

## **CHARTER COMMISSION MEETING**

May 16, 2011 - Portland City Hall, Rose Room

### Commissioners Present:

Jeff Bissonnette, Jan Campbell, Cassie Cohen, Ann Collins, Justin Delaney, Brian Heron, Tricia Knoll, Hank Miggins, Ayoob Ramjan, Shelli Romero, Steve Weiss, Mark White.

### Commissioners Absent:

Sue Dicile, Rebecca Kirk, David Martinez, Bonny McKnight, Lai-Lani Ovalles, Sue Pearce, Tricia Tillman, Anita Yap.

Co-Chair Mark declared a quorum and called the meeting to order at 6:33 pm.

### **1. Welcome and Introductions**

Committee and audience members introduced themselves with a brief statement.

### **2. Approval of April 20 minutes**

Ms. Tricia Knoll introduced the following amendments:

Item 3 (Public Testimony) paragraph 1, sentence 3: *The Business Alliance ~~reached~~ has not reached a conclusion...*

Item 4 (Human Rights Commission presentation) throughout: *~~Ms.~~ Chair Donita Fry*

Item 4 (Human Rights Commission presentation) paragraph 1, sentence 2: *Ms. Donita Fry is Chair of the Human Rights Commission and also serves on the Community and Police Relations Committee and the Committee for Intergoup Dialogue.*

Item 4 (Human Rights Commission presentation) paragraph 3: strike final sentence: *~~Mr. Turner would like the committee to take and advisory role.~~*

Item 4 (Human Rights Commission presentation) paragraph 4, sentence 2: From 1978 to 2003, the City sponsored three human rights and human relations entities that disappeared due to politics and budget constraints.

Item 4 (Human Rights Commission presentation) paragraph 5, sentence 3: *Recently Commissioner Fritz...~~removed~~ requested the resignation of the Bureau Director without consulting the Human Rights Commission.*

Item 4 (Human Rights Commission presentation) paragraph 7: strike sentence 5: *~~In the meantime the Commission will be housed in the Office of Neighborhood Involvement.~~*

MOTION: Mr. Justin Delaney moved, and Mr. Hank Miggins seconded, to approve the minutes as amended.

ACTION TAKEN: With 11 in favor and one abstention (Mr. Ayoob Ramjan) the motion passed.

### **3. Public Testimony**

Ms. Floy Jones, with the Friends of Reservoirs, has been working on water issues for the past decade. The group's mission is to preserve the Bull Run watershed and serve as a watchdog on water rates. Ms. Jones once served on the Water Bureau Budget Advisory Committee and she still attends all meetings. She encourages the Charter Commission to propose an independent rate setting commission for Portland voters to consider. However, Ms. Jones does personally have some concerns about how Commission members were appointed; she would like an elected board to provide oversight. Friends of Reservoirs would be happy to be involved in any discussion. Water rates have gone up for reasons unrelated to regulation.

Ms. Regna Merritt has served on the Water Quality Advisory Committee. She greatly appreciates the Commission's work, and also thanks Commissioner Saltzman for having the will to take on this issue. Ms. Merritt has been working with dozens of organizations on a letter to Council voicing concerns about unnecessary half-billion dollar construction projects. There is a huge desire for a fresh approach to handling these problems. Ms. Merritt cannot give a recommendation on behalf of Oregon Physicians for Social Responsibility, but she will personally advocate. She is open to consideration of various alternatives and is glad to offer assistance. Ms. Jones provided the letter referred to by Ms. Merritt, and handed it out to the commission. Ms. Merritt will send an electronic copy to Ms. Milena Hermansky (note-taker) for the record.

Ms. Diana Rojero is a citizen of Portland, and she would like to thank the Charter Commission members for all their hard work. She has full faith, and has inferred that they might reform as a new commission. Ms. Rojero commented that she has not yet seen a website, and hopes there will be full transparency of information.

