



The City That Works: Preparing Portland for the Future

League of Women Voters of Portland Education Fund



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Ideal cities are the ultimate aspirational location. Their plans are an expression of the geometry of living, forming the perfect physical environment, a union of aesthetics and functionality that serves a social, even an ethical purpose. For the very structures and spaces of the ideal city instill a sense of order and fulfillment in their inhabitants. PD Smith, 2012 ¹

Section 1. Introduction and Purpose of Report

At their May 2017 Local Convention, the members of the League of Women Voters of Portland (LWVPDX) voted to conduct a 2-year restudy of the League position on city government because of perceived gaps in its current position, including lack of guidance for action on possible changes to the city charter. The study was to include more specific definitions of standards, structure, roles and responsibilities, and ways to effectively assess proposed changes within city government.

The approved scope called for:

- Learning about the strengths and weaknesses of our current City of Portland government;
- Examining options for the form, function, roles, and responsibilities of a city government;
- Considering standards that should be applied to determine a government's effectiveness in serving its constituents.

The intent of the study was not to recommend specific structures or processes, but to provide meaningful direction on how the city government can be improved to bring about the best possible outcomes for the people of Portland.

The Portland League has held positions on city government dating back to 1961, with the most recent updates in 1990 and 1991. The 1990 update provided background on various forms of municipal government and a historical review of the commission form.² It also provided a brief description of Portland's structure at the time. The 1991 update introduced some criteria for assessing whether a city is well managed and provided a more detailed assessment of alternate forms of city government, including some data on how other cities are organized.³ The Portland League position endorsing the commission structure was the response to these reports.

Since the League conducted its last study, Portland has become larger, more complex, and more diverse in population. We want to explore whether the current city government structure is suitable or adaptable to these changing conditions. The study committee has set certain limits on this report: it offers no judgments about possible solutions; it does not provide a detailed analysis of city bureaus; and it does not cover material addressed in other League studies, such as the 2005 and 2006 studies on Neighborhood Associations. (See: lwvpdx.org/learn/studies.)

Section 2. Roles of a City Government

Since a widely accepted 1868 court decision (“Dillon’s Rule”),* cities and other local governmental units (such as counties and utility districts) receive their powers from their state. Article IV of the Oregon Constitution says, “The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, subject to the Constitution and criminal laws of the State of Oregon....” Other sections of the same article permit and regulate city mergers, authorize state restrictions on city financial dealings, and make clear that “the State shall never assume the debts of any county, town, or other corporation whatever, unless such debts shall have been created to repel invasion, suppress insurrection, or defend the State in war.”

According to Mike Gleason,⁴ former city manager of Eugene, Oregon, city operations are often compared with those of business, but there are several essential differences.

- City success is not measured by profit but by “maintaining the commonwealth,” shared prosperity, health, amenities, and public trust. This obligation may involve investing within a longer time frame than most businesses.
- The city has police power, i.e. the ability to enforce its decisions. This includes the power to tax.
- The city must serve all its citizens equitably. It has failed in its responsibility if some areas are not linked to the water system or have worse streets.
- The city provides many different services—40 to 50 are typical but there may be up to 80—and failures in providing them may have fatal consequences, as in the case of clean drinking water or fire prevention. Few private sector entities come close to offering as many distinct products or services. (Comparing the structures or budgets of different cities may be difficult because of the different menus of services each provides. For example, in Seattle, electric service and trash pick-up are both provided by the city, whereas in Portland those services are provided by private entities.)

Government expenditures also need to be viewed differently from those of business. Business debts are owed to other parties. But some federal “debts,” such as Social Security or Medicare, are funded by and paid back to their recipients. At the local level, the interest on public sector bonds for capital investments is paid over many years in part so that future beneficiaries also contribute to paying for them.

Overlooking these differences often contributes to misleading comparisons and unwarranted criticisms of local governments. Biased viewpoints, poor civics education, and the journalistic desire for sensational issues have undermined public support for governments at all levels.

* Dillon’s Rule is derived from the two court decisions issued by Judge John F. Dillon of Iowa in 1868. The rule affirms the previously held, narrow interpretation of a local government’s authority, in which a sub-state government may engage in an activity only if it is specifically sanctioned by the state government. *Clinton v. Cedar Rapids*, 24 Iowa 455 (1868); *Missouri River Railroad v. Lewis*, 101 U.S. 22 (1879)

City governments form a larger part of our economy than most people realize. Local governments (cities, counties, special districts) form the largest component of the 90,000 governmental entities in the U.S., with as many as 800,000 elected officials, mostly serving as volunteers. Their budgets are equivalent to about 11% of our Gross National Product.** In addition, public assets are greater than most people realize. For example, Portland may have an inventory (including public lands, buildings, utilities, equipment, and other infrastructure assets) worth as much as \$30–40 billion.⁵

** In contrast, the federal operating budget (excluding “entitlement” and insurance programs) is about 6% of GNP and state budgets total about 6.5% of GNP.

Section 3. Relationships with Surrounding Governments

Portland doesn’t exist in a vacuum. The issues it addresses require collaboration with a variety of other governmental units ranging in size from the U.S. government to small local special-purpose districts. Several of these entities are interconnected, but have distinct missions and overlapping responsibilities. They include Multnomah County, the Port of Portland, TriMet, and Metro. Portland also contains all or part of several school districts, but the city is not typically involved in educational issues. As described below, these entities were created at different times, in response to different emerging issues, and with distinct legal authorities that are not readily realigned.

Because Portland deals with these other entities, we were interested in whether its government structure affected its relationships with them. We did not gather enough information on this question during our interviews to reach a conclusion, but we did surface several issues and partners of note, as highlighted below.

In 1854, **Multnomah County** was carved out of Clackamas and Washington counties, two of the four gigantic original counties created by Oregon’s first state legislature. Multnomah County is governed by five commissioners elected by district and a chair who is elected at-large. Its administrative functions are managed by a chief operating officer. The county’s law enforcement powers are carried out by separately elected officials—the sheriff and the district attorney. In addition to courts, jails and other justice services, county functions include property tax assessment and taxation, elections, marriage licenses and passports, roads and bridges, public health, libraries, services for seniors and disabled people, and animal services.

