

Dear fellow Commissioners,

I present the below proposal so that we can consider a system of government for Portland that more fully moves us away from our current undemocratic City Manager. It was developed based on the principles I told the voters I would represent, one-on-one feedback from fellow commissioners who also ran on these principles, testimony from our committee hearings (although we need to expand that input as described below), emails and comments many of us have received, my own research, and input from community members.

The core components of the model I am proposing are:

- **Democracy first;**
- **Strong checks and balances between both branches;**
- **Efficient administration;**
- **Public accessibility/accountability.**

What I outline is based on the Mayor-Council forms of government that almost all other states in America have in their largest cities (see attached document). Of particular note, I looked at the eight other northeast states, which all have elected mayors in their largest city (From [Bridgeport](#) to [Manchester](#) to [Providence](#) to [Boston](#), etc.). I also looked closely at [Wilmington, Delaware](#). Wilmington is perhaps the closest to Portland in terms of population vs ratio to the state (70,000 in Wilmington/1,000,000 in Delaware). It is also Delaware's service center, economic engine, and one of its most diverse cities, much like Portland.

That said, no individual model from another city will work perfectly for us. After reviewing and discussing the below proposal, I would suggest the committee invite a number of elected mayors from neighboring states to join us by zoom. We could then get their direct input on how their model works and what they would advise as we develop ours.

As you will see, I have tried to address some of the committee concerns regarding the day-to-day operations and ensuring that our elected Mayor does not get bogged down in the minutia, while still ensuring public accountability that services are being implemented according to our values.

Additionally, please note that my proposal contains an elected public advocate (PA). The public advocate position, as you'll see, is a bit of a bridge, but also creates third party accountability. It will be able to fulfill some of the roles that were described in the committee's version of a council chief of staff. The particulars are outlined below.

Thanks, and I look forward to discussing this further.

-Nasreen

## **Strong Council & Elected Mayor**

### Powers of the Council

City Council becomes the chief policy-making body of the city, including powers to enact all policy proposals, approve/reject all nominees for department heads and boards/commissions, approval of the city budget and all revenue changes (including ongoing scrutiny of expenditures/revenues), and emergency power approvals (further detail of these powers described in sections below). Councilors serve three-year terms, rotating, sworn in on the first Monday in January after the November election. No term limits.

City Council elects 2-year Council President from its own ranks with majority vote (removal by 2/3rds). The Council President is the voice of the Council and meets with the Mayor regularly. President chairs Council meetings, sets Council rules/agenda, and creates/appoints/removes all standing committees/committee members/chairs. The President may create and appoint members to any ad-hoc committee to investigate a particular policy and/or investigate government malfeasance. Plus, any/all other duties bestowed upon the office by a majority vote of the Council. Council Presidents may not serve more than 4 consecutive terms.

The City Council will have its own independent staff to meet its responsibilities, policy development, public communications, and administrative tasks. Council's budget will be determined within the annual city budget proposed by the Mayor and reviewed in accordance with the budget process.

### Powers of the Mayor

Elected Mayor ensures the implementation of policy and oversees the efficient administration of the city. No longer a member of the Council and does not have a vote. Does have the ability to propose policy for Council review and must sign/veto all legislation enacted by the Council (described below).

The Mayor will nominate for Council review and approval a "City Administrator" who will be responsible for the day-to-day supervision of all Department Heads, also nominated by the Mayor, and city operations. The "City Administrator" will serve under the direction of the Mayor, however, will be required to attend any Council Committee meeting when a committee chair requests it.

Mayor is elected on the same cycle as the US President (effective 2024) and sworn in on the first Monday in January after the November election. May serve only two consecutive 4-year terms.

### Nomination and Oversight of Department Heads

The Council reviews/approves/rejects all Mayoral nominees of Department Heads to lead city staff (Chief of Police, Director of Public Works, Director of HHS, etc.). Council approves/rejects each nominee with majority vote after the council committee of jurisdiction holds public hearings/vote on each nominee (for instance: Public Safety Committee reviews nominee for

Chief of Police). Staff below department heads are hired by their respective supervisors and do not need Council approval.

All Department Heads, after review/approval by Council, will report to and serve at the will of the Mayor after approval by Council, with day-to-day oversight administered by the City Administrator. All Department Heads, or designee, are required to provide all requested information to council committees of jurisdiction and testify to committees when called upon. All Department Heads may request to attend a Committee meeting to report on any matter pertaining to the committee's jurisdiction.