### **4. Potential Priority Issue – Establishing an Independent Utility Rate Setting Commission – Commissioner Dan Saltzman and Mr. Dave Johnson**

Commissioner Saltzman and his Chief of Staff Brendan Finn introduced themselves. Commissioner Saltzman explained that he has been looking and actively building on ideas for the creation of an independent rate-setting commission—whether elected or appointed—for sewer, water, and storm water. Commissioner Saltzman believes that City Council has lost its bearing; rates should be set on cost principles. The City Auditor has chronicled misspending by the Water Bureau and Bureau of Environmental Services (BES). The structure of the City's government has caused City Council to become too deferential to the Commissioner-in-Charge of respective Bureaus.

Commissioner Saltzman encouraged Charter Commission members to take a bold action: refer to voters a measure that would establish an independent rate-setting body. He believes such a body should consist of 3-5 members appointed by the Auditor and confirmed by Council, with a majority of members having expertise in utilities and economics. Proposals should then go to a public utility board which has authority to conduct hearings, and in essence has power to set the rate for the upcoming year and all the expenses there-in. Expenses could only be changed by a 4/5ths vote. Such a system would help restore integrity in the rate-setting process. This body would be empowered to disallow certain expenses not integral to the Bureaus' mission. Commissioner Saltzman believes this proposal would require a Charter Amendment, and the Charter Commission should choose an initiative like his or fellow presenter Mr. Dave Johnson's.

Commissioner Saltzman offered to provide the Commission with a more refined proposal if they wish. Commissioner Saltzman acknowledged that Commission members may wonder how much process to go through before referring an item to the ballot; he thinks the best process is a public vote itself. There are plenty of channels to vet a proposal (for example, public debates, City Club of Portland, etc.). If the Commission is comfortable with pursuing a proposal, he urges them to duly consider that option. He repeated his offer to come back with a refined proposal; he would love to support this body.

Mr. Dave Johnson is a citizen and former member of the Portland Utility Review Board (PURB). He would like the Charter Commission to establish a committee to seek out research and evaluate several proposals for an independent review panel. Mr. Johnson, Commissioner Saltzman, and the PURB each have ideas. He agrees that a proposal should go to the voters by May 2012, so this Commission would need to come to a final decision by October. The Commission should work through the summer so that they may choose an option by September and leave time for attorney evaluation. Mr. Johnson is not advocating his own proposal per se, but rather that the Commission looks into several proposals and comes forward with a recommendation. There are many good ideas that deserve analysis.

Committee discussion included:

Ms. Knoll requested each member read the Auditor's report *Spending Utility Ratepayer Money: Not always linked to services, decision process inconsistent*. She requested Milena ask the Auditor's office to mail a copy of the report to each member. Ms. Knoll asked the presenters for more detail on the PURB report. Mr. Johnson responded that the report is still in draft form and not yet published; a consultant is working on it. Ms. Knoll asked for a timeline. Commissioner Saltzman responded that he is not sure of a timeline, however he doesn't believe there will be any big surprises in the report; many cities set rates in many different ways. The consultant is unlikely to have a definitive recommendation. Mr. Johnson added that the report should be released soon, and it is not secret. Ms. Knoll asked what Mr. Johnson's proposal is; he responded that he presented it at the last Charter Commission meeting. He recommends a subcommittee look at several proposals to ensure due diligence, and then come back to the full Commission with a recommendation. The Commission should go forward with a proposal that is reasonable, rather than jump ahead with whichever proposal they pick off the top.

Ms. Romero asked if water, sewer, and storm water rates are all under the purview of the Water Bureau and BES (yes they are). She asked if the Commission would be required to approve a commiserate budget with whichever proposal they select. Commissioner Saltzman responded that funding for staff to oversee a rate-setting body should be shared by the Water Bureau and BES together. Ms. Romero asked if funding should be included in an amendment to ensure success. Commissioner Saltzman and Mr. Johnson agree: yes. Ms. Romero noted that Commissioner Saltzman, Mr. Johnson, and the Portland Business Alliance all have different proposals; is there any way to find out how much variance is between the proposals? Can the three bodies work together to recommend a single, hybrid proposal? Commissioner Saltzman and Mr. Johnson agreed that sounds reasonable.