To improve clarity about which entity is responsible for providing various services, Portland and Multnomah County have worked regularly on defining their respective responsibilities. In broad terms, the city is responsible for physical infrastructure (including public safety) and the county is responsible for human services (public and mental health, senior and disabled services, emergency management, etc.). This has generally worked well, although Deborah Kafoury, Chair of the Multnomah County Commission, remarked that each time a new mayor takes office, he or she is interested in clarifying (or renegotiating) the roles and responsibilities with the county. She pointed out that the city has more financial flexibility, since it can rely on fees for revenue, while the county has access only to property tax revenue (in addition to federal funds for certain

activities). She also mentioned that the topic of consolidating the city and county comes up periodically, but it does not usually result in any change. The same governmental functions still have to be performed. Therefore little money would be saved by consolidation. In addition, there are large geographic areas of the county outside the city limits that need services. With the federal government reducing funding for functions such as affordable housing, the county does not have the ability to assume different or additional responsibilities.⁶

One particularly complex area is the design and maintenance of major traffic routes. Portland is responsible for its own streets, but not for those of other governments. For example, Powell and Lombard are U.S. highways; several other high traffic streets are state highways; and none of Portland's bridges are city property. Past negotiations for street transfers to the city have failed because of the inability to reach agreement over financing these services.

The **Port of Portland** (established by the Oregon legislature in 1891 to dredge a shipping channel between Portland and the Pacific Ocean) is a regional government with jurisdiction in Multnomah, Washington and Clackamas counties. It owns three airports, including Portland International Airport, four marine terminals, and five industrial parks. Its nine commissioners, appointed by the governor, select an executive director who oversees its daily operations.

In 1969, the Oregon legislature created **TriMet** (Tri-County Metropolitan Transportation District of Oregon) as a public agency to operate mass transit in the Portland metropolitan area. It replaced five private bus companies. Now it also operates the bus and MAX light rail systems and the LIFT paratransit service, and provides the operators and maintenance personnel for the City of Portland streetcar system. TriMet is "a municipal corporation of the State of Oregon," with powers to tax, issue bonds, and enact police ordinances. It is governed by a seven-member board of directors appointed by the governor. It has its own boundary, which encompasses an area of about 533 square miles.

Metro is a regional agency that serves Multnomah, Clackamas and Washington counties—1.5 million people in 25 cities. Established by a 1978 ballot measure, it evolved from two earlier organizations created to address regional issues. The voters have updated its charter several times since. It is the only directly-elected regional government in the United States, governed by six councilors elected by district and a president elected at-large. The administrative functions are managed by a chief operating officer. Metro's primary mission is planning and policy making to preserve and enhance the quality of life and the environment. It is responsible for the area's long-range land use and transportation planning, solid waste system, regional parks and natural areas. In addition, it oversees the Oregon Zoo, the Oregon Convention Center, and several other economic development and cultural sites. In 2018, it was authorized to distribute low-income housing funds to its constituent counties.

Section 4. Criteria for Evaluating Governmental Effectiveness

Organizations can be deemed to be successful as long as people are willing to give them the resources needed to continue to carry out their mission. In the private sector, success is generally measured by profitability and perhaps longevity. A public entity such as a city government is successful when people are willing to pay taxes or fees, because they are satisfied with its services and its progress in solving problems. Multnomah County Chair Deborah Kafoury described a successful government as one that accomplishes its designated mission and is seen by its constituents as doing a good job.⁷

For the 1991 League Update, Carl Abbott, now Professor Emeritus of Urban Studies and Planning at Portland State University, suggested five characteristics that could be used to assess a city's success:

Accountability. According to *The Blackwell Dictionary of Political Science*, “to be accountable is to be in a position of stewardship and thus to be called to order or expected to answer questions about one’s activities and administration and those of one’s subordinates . . .” In addition, to be accountable means to be “censurable or dismissible. A government is accountable when it can be voted out of office either by the electors or by members of the legislature.”⁸ Accountability might also include systemic checks and balances so that one part of a government does not exceed its intended authority.⁹ The principle can also be partially assessed through tools that measure constituent satisfaction. However, certain circumstances may impose constraints on accountability. For example, it may be difficult or even inappropriate to hold an elected official accountable for failing to solve highly technical or insurmountable problems, or for discovering the misdeeds of a previous manager.

Responsiveness. Professor Abbott described the ability of a government to be flexible and to change with the times—and to recognize that times are changing—as the hallmark of responsiveness.¹⁰ This concept could also include whether the city provides opportunity for community buy-in or whether there is public support for long-term initiatives.¹¹ Doug Morgan of Portland State University expressed this idea as, “Do people feel they got what they wanted?”¹² This factor might also include whether the government provides adequate opportunities for public input and engagement and lets all socio-economic, racial, and ethnic members of the community know how this input was used in its decision-making. In that respect, responsiveness is similar to accountability.

Equity. Equity is not the same as equality, but rather is defined as being fair and just in providing the services people need. A city should provide services such as police protection, street repairs, and public parks on an equitable basis regardless of factors such as the race, age, gender or location of its residents. This concept might also include long-term generational equity: leaving the city’s residents in better condition over the long-term.¹³ In its 2019 analysis of the Portland city government, the City Club of Portland also connected equity to responsiveness and adequate representation of Portland’s diverse communities.¹⁴

Efficiency. “Given a desirable goal, [efficiency is] the minimum use of resources in achieving it, providing that other acceptable goals are not hurt thereby.”¹⁵ This concept can also be seen as, “Is the city doing things in the best or most appropriate way?” Effective contracting systems might be one indicator of efficiency.¹⁶ “Did you accomplish [your goals] in a cost-effective manner?”¹⁷

Effectiveness. This measure deals with people’s expectations of what services should be provided and whether they are provided in an appropriate manner. Is the city doing the right things? Does the city establish and maintain consistent policies? “Have you accomplished the goals you set?”¹⁸ “How well does it work?”¹⁹ Is there room for improvement and is the government taking steps to improve?

Our research for this report suggested that a few other criteria might be added to this list.

Transparency. This concept includes factors such as whether stakeholders have an opportunity for fair and adequate participation in decision processes, and whether information is readily available. It might also include whether government structures and roles are clearly defined and accessible.²⁰

Longevity. This concept involves both the community’s long-term trust in the city government and that government’s ability to maintain quality services and financial stability over time, while addressing new problems and demands. Bob Ball, a developer involved in a previous effort to change the city structure, described this factor as providing “the best opportunity to do the best job over time; the best opportunity for long-term planning.”²¹ Resiliency, or the ability to recover readily from a crisis or catastrophe, might also be a factor in longevity.

Livability. This concept includes citizen satisfaction with environmental quality, affordability, adequate infrastructure, public safety and similar factors.