### Policy Development

All policy proposals must go through Council for public review/amendment/final disposition.

All Councilors and the Mayor will have the right to submit policy proposals for Council consideration/review/action. All Department Heads, or their designee, will be available to elected officials for the purpose of any proposed policy development. (If a staff member or constituent wants to propose an idea for Council consideration, they can ask an elected official to sponsor the proposal).

All policies, ordinances, orders, expenditures, revenue changes, etc. approved by Council must then be signed into law by the Mayor or vetoed within 10 days of passage. Council may override all vetoes within 15 days, with 75%+ super-majority. If Council overrides, policy is enacted. If council fails to override, policy is not enacted. If Council fails to override, Council may amend to generate 75% support of Council or to gain Mayor's signature.

Council actions that solely impact the operations of the Council (rules, procedures, committee structures, vacancies, etc.) or that are non-binding statements do not need to be signed by the Mayor nor can they be vetoed.

### Development, Passage and Implementation of Budgets

Mayor develops/proposes City budget, excluding education expenditures, for Council consideration. Council amends/approves after public hearings. Same veto standard.

The Mayor oversees implementation of the City budget through Department Heads. Council monitors implementation of the budget through committees of jurisdiction. May request that any Department Head under their jurisdiction attend their committee meeting to present budget progress and answer any questions.

Mayor develops/proposes schoolwide education budget, in consultation with School Board Chair and Superintendent, for School Board consideration. School Board amends/approves after public hearings and sends to voters for approval. The city council no longer votes on the school budget.

## Compensation

Council salaries increased to \$17K a year (from \$6K), with annual COLA based on CPI (likely proposal from Procedures Committee member). Current benefits (HC/Pension, etc.) not changed. Commensurate for School Board members.

Mayor salary increased to twice the average income for a family of four in Portland as defined by the annual census (up from 1.5x to recognize the increased responsibilities). Adjusted at the start of each new term.

## Succession Plan

In the event of a vacancy or incapacity of the Mayor, the “Elected Public Advocate” (described below) is first in line to replace the Mayor. Council President is second.

In the event of a Council or School Board vacancy, the Mayor nominates three people for consideration. Council or School Board may only seat from the list of nominations. Should they reject all three, the Mayor must nominate three others. Once seated, the nominee remains in place until the next general election. The seated individual may run for the seat.

## **Elected Public Advocate**

The Elected Public Advocate serves as an independent ombudsperson for city government whose mission is to improve the transparency, responsiveness, and accountability of City government. An additional set of eyes and ears on the council and mayor branches.

Public Advocate is elected on the same cycle as the US President (effective 2024). May serve only two consecutive 4-year terms.

## Duties of the Public Advocate

Public Advocate is charged with meeting constituent needs (direct or referred by any other elected official), providing outside review of city agencies, responding to FOIA requests, investigating citizens' complaints about city services, and making proposals to address perceived structural shortcomings or failures for Mayor or Council consideration. Public Advocate has authority to propose structural changes to city government and/or greater oversight controls for Council deliberation and consideration. In the event of a vacancy or incapacity of the mayor, the Public Advocate is first in line to become Mayor until the end of the elected term.

## Nomination of the City Clerk

The City Clerk, overseeing elections and Clerk functions, becomes an independent office of the executive and legislative branches by being nominated by the Public Advocate at the beginning of their term. City Clerk is approved/rejected by the Council. Once approved, the City Clerk reports to the Public Advocate and may not be removed without recommendation by the Public

Advocate and 66% approval by the Council. The City Clerk is not term-limited and may cross over administrations.

#### Nomination of the City Attorney

The City Attorney, providing legal advice to the Council/Mayor and constituents, becomes an independent office of the executive and legislative branches by being nominated by the Public Advocate and approved/rejected by the Council. Once approved, the City Attorney reports to the Public Advocate and may not be removed without recommendation by the Public Advocate and 66% approval by the Council. The City Attorney is not term-limited and may cross over administrations.

#### Development, Passage and Implementation of Budget

The Public Advocate's office will be funded with no less than .05% (half a percent) of total revenue to the city in order to keep it independent of Mayor/Council determinations (current City Clerk/Attorney budgets total \$1.5M). If they need additional funds, they may request such from Council for approval through the normal budget process.