Mr. Justin Delaney asked why Commissioner Saltzman leans towards an appointed rather than elected oversight committee. The Commissioner explained that the composition of the committee would be specified so that members are required to have a certain level of expertise; it would be easier to meet those requirements by appointment rather than

election. In addition, he believes that an appointment process would help ensure higher-quality and more-expert committee members. Mr. Delaney asked why Commissioner Saltzman recommends a 4/5ths vote. Commissioner Saltzman explained that, while it may be possible to write an amendment so that rate-setting doesn't go before Council at all, he believes many people would like Council to have some oversight to ensure checks and balances.

Mr. Jeffrey Bissonnette noted that Commissioner Saltzman's request would require the Charter Commission to act outside of the mandate he (Cmmr Saltzman) voted on not too long ago. Commissioner Saltzman asked for clarification regarding the item he voted on. Mr. Bissonnette explained that the Charter Commission does not have very much time or money; looking at these rate-setting proposals would take it outside of its mandated boundary. Does Commissioner Saltzman recommend the Commission takes its mission further and considers all proposed Charter amendments, or should it look only at this one issue? Commissioner Saltzman responded that the Commission probably is exceeding its vested authority, however since the Commission has been established, it now has the authority to look into important issues. The establishment of an independent rate-setting body is an issue that the Commission could really hit home with. He is not sure about other issues, which may have more nebulous outcomes.

Mr. Steve Weiss commented that he is on the committee considering this issue. *Oregonian* journalist Brad Schmidt recently wrote an article that stated Commissioner Saltzman's position on this issue. As Mr. Bissonnette mentioned, pursuing a Charter amendment on this issue would necessitate the Commission soldiering on past June 30<sup>th</sup>—which many members want to do, but is a decision that will be controversial. Mr. Weiss would like to confirm that Commissioner Saltzman has no objection to the Charter Commission continuing forward. Further—should Mr. Weiss become Chair of the subcommittee—he would appreciate any material help. Commissioner Saltzman pledged to provide whatever support he or BES staff can provide.

Commissioner Saltzman stated he does not want to speak to the status of this Commission beyond June 30<sup>th</sup>, but there must be a deadline on which the Commission acts so that voters may weigh in on an issue. The Commission must give itself a timeline to come to a decision. Co-Chair Mark White noted that a budget amendment to carryover remaining Charter Commission funds into the next fiscal year is essentially guaranteed.

Co-Chair White read from Article 3 Section 13-302 in the City Charter: "All Charter amendments proposed by the Charter Commission supported by an affirmative vote of at least fifteen (15) members of the Charter Commission, *after a public hearing process prescribed by Council*, shall be submitted to the voters of the City of Portland...." (emphasis added). Co-Chair White explained to Commissioner Saltzman that the Commission needs Council to prescribe a public hearing process so that it can move forward. Commissioner Saltzman recommended the Charter Commissioner should propose a process, and as long as the proposal meets the minimum criteria of public involvement, the Council will approve it.

Co-Chair White explained that at the May 1<sup>st</sup> Steering Committee meeting, members discussed what level of support Commissioner Saltzman might provide to the Commission, for example would he provide administrative support? Commissioner Saltzman replied that he is willing to make resources available in his office and in his bureaus. He could provide

resources to keep the Commission going. He suggests the Commission keep its focus narrow.

Co-Chair White asked when Council will next vote on rates. Commissioner Saltzman said the vote is this Wednesday (May 25<sup>th</sup>). If the Commission gets a vote in May 2012, it will be too late to influence that year's budget, so the first fiscal year with utility rate oversight would be 2013-2014.

Co-Chair White and Ms. Shelli Romero asked City Attorney Linly Rees whether there is a minimum requirement for public process; Might a public meeting suffice? Ms. Rees answered that there is no minimum requirement. The only legal guidance is the single sentence Article 3 Section 13-302; there is no precedent.

## **5. Committee Format Discussion:**

### **5a. Utility Rate Commission**

Co-Chair Mark White explained that at a recent Steering Committee meeting, Mr. Weiss offered to participate in a committee to explore a Charter amendment to provide utility rate-setting oversight. Co-Chair White reminded members that a committee must have minimum two members and one Chair. At the Steering Committee meeting Ms. Sue Pearce offered to sit on the Committee if no other members volunteer.