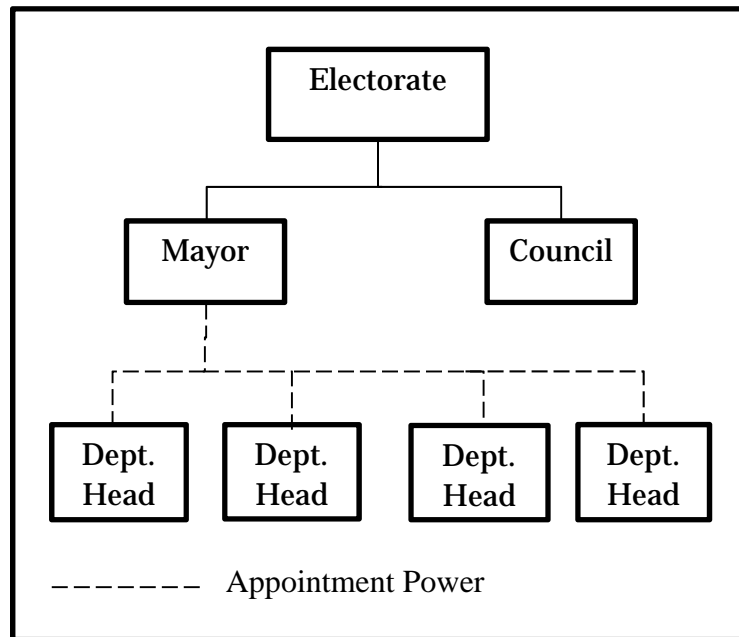
Section 5. Types of City Government Structures

Both the 1990 and 1991 Portland League studies provided background information on the main forms of city government. This information is summarized below.²² As stated earlier, city governments are subordinate to the state. Cities are created as municipal corporations and are endowed with rights similar to those of private corporations. For example, they may acquire and dispose of property, enter into contracts, and may sue or be sued. States grant “home rule charters” that give the city self-governing authority, while the state retains some control over matters of general concern.

In general, city governments take five basic forms: *New England town meeting*, *weak mayor-council*, *strong mayor-council*, *mayor-council-city manager*, and *commission*. For the purpose of this report, we will describe the last three because they are most applicable to a city of Portland’s size.

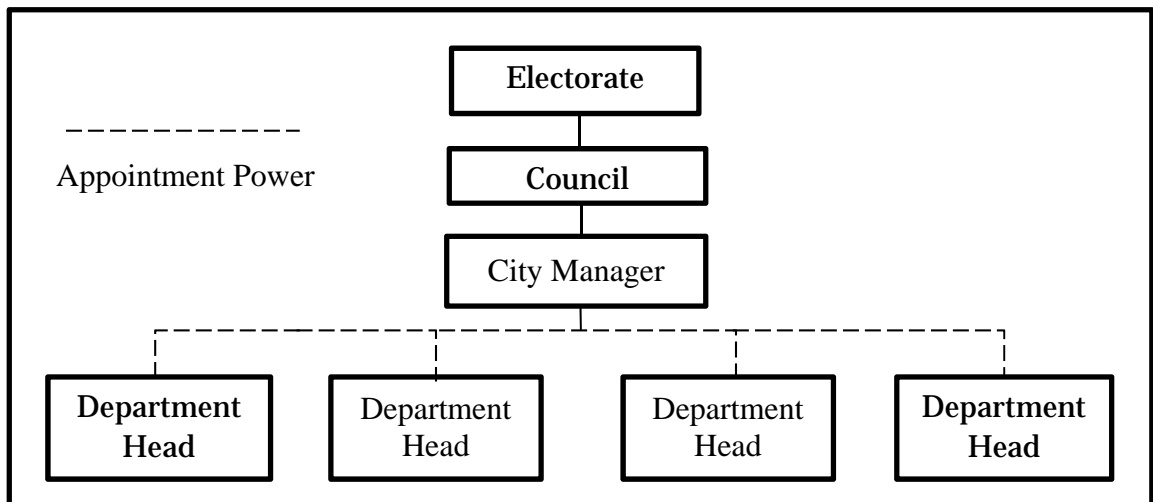
Strong Mayor-Council. The strong mayor-council form usually separates executive and legislative functions. The mayor generally acts as the chief executive or administrator. In most cases, the mayor is elected at-large and represents a city-wide constituency. In this form, the mayor appoints and dismisses administrative personnel. If the mayor has the authority to hire a managing director to supervise departments, the mayor may devote more time to long-range policymaking. The mayor may have veto power and make recommendations to the council. He/she may also prepare and present the local budget for council approval. The mayor is also the political head of the city, the public leader.

The council passes ordinances (laws) and budgets. The council members often represent individual districts.