#### Appointments to City Committees and Boards

The Council reviews all nominations to board and commissions for final approval/rejection, which are now made by the Public Advocate through an open and transparent application process. Council approves/rejects each nominee with majority vote after the council committee of jurisdiction holds public hearings/vote on each nominee.

#### Public Advocate's Salary:

Public Advocate will be paid 1.5x the average salary for a family of four in Portland as determined by the annual census.

#### Succession Plan

In the event of a vacancy or incapacity of the Public Advocate, the Council will appoint a Council member to fill the role, and a special election will be held to fill the term of the Public Advocate vacancy at the next general election.

#### **Cost Analysis**

This proposal is projected to be revenue neutral.

Implementing this Strong Council and Elected Mayor will save approximately \$200,000. With the elimination of the City Manager, the City will save about \$250,000 in salary and benefit costs. \$50K of that would be used for the enhancement of the Mayor's salary/benefits. The salary for the proposed City Administrator salary can be pulled from the current Chief of Staff position in the City Manager's office.

The Public Advocate’s salary will be covered by shifting the current Deputy City Manager salary (will save about \$50K) and the Clerk and Attorney budgets will stay the same. The department will then have around \$250,000 for community liaisons, administrative work, and investigation costs.

The cost for the increase to Councilor’s salaries is being explored by the “Procedures committee” and will be priced out in that committee. This proposal should take into account that a future Council may want to provide an additional stipend for the Council President.

All that said, obviously if this passes, the annual city budgeting process will determine whether any particular provision should receive more or fewer resources.

<b><u>Forms of government for the largest city of every state</u></b>			
<b><u>State</u></b>	<b><u>Largest City</u></b>	<b><u>Population</u></b>	<b><u>Chief Executive</u></b>
<a href="#"><u>Vermont</u></a>	<a href="#"><u>Burlington</u></a>	42,899	<b>Mayor</b>
<a href="#"><u>West Virginia</u></a>	<a href="#"><u>Charleston</u></a>	47,215	<b>Mayor</b>
<a href="#"><u>Wyoming</u></a>	<a href="#"><u>Cheyenne</u></a>	63,957	<b>Mayor</b>
<a href="#"><u>Maine</u></a>	<a href="#"><u>Portland</u></a>	66,417	Manager
<a href="#"><u>Delaware</u></a>	<a href="#"><u>Wilmington</u></a>	70,635	<b>Mayor</b>
<a href="#"><u>New Hampshire</u></a>	<a href="#"><u>Manchester</u></a>	112,525	<b>Mayor</b>
<a href="#"><u>Montana</u></a>	<a href="#"><u>Billings</u></a>	116,827	<b>Mayor</b>
<a href="#"><u>North Dakota</u></a>	<a href="#"><u>Fargo</u></a>	124,844	<b>Mayor</b>
<a href="#"><u>South Carolina</u></a>	<a href="#"><u>Charleston</u></a>	136,208	<b>Mayor</b>
<a href="#"><u>Connecticut</u></a>	<a href="#"><u>Bridgeport</u></a>	144,900	<b>Mayor</b>
<a href="#"><u>Mississippi</u></a>	<a href="#"><u>Jackson</u></a>	164,422	<b>Mayor</b>
<a href="#"><u>Rhode Island</u></a>	<a href="#"><u>Providence</u></a>	179,335	<b>Mayor</b>
<a href="#"><u>South Dakota</u></a>	<a href="#"><u>Sioux Falls</u></a>	181,883	<b>Mayor</b>
<a href="#"><u>Arkansas</u></a>	<a href="#"><u>Little Rock</u></a>	197,881	<b>Mayor</b>
<a href="#"><u>Utah</u></a>	<a href="#"><u>Salt Lake City</u></a>	200,591	<b>Mayor</b>
<a href="#"><u>Alabama</u></a>	<a href="#"><u>Birmingham</u></a>	208,928	<b>Mayor</b>

