Welcome and Introductions

Commissioners and audience members introduced themselves with a brief statement.

2. Public Testimony

Bob Ball asked whether the email he send to Mark about alternative funding streams was forwarded to all the Commissioners. Mark responded affirmatively.

Comments

Jan Campbell urged the Commissioners to use appropriate language. When Co-Chair Mark White asked her to be more specific, Ms. Campbell noted that at the swearing in someone asked Commissioners to stand up. Co-Chair White asked Commissioners to address offensive language at the time it happens.

Tricia Knoll asked that names and dates be included on all documents.

Sue Pearce asked there be more consistency with regard to meeting times.

3. Public Meetings Presentation

Deputy City Attorney Linly Rees gave a presentation on laws related to public meetings and public records.

The purpose of this training was to raise awareness of potential issues that might come up and require attorney consultation. Members can talk to Linly directly if they have further questions.

Public Records: Anything the Commission creates and receives relating to Commission work is a public record. It is important to keep an accurate record of all public records.

Commissioner Fritz's staff has agreed to retain all records related to this Commission. This includes notes taken documenting a phone conversation. Records contained in home computers are also public records. Commissioners do not have to keep records electronically. Commissioners can print out records if they want to ensure that the City will not have to access their personal computer. If there is a public record request, please contact Linly. The Attorney General's Website has more information on this subject. Mark asked if it was a good idea to copy Milena on all emails, and Linly responded that it was.

Public Meetings: The Group is subject to Public Meeting Laws. Back and forth meetings during a short period of time could constitute deliberations. The legal requirements for public meetings are included in the document titled PUBLIC RECORDS AND PUBLIC MEETINGS LAW SUMMARY FOR PORTLAND CHARTER REVIEW COMMISSION 2011.

Executive Sessions: Serve as a way for public bodies to exclude certain persons. However, you cannot exclude media. You have the ability to hold executive session to discuss documents exempt from review, such as legal advice. You cannot make a decision in an executive session.

Gifts: ORS 244 imposes limitations on the ability of this Commission to receive gifts from someone with an economic interest in the work of the Commission that is distinct from that of the general public. This would apply to gifts received throughout the life of Commissioners. Linly will double check that Commissioners do not have to report gifts for City purposes.

Meetings and Access: Ms. Campbell noted that automatic doors are not required under the Americans with Disabilities Act. The Commission will leave the door open in the future.

4. Approval of Minutes

MOTION: Mr. Jeffrey Bissonette moved, and Ms. Knoll seconded, members adopt the Minutes from the previous meeting.

ACTION TAKEN: With one abstention from Ms. Pearce, the motion passed.

5. Commission Protocols

Steve Weiss asked whether everyone was satisfied with the six month time period included in the Council Resolution.

Co-Chair White noted the first time to get something on the ballot would be in November.

David Martinez noted that it was important to decide the scope of work in order to answer this question, and that Council made it clear this would be a six month commitment and that is why he agreed to participate. He said that this discussion raises

the question as to whether this should be the group to refer substantive charter changes to voters.

Mr. Weiss said there was no time to adequately debate this issue at this meeting.

Co-Chair White directed people to continue the conversation after the meeting and to allocate time to decide this issue during the next meeting.

Justin Delaney stated that it was better to discuss the issue tonight so that the people who did not agree with going over six months could leave now.

Ms. Pearce noted that present funding is \$20,000, and that this would not get the Commission far in terms of staffing. She also stated that if funding is found elsewhere that would be another discussion.

Co-Chair White noted that Mr. Bissonette had done a really good job developing an outreach plan and finding lots of ways to engage the public without funding. He stated the decision to go beyond six months was mainly contingent on what the Commissioners want to do.

Shelli Romero stated that it would be best to try and retain the members who were currently appointed.

Mr. Martinez reminded Commissioners that they had not agreed on the scope of work to be done. He pointed out that developing a plan for recruiting people to the next Commission in a more inclusive way would be more reflective of an open process. He reminded everyone that all Commissioners were handpicked.

Ann Collins stated that it was impractical to go beyond six months unless people broke into subgroups.

Mr. Delaney stated that he was reluctant to agree on an end date because it was impossible to know whether the Commission could finish its work by then.

Jason Wurster (member of the Public): Noted that voter turnout in November is expected to be much lower than in May because it is a special election.

Tricia Tillman stated that she was frustrated the Commission was spending so much time discussing this issue when she thought it was very clear that it would only meet for six months.

Ms. Campbell agreed with Ms. Tillman and Mr. Martinez. She stated the charge given by Commissioner Fritz was doable in six months and the intent of the Council was to have open recruitment.

Co-Chair White stated that he knew some Commissioners had concerns that any momentum gained by the present Commission would be lost if the next Commission is not established soon after.

Ms. Knoll stated that she was interested in working very thoughtfully on a public involvement plan for future charter commissions. She considers this to be an important part of the present Commission's charge.

Ms. Pearce agreed with Ms. Knoll.

Mr. Delaney stated that he was concerned that there is no imminent second charter commission.

Co-Chair White asked the protocol group to make recommendations for next meeting and the other Commission committees to continue talking about this.

Ms. Collins asked why Council decided on a six-month time period.

Co-Chair White and Vanessa Holguin explained:

- Economy
- Portland Plan
- Open Process

7. Communications

Mr. Bissonette presented his Draft Outreach Plan. He noted a few members had provided feedback and added to it.