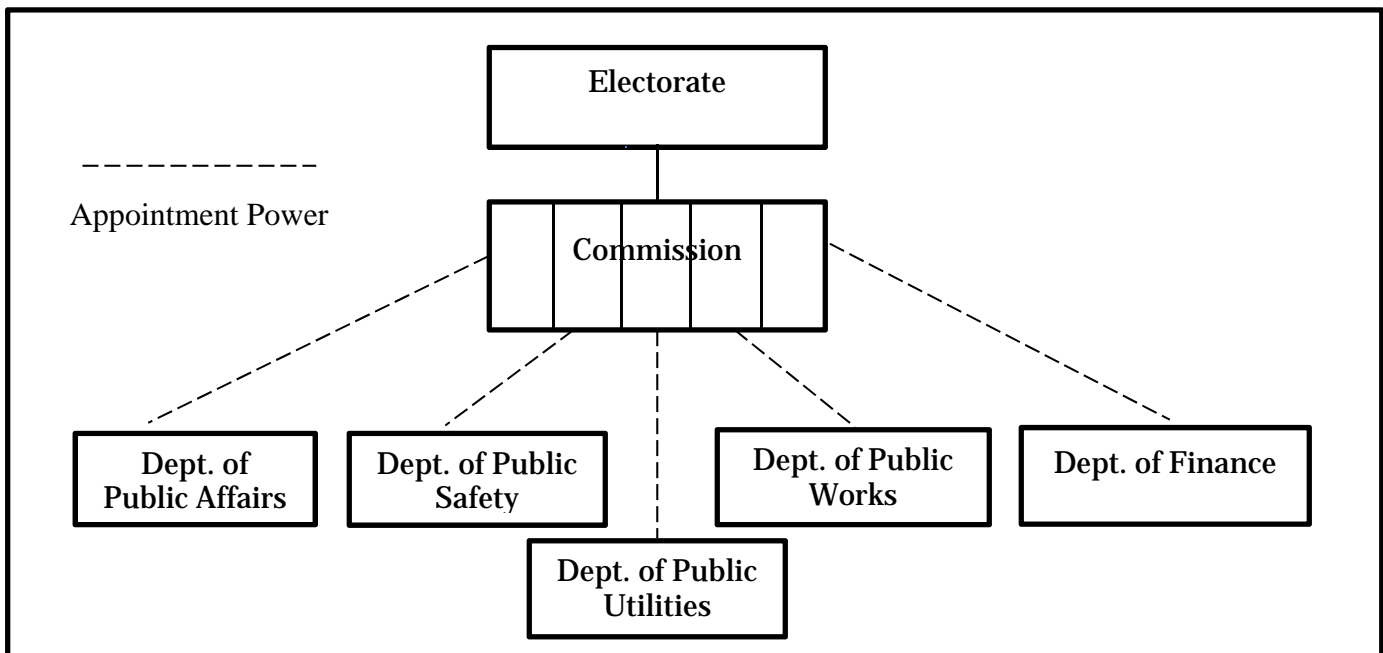


Council-City Manager. Generally adopted to correct deficiencies which appeared in other forms, the council-city manager form seeks to provide professional, nonpartisan, expert management to a city. The council has the legislative or policy-making functions and hires a city manager to perform the administrative functions. The manager, who serves at the pleasure of the council, appoints and removes department heads, and prepares and administers the budget. Council members are either elected from districts or at-large. Usually one of the members is designated mayor by the council, but the mayor may be elected separately. The mayor has no appointive or veto powers.

**Council-
City
Manager**



Commission. The commission form vests all the powers of municipal government in one body, the commission. All the commissioners are elected at-large. Ordinances, budgets, contracts, and many appointments require approval by a majority of the commissioners. Each commissioner has charge of a department, but the means of arriving at that charge may vary. These variations may include election to a specific department, vote by the commissioners on department assignments, and department assignments by the mayor. Whether elected or appointed, the mayor is titular head of the commission only and has just one vote. The mayor and commissioners have the authority to both formulate and administer policy. Because power is shared in the commission form, it provides citizens with multiple access points to both executive and legislative decision-making. However, the commission form lacks the checks and balances found in the mayor-council form and the administrative accountability of the council-manager form.



Section 6. Brief History of Portland's Government Structure

Early History

The commission system was created in 1901 in Galveston, Texas, to enable a rapid recovery following the 1900 Galveston hurricane. It was intended for a period of emergency response in a relatively small city. Many other cities adopted the commission form as a means of reducing corruption and of undermining the power wielded by the political bosses of the late 19th century. Portland was described in this time period by Teddy Roosevelt as a model for how *not* to run a city, since corruption, vice, and fraud were so common.²³ Instead of the shadowy operations of political machines, the commission structure was intended to make it easier to pinpoint responsibility, and the city-wide election of officials made it more difficult for any one faction or district to exert too much influence.

In 1913 Portland eliminated the strong mayor system it had adopted in 1902 and voted for a commission government by a margin of 292 out of the 34,342 votes cast. The mayor, four commissioners, and the auditor make up the city's elected, nonpartisan officials, who are elected on a staggered schedule. The commissioners run for office without portfolios and the mayor has authority to assign a portfolio of city bureaus to each commissioner.

As Commissioner Amanda Fritz told a League audience in 2014, the Portland City Commissioners—also known as City Council—have three roles:

- Legislative—The city council meets weekly, adopts the city budget, and passes laws, policies and regulations that govern the city.
- Administrative—The mayor and commissioners individually oversee bureaus that are carrying out policies approved by the council.
- Quasi-judicial—The mayor and commissioners hear land-use and other types of appeals.²⁴

Attempts to Change Portland's City Government

Since 1942, Portland's city charter has been amended thirty times to address major criticisms of government shortcomings. Since 1913, there have been eight elective attempts to change the city structure, all of which were rejected by the voters. Among other concerns, the commission structure had not fully prevented corruption. In 1948, the City Club of Portland issued a report describing open and notorious gambling, prostitution, and bootlegging operations run under police protection and with the mayor skimming the take. The incumbent, Earl Riley, was shortly thereafter defeated by Dorothy McCullough Lee, the first woman elected to the office. In 1956, another political firestorm regarding vice activities and racketeering swirled around the mayor's office.²⁵

Table 1. Elective Attempts to Change City Structure²⁶

Election Date	Purpose of Proposed Change	Vote Tally
May 3, 1913	Provide commission form of government with a mayor, four commissioners, and city auditor, all elected at-large.	Yes: 17,317 No: 17,025
June 4, 1917	Abolish commission form of government and replace it with a mixture of the commission and the council-manager form of government.	Yes: 14,196 No: 32,086
June 4, 1917	Repeal commission form of government and replace it with a council-manager form of government.	Yes: 12,647 No: 32,796
November 2, 1926	Simplify and retain commission form of government by giving the mayor more powers to run day-to-day government operations.	Yes: 27,388 No: 29,087
June 28, 1927	Simplify and retain commission form of government by giving the mayor more powers to run day-to-day government operations.	Yes: 7,459 No: 38,454
May 16, 1958	Replace the commission with an appointed city manager responsible to eight council members elected at large. The city manager would select all department commissioners.	Yes: 55,283 No: 61,821
May 24, 1966	Replace the commission with a strong-mayor form of government and a part-time council.	Yes: 41,848 No: 68,158
May 21, 2002	Replace the commission with a strong-mayor system; expand the commission from four to nine, with two elected at-large and seven from districts. (Proposed by citizen petition)	Yes: 29,730 No: 94,179
May 13, 2007	Create a chief executive officer appointed by the mayor and confirmed by the council. (Proposed by Charter Review Commission)	Yes: 18,880 No: 60,608

According to the panelists at the Portland League's September 2014 civic education meeting on the topic, Portland's commission structure has lasted for a number of reasons:

- The structure seems to work at least as well as any other city's structure and voters are reluctant to shift to another structure that might be flawed in different ways.
- The system provides relatively good service, seems to be self-correcting when problems arise, and recently has been relatively free from scandal.
- The system still seems to attract talented people, possibly because they all see an opportunity have an influence.
- The bureaucracy is relatively flat; members of the community can readily identify and have access to decision-makers, which enhances civic participation.²⁷

Two professors of urban studies from Portland State University, Douglas Morgan and Masami Nishishiba, said the Portland commission system has survived because of the city's:

- Exemplary sustainable urban development practices and its vital downtown business area.
- High levels of civic engagement, as demonstrated by the network of more than 90 neighborhood associations.
- "Good government" reforms that made it more effective.²⁸

Other Cities No Longer Have the Commission Form

Many other cities have changed their commission form to one controlled by a city manager. Proponents of this reform argued that a city manager could do a much better job than a group of commissioners coordinating all the complex activities associated with the delivery of local public services, as well as assuming responsibility for hiring and managing a cadre of professional public administrators. Some other cities have changed the commission form to a mayor-council system. In these systems, the mayors of different cities may share power with the councils in varying degrees.