Mr. Steve Weiss asked if any members would like to serve on this committee. Mr. Delaney volunteered. Mr. Bissonnette stated that he makes his living as a ratepayer advocate; his organization might eventually declare an official position on this issue. Noting that he is not on this Commission as a representative of that organization, he would like guidance from his fellow members as to how to separate these two roles. If he joins this committee, must he remove himself from discussion at his organization? Co-Chair White stated that the committee has two members already. He believes Mr. Bissonnette's experience and advice would be incredibly valuable, but perhaps he should act in a background advisory role. Ms. Romero said that if/when the Charter Commission votes on this issue, Mr. Bissonnette may formally declare a conflict of interest. Mr. Miggins said that everything is okay from his perspective as long as Mr. Bissonnette doesn't personally feel there is a conflict. Mr. Delaney said the conflict would arise when the issue comes for a vote before the full Commission, and not necessarily at the committee level. Ms. Rees (City Attorney) noted that she suspects by legal standard there is not a conflict of interest, but advised that for maximum protection, she and Mr. Bissonnette have a more in-depth conversation on the phone about this issue.

Mr. Bissonnette stated that he would be happy to provide an advisory role for the committee. Mr. Knoll also noted that Mr. Bissonnette was appointed to this Commission due to his role in Independent Police Review rather than utility rates. Ms. Knoll also stated that she would like to stay very informed on this committee's work. She is a retired Water Bureau employee, but because of other commitments cannot fully commit to this committee.

MOTION: Mr. Miggins moved and Ms. Romero seconded to approve the formation of a committee to research and propose to the Charter Commission an amendment that would incorporate the independent utility rate oversight into the City Charter.

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

**5b. Human Rights Commission:**

Ms. Jan Campbell, Ms. Cassie Cohen, Ms. Tricia Knoll and Mr. Hank Miggins volunteered to form a committee to research and propose to the Commission an amendment that would incorporate the Human Rights Commission into the City Charter.

Ms. Cohen asked whether the committee would also consider an equity component for the Charter. Ms. Knoll responded that there may be ways to write language to protect entities that are being rolled into the initiative. She stated that Kyle Busse, an attorney and newly-appointed member of the Human Rights Commission, has offered to volunteer time to help write language for this proposal.

MOTION: Ms. Romero moved, and Mr. Miggins seconded, to approve the creation of a Human Rights Commission (HRC) Committee.

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

**5c. Committee on Public Forums**

Co-Chair White explained that a committee is needed to help with three public meetings.

Ms. Romero asked what a role on this committee would entail: logistical issues such as finding space and inviting the public, or also determining how the forums should function. Co-Chair White asked Milena (staff) if she can provide assistance with meeting logistics. Milena answered no, her time can only be volunteered for one regular meeting per month, not subcommittees. Co-Chair White noted that several meeting locations have already been offered or suggested, so this committee's main task would be formulating an agenda.

Mr. Heron asked when the forums would be held. Members agreed that the middle of summer is not a good time, so June and September may be good options.

Ms. Knoll and Ms. Romero discussed whether the forums would be an open discussion about which issues the Commission should consider, or a more targeted discussion format with a few "teaser topics." The Commission agreed: the latter would be better.

Mr. Delaney said he believes the Commission should not assume a dire lack of resources. Council ought to fund a public hearing process. Mr. Miggins stated he is working on a process for City groups to use community facilities free of charge.

Milena informed the Commission that use of the Rose Room and other City Hall facilities after regular work hours is not free. Since the meetings are after hours and open to the public, the Commission is being charged approximately \$180 per meetings for security. She noted that if the meetings were during the day, there would be no such charge.

Ms. Romero stated that she would be interested in participating on this committee at a defined level: for example working on flyer hooks and the agenda.

Mr. Heron noted that if committee members are running the meetings, several individuals would be needed.

Ms. Romero suggested questions such as: "Do you know what the Charter Commission is? What do you think of an independent rate setting commission?" and so forth.

Mr. Delaney said he would be more than happy to help with flyers and communications, but he cannot commit more time to another committee.

Mr. Miggins, Ms. Romero, and Co-Chair White volunteered to sit on this committee. Mr. Delaney could help in the background. Mr. Heron could advise how to successfully run a large meeting, but he is only on this Commission until July.