<a href="#"><u>Iowa</u></a>	<a href="#"><u>Des Moines</u></a>	216,853	Manager
<a href="#"><u>Idaho</u></a>	<a href="#"><u>Boise</u></a>	228,790	<b>Mayor</b>
<a href="#"><u>New Jersey</u></a>	<a href="#"><u>Newark</u></a>	282,090	<b>Mayor</b>
<a href="#"><u>Alaska</u></a>	<a href="#"><u>Anchorage</u></a>	291,538	<b>Mayor</b>
<a href="#"><u>Hawaii</u></a>	<a href="#"><u>Honolulu</u></a>	347,397	<b>Mayor</b>
<a href="#"><u>Kansas</u></a>	<a href="#"><u>Wichita</u></a>	389,225	Manager
<a href="#"><u>Louisiana</u></a>	<a href="#"><u>New Orleans</u></a>	399,187	<b>Mayor</b>
<a href="#"><u>Minnesota</u></a>	<a href="#"><u>Minneapolis</u></a>	427,728	<b>Mayor</b>
<a href="#"><u>Virginia</u></a>	<a href="#"><u>Virginia Beach</u></a>	450,189	Manager
<a href="#"><u>Nebraska</u></a>	<a href="#"><u>Omaha</u></a>	468,262	<b>Mayor</b>
<a href="#"><u>Georgia</u></a>	<a href="#"><u>Atlanta</u></a>	504,527	<b>Mayor</b>
<a href="#"><u>Missouri</u></a>	<a href="#"><u>Kansas City</u></a>	507,928	<b>Mayor</b>
<a href="#"><u>New Mexico</u></a>	<a href="#"><u>Albuquerque</u></a>	560,218	<b>Mayor</b>
<a href="#"><u>Wisconsin</u></a>	<a href="#"><u>Milwaukee</u></a>	592,025	<b>Mayor</b>
<a href="#"><u>Maryland</u></a>	<a href="#"><u>Baltimore</u></a>	599,827	<b>Mayor</b>
<a href="#"><u>Kentucky</u></a>	<a href="#"><u>Louisville</u></a>	620,578	<b>Mayor</b>
<a href="#"><u>Nevada</u></a>	<a href="#"><u>Las Vegas</u></a>	647,829	Manager
<a href="#"><u>Oklahoma</u></a>	<a href="#"><u>Oklahoma City</u></a>	649,021	Manager
<a href="#"><u>Oregon</u></a>	<a href="#"><u>Portland</u></a>	661,189	Commission
<a href="#"><u>Michigan</u></a>	<a href="#"><u>Detroit</u></a>	672,662	<b>Mayor</b>
<a href="#"><u>Tennessee</u></a>	<a href="#"><u>Nashville</u></a>	681,928	<b>Mayor</b>
<a href="#"><u>Massachusetts</u></a>	<a href="#"><u>Boston</u></a>	699,927	<b>Mayor</b>
<a href="#"><u>District of Columbia</u></a>	<a href="#"><u>Washington, D.C.</u></a>	702,455	<b>Mayor</b>
<a href="#"><u>Colorado</u></a>	<a href="#"><u>Denver</u></a>	716,492	<b>Mayor</b>
<a href="#"><u>Washington</u></a>	<a href="#"><u>Seattle</u></a>	749,627	<b>Mayor</b>

<a href="#">Indiana</a>	<a href="#">Indianapolis</a>	867,125	<b>Mayor</b>
<a href="#">North Carolina</a>	<a href="#">Charlotte</a>	881,819	Manager
<a href="#">Ohio</a>	<a href="#">Columbus</a>	895,477	<b>Mayor</b>
<a href="#">Florida</a>	<a href="#">Jacksonville</a>	903,889	<b>Mayor</b>
<a href="#">Pennsylvania</a>	<a href="#">Philadelphia</a>	1,587,828	<b>Mayor</b>
<a href="#">Arizona</a>	<a href="#">Phoenix</a>	1,660,272	Manager
<a href="#">Texas</a>	<a href="#">Houston</a>	2,325,502	<b>Mayor</b>
<a href="#">Illinois</a>	<a href="#">Chicago</a>	2,705,994	<b>Mayor</b>
<a href="#">California</a>	<a href="#">Los Angeles</a>	3,994,928	<b>Mayor</b>
<a href="#">New York</a>	<a href="#">New York City</a>	8,879,928	<b>Mayor</b>
<b>Total Population</b>		39,829,721	
<b>Pop. Mayor Cities</b>		<b>34,206,907</b>	
<b>% in Mayor Cities</b>		<b>86%</b>	
<b>Almost 90% of Americans, in comparable cities to Portland, operate with a directly elected mayor.</b>			