The Voting Rights Act of 1965 drove southern cities to abandon the commission form of government, because the at-large balloting characteristics tended to dilute minority voting strength. In 1982, the Supreme Court ruled that an at-large county election system was unconstitutional, because it was being maintained for discriminatory purposes. The system resulted in no minority being elected due to the dilution of black votes.²⁹ Because Portland and the state of Oregon were not subject to the special oversight provisions of the Voting Rights Act, they were not held accountable to this new standard. However, Portland's at-large system still contributes to underrepresentation of minority voters.

Portland's core was well-established by the 1930s. The inner northeast, southeast and west side neighborhoods, as well as the St. Johns area, have been part of the city for 90 or more years. The northern areas, along the Columbia River floodplain, were annexed in the 1960s and 70s. In the 1980s and 90s, the city expanded east of 82nd Avenue, adding approximately 140,000 people. As of 2017, the total population was estimated at 647,805 and minorities now account for 22% of population, scattered throughout the city.³⁰ Portland is now nearly the same size as Denver and

Seattle, places we think of as “large” cities. However, Portland remains the only city of its size to have retained the commission form of government.

Table 2. Population Trends³¹

Population Trends	1940 Census	1990 Census	2010 Census
White	98%	84.6%	76.1%
Asian	1.2%	5.3%	7.1%
Black or African American	0.6%	7.7%	6.3%
Other	0.2%	2.4%	10.5%
Total Population	305,394	437,319	583,776

Improving Management of Portland’s Government

Portland made an important change in 2000 when the council passed an ordinance creating a Chief Administrative Officer (CAO), who reports to the mayor and has statutory authority over the Office of Management and Finance. While a CAO does not have the same authority as a city manager, this was a move toward hiring a professional manager to oversee a significant area of city government.

The city’s website describes the job of the current CAO, Tom Rinehart, as follows:

He oversees the Office of Management and Finance, which includes the Bureau of Revenue and Finance, the Bureau of Human Resources, the Bureau of Internal Business Services, and the Bureau of Technology Services as well as business operations and policy development. As the CAO, he also has the responsibility of advising the City Council on making the City’s financial and administrative functions more efficient and effective.³²

Section 7. Current City Bureau Structure

As noted in the League’s 1990 report, the City Charter divides city government into five administrative departments: Public Affairs, Public Safety, Public Utilities, Public Works, and Finance and Administration. Each commissioner, including the mayor, has an official job title corresponding to these departments, as shown in the following table. The mayor has the legal authority to allocate bureau oversight responsibilities to different commissioners. (The Auditor’s portfolio, which is defined by the city charter, is shown to fill out the responsibilities of the elected officials.)

Table 3. Bureau Assignments as of July 2019³³

Commissioner of Public Utilities, Amanda Fritz	Commissioner of Public Works, Nick Fish	Finance and Administration, Mayor Ted Wheeler	Commissioner of Public Affairs, Jo Ann Hardesty	Commissioner of Public Safety, Chloe Eudaly	City Auditor, Mary Hull Caballero
Portland Water Bureau	Bureau of Environmental Services	Portland Police Bureau	Portland Fire & Rescue	Office of Community & Civic Life	Archives and Records Management
Bureau of Hydroelectric Power	Portland Parks & Recreation	Portland Housing Bureau	Bureau of Emergency Management	Bureau of Transportation	Assessments, Finance & Foreclosure
Office of Equity & Human Rights		Bureau of Planning & Sustainability	Bureau of Emergency Communication		Audit Services
		Prosper Portland	Fire & Police Disability & Retirement		Charter, Codes & Policies
		Bureau of Development Services			City Elections
		Office of Community Technology			Contracts & Disbursements
		Office of Management & Finance			Council Clerk
		Office of Government Relations			Hearings Officer
		City Attorney			Independent Police Review
		City Budget Office			Lobbying Registration & Reporting
					Ombudsman

The council may create, shift, or dissolve bureaus and offices as needed. The larger bureaus, such as the Police Bureau, serve long-standing, relatively stable functions; others, such as the Office of Equity and Human Rights, reflect newly identified needs. There are also organizations, such as the Budget Office, that provide support services needed by all bureaus.

Appendix B presents current budget and staffing levels for the various bureaus. The 1990 League study showed the city's total adopted budget for FY 1989–90 as \$180,394,766. In contrast, the adopted budget for FY 2018–19 totaled \$4.2 billion.

The bureau directors—also called bureau chiefs—are charged with executing city policies as established by the City Council and may propose policy changes based on their operational experience. They are also responsible for managing the resources allocated to their bureaus, and for accomplishing their assigned missions either through in-house personnel or through contracts with outside entities. Other routine parts of their jobs include coordinating with their designated commissioner and participating in city-wide efforts.

When a commissioner is given a new bureau assignment, he or she typically starts by asking for written background papers and in-person briefings by the bureau director and his/her staff to learn about current issues. When Nick Fish was assigned responsibility for the Parks Bureau in 2018, he also requested a detailed analysis of the bureau's financial status and information on the capital plan for city parks. Mr. Fish then designated one of his staff members to serve as bureau liaison, keeping track of day-to-day operational issues. The commissioner could then focus on higher level concerns, such as selecting a new bureau chief.³⁴

Section 8. Strengths and Weaknesses of the Commission Form

This section will discuss the strengths and weaknesses of the current commission form of government in Portland. As with most considerations of democratic structures, many of the same characteristics listed as strengths could also be seen as weaknesses.

Strengths

There are many positive aspects of our commission system, which has undoubtedly contributed to its century-long staying power in Portland. There are legitimate reasons why our city's government has been able to weather several eras of rapidly changing conditions.