Mr. Bissonnette asked what process this Commission is following. If a group decides it wants to take up an issue, does there have to be a work group around that? Co-Chair White said he does not have answer to that question; the Steering Committee shall discuss this issue at its next meeting. Mr. Delaney urged the Commission to determine this process, otherwise there will be people showing up at every single meeting and the Commission will form new committees each time.

Ms. Knoll expressed concern that Commission materials and documents are not clearly labeled with an author, date, etc. She asked Milena to make sure documents are clearly labeled. Milena explained that Co-Chairs White and Yap produce and label all the documents; she just prints them. Milena said she does label everything clearly on the minutes and website. Ms. Knoll noted that Ms. Rojero's (citizen/testifier) comment about lack of transparency was worrying.

## **6. Committee Reports:**

### **6a. Communications Committee**

Mr. Delaney said he is not comfortable issuing the press release at this time and getting calls from reporters about funding and quorums. The Commission's protocols state that Co-Chair White and Yap shall represent the Commission to reporters. Co-Chair White noted that at the time the protocols were created, there was no Communications Committee; now however it makes sense for Committee members to handle any phone calls and interviews. Mr. Delaney said members are more than welcome to refer people to him. At the same time, he does not want members to feel that they cannot speak for themselves.

Ms. Romero asked how long this Charter Commission will exist. Will it continue on a month-to-month basis? Co-Chair White asked Ms. Romero if she okay waiting for an answer; Ms. Romero agreed.

Mr. Delaney and Milena discussed the Charter Commission website. Milena has been adding meeting documents and listing dates, times, and locations of regular and subcommittee meetings. She is just waiting for instruction from the Commission to make the site "go live" so the public can view it. Ms. Romero asked whether the website will cost any money once it is live. Milena believes not, but will double-check with the Bureau of Technology Services. She will also inquire whether there is any City policy barring Commission members from editing the site remotely.

The Commission asked Milena to find out how much the Commission has spent thus far, and report back. Milena reminded members that she is only staffing the Commission though

June and her time is being volunteered. Co-Chair White also asked how much it might cost them to hire her for continued staff support beyond June.

#### **6b. Housekeeping**

Both Housekeeping Committee members were absent. Co-Chair White said he would ask them to make a recommendation on items to go to Council.

Co-Chair White said he and Co-Chair Yap recently met with Mayor Adams and asked for a list of housekeeping issues. The Mayor said he would read the Charter again. He meets with former Mayor Vera Katz frequently and will discuss the issue with her as well. Co-Chair White said he also asked the Mayor about the secret service and emergency funds in the Charter, and the Mayor responded that he believes the fund was first creating as a sort of "slush fund." Ms. Rees noted that the Office of Management and Finance is already researching this issue at the request of the Housekeeping Committee.

#### **6c. Steering**

##### **Action item: Letter to Comm Fritz and City Council: Timeline and deliverables**

Co-Chair White asked members to review the draft letter and discuss:

Co-Chair White would like to strike word "Final" from item number 6 in the letter.

Mr. Delaney asked what the purpose of the letter is. Hadn't Commissioner Fritz stated just before the previous meeting that she believes the Charter Commission should dissolve after six months? Mr. Delaney wondered why this Commission is now asking for a third time. Co-Chair White responded that her offer to put a carryover amendment in the budget implies to him that the Commission has the right to continue. Mr. Delaney commented that this letter is getting into a negotiation. City Council cannot stop this Commission; why would we get into this discussion with them?

Mr. Miggins explained that this letter was his suggestion. Mr. Miggins would like to get her answer in writing so the rest of the city can read it. Mr. Delaney then suggested as an alternative that the Commission simply ask Commissioner Fritz to put into writing "I think you should end in June and I won't support more funding."

Ms. Romero noted that during the Co-Chair's one-on-one meetings with members of Council, each Commissioner supported the Charter Commission continuing, and Commissioner Fritz asked for a timeline to justify the carryover amendment.

Co-Chair White noted that the creation of this Commission was pushed through on the final vote of last year. Perhaps this entire process was not critically thought through.

Mr. Weiss asked whether the carryover amendment had been approved. Co-Chair White explained that the vote has not yet occurred. Mr. Weiss responded that if the budget is approved, that is tantamount legal proof for the Commission continuing its work.