Ms. Knoll commended Mr. Bissonette for his work. She stated it was a bad sign that notice of the current meeting was not posted on the City's website. She also noted that updates about the Commission's work could be forwarded through the Office of Neighborhood Involvement (ONI).

A few members added names of groups that they wanted to add to the Draft Outreach Plan.

Ms. Tillman asked if the Commission had resources for reaching out to people who are not proficient in English. She also stated that she found the charter to be a learning curve for her, and she was wondering about the Commission's plan to translate information in everyday people speak. She wanted to know how the Commission could make the Charter interesting and relevant to people.

Co-Chair White responded that this should be the goal of the Communications Committee.

Ms. Knoll asked how much BTS would charge to set up a webpage and how fast could they do that.

Co-Chair White responded that there is a page that is ready to go and waiting for details from the Commission.

Ms. Pearce stated that it is important to think of people who do not use technology.

Mr. Bissonette noted that newspapers could help reach those people.

Ms. Tillman asked Mr. Bissonette if he was thinking the Commission would have separate televised meetings or that the media would film the Commission meetings and make them available on cable.

Mr. Bissonette responded that a subset of Commissioners would go to the media station.

Ms. Tillman stated that it was very helpful to have things on cable access.

Co-Chair White asked Commissioners to be aware of the fact that the last Charter Committee spent \$35,000 on filming.

Mr. Delaney stated that he was happy to provide facilities across the street in the Standard building, and Mr. Ball (member of the public) volunteer to help secure resources.

Ms. Tillman noted that some facilities have the technology to do live audio and video feed.

Co-Chair White noted that only City Council Chambers have that capability, and that would not work for the Commission.

Ms. Pearce noted that it would be hard for public to find the Commission if it keeps moving around.

MOTION: Mr. Delaney moved, and Ms. Pearce seconded, that members adopt the Draft Outreach Plan as amended with additional groups from Commissioners.

ACTION TAKEN: With all in favor, the motion passed.

8. Portland Plan Presentation

Lisa Bates from Portland State University and Joe Zehnder from Bureau of Planning and Sustainability gave a presentation about the Equity Civic Engagement and Quality of Life Technical Advisory Group for the Portland Plan.

The Portland Plan is a twenty-five year strategic plan for the City. It includes a five-year action plan and longer range goals and objectives. The strategies reflect setting of priorities, largely being prepared by city but not solely for city. The emphasis is on equity, education, economic prosperity, affordability, and healthy connected neighborhood strategies.

The first job is to close gaps. Urban Renewal and Economic Development are areas of significant concern around equity. Education and policing are other areas of concern.

The challenge is implementation.

- Access, participation, transparency, and accountability: inclusion in decision making starts early and continues throughout the process.
- Intercultural issues and issues of marginalized groups.
- Tracking and reporting budgetary expenses.
- Providing justification and Impact of Spending.
- Equity lens on how to allocate resources, and then reporting back.

Getting City's house together could dovetail with the Commission's work. The plan looks to build among City staff, the resources and capacity to address institutional bias, and to address hiring, recruitment, retention, purchasing, and contracting.

Vision: Opportunity for all. Everyone in the city has the opportunity to thrive and we're resilient in addition to being sustainable.

Objective is to have draft done in July and to get it to City Council by December so that it will inform the next budget process.

Ms. Romero noted what the presenters presented better captures and embodies what is written. She recommended the group work on finding written language that better reflects what was presented.

Ms. Collins asked how the TAG working on equity thought it would be possible to achieve this goal given all the economic cutbacks.

Ms. Bates responded that the Plan spans twenty five years, so it represents a long-term vision.

Ms. Collins asked why it was a twenty-five year plan, and noted that it was impossible to know where we will be at that time.

Mr. Zehnder noted the five year plan tries to be very sober about economic realities, and that it is not unusual for City Planners to plan as far ahead as twenty-five years.

Ms. Collins asked whether the group had given any consideration to the fact that there will be a lot of elders retiring soon.

Mr. Zehnder responded that the bigger planning documents address this issue.

Ms. Knoll urged the group to use the City Charter as a tool. She also noted that the Commission might be open to inclusive language on equity and that the word *equity* is not mentioned anywhere in the Charter.

Ms. Pearce stated there should be someone who is both a member of this Commission and of the Portland Plan.

Ms. Tillman asked if the Commission had authority to ask TAG to look at the Charter.

Mr. Zehnder stated he would check with the Mayor's office, and noted the Portland Plan would not be adopted until late 2011.

Ms. Tillman stated the Commission might have the opportunity to put something on the ballot that might support the Portland Plan.

9. Next Steps

The next meeting will be held March 3rd, 2011 from 6:00-8:00 pm in the Rose Room at City Hall.

The Commission adjourned at 8:03 pm.

Respectfully submitted,

Vanessa A. Holguin
Recording Secretary

ATTACHMENTS TO THE RECORD:

Document: *2.17.11 Charter Commission Agenda* (prepared by Co-Chairs Mark White and Anita Yap)

Document: *PUBLIC RECORDS AND PUBLIC MEETINGS LAW SUMMARY* (prepared by the Office of the City Attorney)

Document: *Charter Commission - Referral Filing Instructions* (prepared by Office of the City Auditor)

Document: *Working Agreements for Task Groups with conduct points-3-1* (prepared by Charter Commission Protocols Subcommittee)

Document: *2011 Charter Review Draft Outreach Plan* (prepared by Charter Commission Communications Subcommittee)