- **Administrative Accountability/ Responsiveness**

In the commission form of government there is clarity about who is in charge of specific issues. For most areas of service, there is a bureau tasked with that responsibility and a single elected official who oversees that bureau. For example, when people have an issue with how their water is delivered, the state of their roads, or police accountability, they can lobby the commissioner in charge of the responsible bureau and know that they are addressing the topmost relevant executive. Commissioner Nick Fish has found his dual role as both a legislator and administrator to be very satisfying since it provides him with the opportunity to be an active problem solver.³⁵

If residents are unhappy with an aspect of how the city is running, they have multiple ways to express their concern (in addition to voting for a different commissioner at the next election). They can access the bureau director—or directors if the issue, such as homelessness or drug abuse, involves several bureaus. Susan Anderson, former Director of the Bureau of Planning and Sustainability, described the city as accessible; because it is easy to know who is in charge of an issue and the hierarchy is relatively shallow.³⁶ Constituents can pressure the mayor to assign a bureau to a different commissioner whose outlook is different. They also can lobby the entire council; it takes only three council votes to get action and it is often fairly easy to build a coalition

of like-minded commissioners. This makes it easier to respond quickly to emerging issues.³⁷ Commissioner Nick Fish added that the structure requires collaboration and consensus, which typically leads to better outcomes.³⁸ Finally, the system can recognize and give credit to those who take leadership initiative.

- **Effective Execution**

Since the commission form combines legislative and executive functions, the same commissioners making the policy/legislative decisions will then be returning to their bureaus and overseeing the implementation of these decisions. Proponents of the system argue that this streamlines both parts of the process. The deliberations of the legislative process are improved because the commissioners, whose bureaus will be tasked with carrying out the proposal, can speak to the effects on current practices, the potential costs, and other considerations that under other systems are unknown until much later in the process. The execution is streamlined because the bureau has been involved much earlier and is knowledgeable about the motivations and conversations that resulted in the final policy. Additionally, their top executive (the commissioner) is deeply familiar with the proposal by the time it is enacted. When the commissioners are working together effectively, the structure can encourage collaboration among bureaus.³⁹

According to Nick Fish, the commissioners are able to maintain a city-wide perspective, even with the individual bureau assignments. He has been able to take on broader issues, such as the 2018 housing referendum, and can draw on resources from anywhere in the city when needed.⁴⁰

Although he has advocated against the commission form, real estate developer Bob Ball noted that a city's efficiency and effectiveness can be partially measured by its bond rating, and Portland has historically had a high bond rating (Aaa).⁴¹ Andrew Scott, former Director of the Budget Office, said that the city is considered by its peers to be well-managed financially.⁴²

- **Flexible Leadership**

Portland's commission system allows the mayor a high degree of flexibility to tailor the bureau assignments and workload to the skills and capabilities of the current council. If the mayor sees that particular commissioners are well suited to oversee a particular type of bureau, he/she can move them around to best use the expertise and energy of the individuals on the council. This power can also be used to make other changes if bureaus are not performing to the mayor's expectation.

Susan Anderson and others noted that the City Council seems to attract intelligent, hardworking and dedicated people, in part because the jobs carry more influence and are better paid than most other elected offices in Oregon.⁴³

- **Less Corruption**

Portland's system was originally adopted in response to municipal corruption on the theory that distributing power almost equally among five elected officials would make large-scale corruption less likely. The entire council approves policy decisions, including the budget, so passing self-interested ordinances requires being able to garner a majority vote of the council in a public

meeting. Compared to structures where one individual can unilaterally allocate funds, or where city finances operate with less direct and accountable oversight, the commission form provides some barriers to internal corruption. Because power to enact citywide change is distributed, it is also more difficult for special private interests to bribe or otherwise unduly affect the process. It is much easier to buy, blackmail, or beguile a single decision-maker than three.

The former city auditor, LaVonne Griffin-Valade, has argued that having an elected independent auditor is another factor that has helped the city strengthen its functions and be self-correcting.⁴⁴

Weaknesses

Despite these strengths, Portland is the only large city in America to still practice this form of governance. The Portland commission form of government has had serious criticism since its inception and over the decades Portlanders have called for change many times. What follows are some of the recurring criticisms people have made.

- **Underrepresentation**

Running at-large for City Council and representing the entire city is an expensive and time-consuming undertaking for prospective commissioners. It frequently requires a healthy network of volunteers and a robust donor base. This fact and other compounding factors have led to a city council that has consisted overwhelmingly of white male homeowners from certain affluent neighborhoods of the city. Women, people of color, renters, and those living in less wealthy parts of town have been historically underrepresented in City Hall. In our city leadership, we may be missing out on the diversity of opinions, lived experiences, and perspectives that reflect increasing numbers of Portland's changing population.

As an example, *The Oregonian* reported in 2014:

The Oregonian compiled records for the 49 Portlanders who have served on the City Council since 1913, noting the home address listed the year they first took office. The historic footprint of the city's elected leadership more closely resembles the Portland of a century ago, not of today. The majority, 25, lived in the area bounded by: the current Martin Luther King Jr. Boulevard; Northeast Alberta Street; 47th Avenue; and Southeast Hawthorne Boulevard.⁴⁵

On December 16, 2018, *The Oregonian* published an editorial that expanded on the problems with underrepresentation:

The vast majority of council members have been white males who disproportionately lived in higher income neighborhoods. And while one-third of Portland's residents are of color, only two black men have ever served on the council. Early next year, Jo Ann Hardesty will become the first African American woman to serve, joining just eight other women elected to the council since 1948.

The skewed nature of this representation is thanks to another Portland anomaly in which voters elect the five members at large, rather than by a geographic district or through a

voting system that allows ranking of candidates. Here, the candidate who has the largest campaign coffers and the time to canvas the entire city is more likely to win.

These glaring inequities alone should spark action in this progressive city that prides its priorities in equity and inclusion.⁴⁶

The City Club of Portland report made a comparable point, observing that “Even though none of the witnesses interviewed claimed that Portland city council members have deliberately or consciously favored the concerns of one segment of the city over another, or intentionally ignored the concerns of a particular section of the population, many witnesses expressed their belief that the underrepresentation of people of color, residents of East Portland, and other groups has effectively reduced those groups’ voices in government and tilted decision making on planning, transportation, parks, and other issues against areas of the city where no city council members live.”⁴⁷

In addition, several of our interviewees observed that the easy access to the political leaders works better for those who understand how to work the system and have the time and resources to make their concerns known. As recently as 10 years ago, the “good-old-boys” network dominated interactions with the city. Council sessions held during the working day downtown may not work well for including diverse audiences. Working people, for example, cannot take the time to attend,⁴⁸ although this barrier is true for any form of government that holds day-time meetings.