Mr. Delaney suggested wording such as: "*We are respectful of your requests, but feel that a June 30<sup>th</sup> deadline and \$20,000 will not be enough...*"

Co-Chair White reminded members that they were appointed by City Commissioners without any application process, and he thinks members need to be respectful of that.

Mr. Delaney asked if Co-Chair White is proposing this Commission dissolve on a certain date. Co-Chair White responded that this Commission should leave the issue open until the next Commission is appointed in the spirit of the Charter. The Steering Committee has formulated a recommendation for how future Commissioners should be appointed, and recommends this Commission should end when the next begins.

Ms. Knoll said the letter gave her the impression that this Commission will dissolve by the end of 2011. If that is not the intent, then this letter isn't right. Ms. Knoll does not intend to continue on this Commission into next year. She asked: if a member cannot continue past June, how will his/her position be reappointed? Co-Chair White explained that Mr. Steve Abel was appointed to this Commission by Commissioner Fritz, but he had to step down before the first meeting occurred. Commissioner Fritz thus appointed Ms. Sue Pearce to fill that position.

Mr. Weiss wondered whether Commissioners will be willing to appoint new members. He said this is a crucial question. Mr. Miggins said that Commissioner Saltzman said he would reappoint. Co-Chair White said he cannot imagine that a City Commissioner would put him- or herself in that position. This is a good example of why the Commission needs a good relationship with Council, while maintaining a watchdog status. It is a fine line but the Commission absolutely must have a good relationship. Co-Chair White wondered which Commissioner would honestly say "no I won't replace a member so that you can't continue"? Ms. Romero suggested that a Commissioner would only do that if he or she doesn't like what this Charter Commission may be proposing as possible Charter changes.

Mr. Bissonnette asked for clarification on the meaning of all the committee recommendations: Are these issues the Commission is actually forwarding to voters? Co-Chair White explained that the housekeeping issues will indeed go for a vote. The recommendation on how to appoint future members was a request by City Council.

Mr. Romero said she thinks the letter needs to be more crisply written. For example: "*Thank you for the opportunity to recently meet with each of you. We appreciate your support to carryover funding. Per your request, we have worked on these deliverables...this is where we are now.*" The purpose of this letter is to update Council on this Commission's status, to affirm the carryover amendment, and to explain what the Commission plans to do with it.

Milena repeated the need for this Commission to consider staff support moving forward.

Co-Chair White summarized comments: it sounds like members want the letter to have a tone more like Ms. Romero's example. He asked Mr. Miggins whether the letter should also talk about public process. Co-Chair White said he sees this letter as analogous to a midterm report.

The Steering Committee will edit the letter and bring it back to the next regular Charter Commission meeting (June 2<sup>nd</sup>).

Ms. Romero suggested information for the phone and website should be included in the letter, to help publicize the Commission's work to citizens as well.

Mr. Delaney asked whether this letter should be submitted to Council before the press release is issued. The Commission agreed: yes.

#### **6cii. Recommendation for appointment process for future Charter Commission**

This item was skipped due to time constraints.

#### **7. Final Words and Next Steps**

Co-Chair White explained that the Steering Committee decided that if a Commission member misses three consecutive meetings, he or she should be asked to resign. Only three members have missed one meeting or less. This has nothing to do with individual Commissioners or lack of commitment—it is a matter of schedules. There are a number of members who have expressed an inability or unwillingness to continue past June. He asked: should the Commission ask those members to resign now so those positions can be reappointed?

Ms. Knoll stated that it is critical to have 15 votes to refer issues to voters.

Co-Chairs White and Yap will send an email to all Commissioners asking whether individuals can commit beyond June.

Ms. Knoll asked if the Co-Chairs will provide an end date. She cannot commit to a fiscal year. Co-Chair White responded that will be tough. If there is too much time between this Charter Commission and the next, all of this Commission's momentum and institutional memory will be lost. He is not willing to give an endpoint until it is known when the next half will begin.