Lee Cha, head of Portland’s Immigrant and Refugee Community Organization (IRCO), stated that its mission is to promote the integration of refugees, immigrants and the community at large into a self-sufficient, healthy and inclusive multi-ethnic society. He believes that Portland city government does not serve immigrants and refugees well. Over the last decade, improvements have become more apparent because of equity policies, but there is more work to be done. He believes that commissioners are not familiar with this population who regularly deal with hate crimes, fear, or general lack of safety. The new Office of Community and Civic Life might provide a better mechanism for grassroots, diverse voices to be heard and then data could be collected.⁴⁹

- **Lack of Coordination**

We heard from numerous former and current elected officials that the current commission structure has a serious flaw. With each bureau reporting to an individual commissioner and each commissioner elected at-large, there is little inherent incentive for bureaus to collaborate. Such semi-self-contained bureaucracies are often referred to as “silos.” Commissioners become involved in the operation, responsibilities, and needs of the bureaus in their portfolios. Sometimes this diverts their attention away from the needs of the entire city, which they are also supposed to represent. This can be a serious problem during the budgeting process, when commissioners may act as advocates for the bureau needs that they hear about on a daily basis. Furthermore, they may be responsible for several unrelated bureaus. This can further distract from their focus on city-wide issues.

On the other hand, Susan Anderson commented that ‘silos’ are not unique to the city; any sizable organization has to be subdivided in some way to break responsibilities into manageable units.⁵⁰

- **Difficulty with Long-Range Planning**

With each commissioner focused on the administration of his or her respective bureaus, it takes enormous tact and leadership to get the entire city organization to concentrate on a particular issue. Large problems, such as how the city will contend with climate change or respond to a crisis of affordable housing, are inter-bureau issues that would benefit from a unified and accountable leadership. Some mayors have been able to successfully wrangle the other commissioners to unite around a few policy areas, but that has been the exception, not the rule. As multi-decade Commissioner Dan Saltzman noted: “The mayor has to rely on good will and cooperation among the commissioners to get anything done.”⁵¹ To be fair, relationships are a key component in any form of government or organization. A leader who is able to connect effectively with others can make progress, regardless of the structure.

The challenges of focusing the council on a particular issue in the short term are compounded even more over the long term, and many critics noted that Portland’s governance structure undercuts the city’s ability to work on long-term problems. When a mayor says that something will be a new city priority, it often does not happen. People blame the mayor, but in fact Portland’s mayor does not have the authority to make things happen. It is a weak mayor position.⁵² Perhaps a consequence of this lack of authority is that no Portland mayor has served two terms since Mayor Katz (1992–2004).

Bob Ball, among many others, believes strongly that the city lacks the ability to do long-term planning, strategic planning and priority setting. This severe weakness encourages a tendency to punt problems into the future. For example, the city knew in the 1960s that the sewer system was inadequate to meet future demand, but put off funding a solution until the Big Pipe project was mandated by the federal government. The delay made the project much more expensive. The need for affordable housing investment is also not new. In addition, the council has a tendency to spend new, one-time revenues on new projects or initiatives, rather than saving the funds for a rainy day.⁵³

Finally, the mayor’s ability to shift bureaus around also adds a degree of uncertainty to any long-range planning because commissioners’ priorities shift as they lean into their current assignments.

As County Chair Kafoury commented, these problems persist in spite of the fact that the city should have an advantage in working on long-term goals since the commissioners are not subject to term limits as are the county commissioners. In addition, new bosses cannot totally disregard a standing plan, especially any plan that was subject to federal or state mandates and approvals, or other public commitments.⁵⁴

- **Weak Policy-Setting Functions**

The ability to respond quickly does not necessarily lead to effective or rational long-term solutions. A number of interviewees, including Chief Administrative Officer Tom Rinehart, said that council decisions were often made without adequate research or analysis. Policy papers are not routinely prepared during the budget process to analyze trade-offs. The siloing problems mentioned above add to this weakness. A coalition of three commissioners might easily ignore other perspectives.

Steve Novick, former City Commissioner, observed in 2017:

As soon as you assign bureaus to a commissioner, two things happen: Those bureaus become incredibly important to that commissioner, and everything else the city does becomes relatively unimportant. Suddenly, each commissioner's primary constituents are the people in the city who care most about that bureau and its employees—and nobody wants to bring bad news to their primary constituents. It means the council as a whole is never truly committed to a particular priority, because every commissioner's real priority is his or her bureaus. I've seen it happen to myself and others. Before I had bureaus, I brought in outside experts to talk to the council about evidence-based policing; after I got bureaus, I lacked the time and energy to continue that push. . . All of these factors make it harder for the city to take on big, slow-developing problems.⁵⁵

- **Mismatched Skill Sets**

The skills needed to effectively craft and pass legislation can be very different from those needed to execute policies. Which are we selecting for when we vote for candidates for Portland City Council?

The campaign process may, in some respects, be a proxy for being in touch with what the people of Portland want, which is an essential legislative characteristic. But campaigns may not demonstrate a candidate's administrative capabilities. Few candidates have enough administrative experience to prepare them for overseeing hundreds of employees and hundreds of millions of dollars of public funds. Critics of the commission form often advocate for alternatives where professional administrators handle the operations of the enormous bureaucracy that is our city government, freeing commissioners to focus on staying in touch with the evolving priorities and sentiments of the communities they represent.

Lack of administrative experience or technical expertise may prevent commissioners from asking the right questions of their bureau chiefs. The commissioners often are not equipped or inclined to deal effectively with management issues, according to Chief Administrative Officer Tom Rinehart. As a result, problems can fester or go on for far too long before being addressed. Mr. Rinehart also noted that bureau directors are supposed to receive periodic performance evaluations from their designated commissioner, but many directors have received only superficial reviews or none at all.⁵⁶

- **Unequal distribution of Services**

Mary Hull Caballero, the elected City Auditor, believes that the city has not considered equity enough in the past and needs to repair the damages this has caused. She cited two examples:

- Lack of utility funding assistance for low-income residents.
- Infrastructure deficiencies in the north and northeast parts of the city.⁵⁷

- **Administrative Inefficiencies**

The decentralized nature of the bureaus produces much inefficiency. One form of inefficiency is poorly coordinated activities. According to Mr. Rinehart, Chief Administrative Officer, there are dozens of legacy software systems across the bureaus that are outdated and duplicative.