Mr. Delaney said it is normal for boards to consider absences within a certain timeframe rather than those absences were consecutive. For example, a policy might be *members cannot miss more than 2 meetings in 6 months*. However, attendance is particularly important with this Commission. Mr. Delaney feels this Commission has been spinning its wheels, but hasn't gotten anything done.

Ms. Rees (City Attorney) advised members to consider the risk of losing a quorum to meet if they institute an automatic resignation policy.

Ms. Romero recommended a policy that supports unity; this Commission cannot function if one person here- and one person there- come and go in a piecemeal fashion.

Mr. Delaney reaffirmed the importance of attending these meetings. He has had to reschedule numerous things in order to attend.

Co-Chair White suggested members only be allowed to miss two meetings per calendar year.

Mr. Delaney, Ms. Knoll, and Mr. Ramjan expressed that members must have the opportunity to step down gracefully.

Mr. Bissonnette noted that this proposal would leave each City Commissioner with the decision of how to appoint a new member. He is not sure this Commission can prescribe

that—it is up to each Elected. One criteria for being on this Commission should be that you are able to show up to meetings.

Ms. Romero suggested that if a member steps down, he or she should write a letter to the Commissioner who appointed him/her. Then the Co-Chairs should follow up with a letter suggesting things to consider in the next appointment (for example, make sure the new member can show up to meetings).

The Commission discussed the rules of quorum:

- 11 members are needed to conduct business;
- 11-14 votes are needed to send an item to City Council for referral; and
- 15 votes are needed to refer an item directly to the ballot.

MOTION: Mr. Delaney moved, and Mr. Heron seconded, to approve implementation of the following attendance requirements and process:

Commissioners who have attended one or fewer meetings to date will be contacted by the Co-Chairs and asked to resign.

Co-Chairs will send an announcement to all Commissioners (hard copy to Ann Collins) asking them to confirm whether or not they intend to continue beyond June 30. The City Commissioners who appointed those Charter Commissioners who do not intend to continue beyond June 30 will be contacted by the co-Chairs who will request they begin the reappointment process. The intent is to have new Charter Commissioners on board by July 1 in order to not diminish our quorum.

The Charter Commission also approved the following attendance requirement. A Commissioner who misses more than two meetings in a calendar year will be contacted by the co-Chairs and asked to reaffirm their commitment to the Commission and to attending meetings. If they are not able to commit to making meetings, they will be asked to resign. The co-Chairs will then contact the appointing City Commissioner to begin the reappointment process.

City Commissioners will be requested to strongly consider the ability of potential Commissioners to attend meetings as a guiding principle for appointment. The Charter Commission will determine dates for the meetings through the remainder of the calendar year and present this information to all City Commissioners who will be making reappointments to the Charter Commission.

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

The meeting was adjourned at 8:53 pm.

Respectfully submitted,

*Milena Hermansky*  
Recording Secretary

ATTACHMENTS TO THE RECORD:

*Community Letter to Council: March 10, 2011* (prepared by Dr. Regna Merritt and Dr. Theodora Tsongas, Oregon Physicians for Social Responsibility)

*Charter Commission meeting minutes 04.20.11* (prepared by Milena Hermansky)

*DRAFT Letter to Commissioner Amanda Fritz and members of the City Council re: Timeline and Deliverables* May 8, 2011 (Prepared the Charter Commission Steering Committee)

Email from Commissioner Fritz to Mark White and Anita Yap re: "Issues Summary" document (Prepared by Amanda Fritz April 17, 2011)

*Issues Summary* (Prepared by Mark White, Anita Yap, and Commissioner Fritz)

*Recommended Selection Process for Charter Commission: Draft 4/24/11* (prepared by Charter Commission Steering Committee)

*City of Portland Charter Review Commission Community Outreach Approach Proposal: April 8 2011* (Prepared by Cogan Owens Cogan for the Charter Commission Steering Committee)

2011 Charter Commission Steering Committee Minutes – May 1, 2011

2011 Charter Commission Steering Committee Minutes – April 17, 2011

*(Please contact Milena Hermansky, 503-823-4124 or milena.hermansky@portlandoregon.gov for copies of any of the above documents. The documents will also become available soon on the Charter Commission website- [www.PortlandOnline.com/CharterCommission](http://www.PortlandOnline.com/CharterCommission))*