Approximately 60 people now handle payroll processes when a centralized system might need only six. A more rational city structure would have a single Public Works Department and one 20-Year Asset Management Plan for all capital assets. The bureaus do not consistently share plans, so the Transportation Bureau might tear up a particular street one month and Environmental Services might come along a month later and tear it up again.⁵⁸ Commissioners are typically hesitant to meddle in the affairs of bureaus that they are not responsible for, even if their responsibilities interact or overlap. This can contribute to a lack of effective oversight and a failure to spread administrative best practices throughout the organization.

Dealing with multiple bureaus with different processes can also create frustrating delays and complications for the public. County Chair Kafoury mentioned that the city permitting process for reconstruction of the Sellwood Bridge involved multiple city bureaus with different procedures and schedules. This slowed down the bridge construction.

A second form of inefficiency arises from the turmoil associated with changing bureau assignments. Middle-level managers and deputy assistant bureau heads say that the need to educate, inform, broker, and otherwise coordinate with multiple commissioners and bureau staff creates very high and unnecessary transaction costs. Silos require cross-silo coordination and more time is spent in Portland on this type of activity than in city-manager systems in jurisdictions of comparable size. These interactions entail hidden costs that are not readily discussed or resolved.⁵⁹

Section 9. Opportunities to Fix Weaknesses in the Current Structure

Changes to city structure and operations may be accomplished through at least two different paths. Certain changes may be accomplished by administrative actions carried out by the mayor, commissioners or bureau chiefs. Others must be done legislatively, through proposed charter changes or initiative petitions and a vote of Portland citizens.

Administrative Changes

Several of the people the study committee interviewed for this report offered examples of administrative actions that could be taken to improve the council's effectiveness.

In early 2018, Bill Farver, formerly Multnomah County Chief Operating Officer, was hired to review Portland's budget development process and make suggestions for improving it. The cover letter of his July 2018 report says, "You work within a system of government that is widely seen as outdated and dysfunctional," but that his recommendations for changes within the current structure could "increase the operational efficiency of the City, and increase transparency and understanding of the City's budget decisions for Portlanders."⁶⁰

- **Improving Policy-Setting and Coordination**

Permeating the Farver report is the goal of strengthening the City Council's role as a policy-making body that sets and follows clear priorities. The report suggests practices that could help the council

adopt more team-like attitudes and collaborate in developing a “big picture” of what they wish the city to accomplish. (They currently tend to think first of their own bureaus’ needs.) From such a shared vision they could develop policies and priorities that would help the city create and carry through long-term planning goals. In keeping with its intended purpose, the report contains many suggestions for how to achieve a clear, structured and consistent budget process based on the council’s priorities.

The Farver report also recommends many other specific process improvements within the current government structure. These include greater use of performance measures and outcomes; improved public communication processes; and ways to increase management coordination and staff buy-in.

The current Portland mayor, Ted Wheeler, has convened periodic working meetings on current issues, referred to as GATR Sessions (Government, Accountability, Transparency and Results). These meetings are intended to address issues that are particularly complex, that concern barriers to strategic goals, or that cross bureau lines. Recent topics have included response times for the 911 system and the slow permitting process for housing. The bureau directors are asked to share information and status reports with the mayor and the relevant commissioner(s). These meetings are intended to produce strategies and action plans for change. They are not usually open to the public but the results are posted.⁶¹

Andrew Scott, former Director of the City Budget Office, spoke of several ways that the Budget Office attempts to improve how the city is managed. For example, his staff members routinely track the best practices of comparable sized cities and recommend those that fit Portland. They also help organize regular meetings of the bureau directors to discuss issues that cross boundaries.⁶²

- **Improving Long-Term Planning**

Mr. Scott also said that the city does prepare long-term financial plans and maintains a 5-year “budget balance” to identify long-term trends that might cause gaps between plans and available resources and to realign resources. He noted such funding shifts can be disruptive since the public may see a favorite project being dropped or delayed without understanding the full context; some people may conclude that the city is mismanaged or out of control. (See “Improving Community Input” below.) The city also produces a 5-year Capital Improvement Plan that is updated and published annually.⁶³

To address other long-term needs, such as infrastructure improvements, the housing supply, or public safety, it would be helpful and feasible for the City Council to set principles or goals for addressing long-term needs. The bureau chiefs could then be instructed to manage to those goals. Tom Rinehart, Chief Administrative Officer and head of the Office of Management and Finance, suggested that the council could define budget goals and priorities before the city starts holding budget forums, so that proposed ideas could be tested against those priorities. He would also like to see budget outreach sessions arranged with targeted, invited participants to encourage more diverse participation.⁶⁴

- **Improving Community Input**

Former Commissioner Steve Novick cited an approach used in the city of Toronto to get wide community input:

The city planners sent letters to 12,000 people asking them if they were willing to be part of a planning review panel, and selected 28 from 500 respondents, including 13 renters, eight people under 30, and 14 “visible minorities.” As a consultant who helps assemble these panels says, panels are given “a clearly defined task, sufficient time to learn about the issue from different perspectives [and] access to impartial expertise.” Oh—and they're reimbursed for child care, too.⁶⁵

Communication with a wider constituency could be improved by holding city council meetings at different locations across the city and at different times of day. Another useful way to receive community feedback would be to reinstate the City Auditor's annual community survey, which was suspended in 2016. This survey also provided a long-term record of changes in community perceptions about city services.

- **Staffing Changes**

Developer Bob Ball, whose work on charter changes is explained below, said that Mayor Tom Potter asked each commissioner to partner with a citizen to review other bureaus' budgets. Mr. Ball worked with then-Commissioner Eric Sten to examine the Bureau of Environmental Services (BES) budget. The bureau was asked to provide a detailed organization/staffing chart that revealed real inefficiencies in staffing (such as redundancies or supervisors with no subordinates). These inefficiencies could be corrected administratively.⁶⁶

Another example of an administrative change to improve the city government's effectiveness was the hiring of a Chief Administrative Officer to oversee the Office of Management and Finance. This change was described in Section 6, Brief History of Portland's Government Structure.

Charter Changes

According to a publication about Portland's commission form of government issued by the City Auditor's Office in 2013:

... the City Charter is the document that defines how the City is run and its responsibilities. The City Charter can be amended but all changes must be referred to voters. If voters approve the changes, the amendments are adopted. Amendments may be introduced by Council action or through a voter-initiated petition process to refer legislation to a public vote. Initiatives may propose new legislation or make amendments to the city charter. Part of the initiative petition process involves gathering a required number of valid signatures from registered voters in the City of Portland. If the required number of valid signatures is gathered, the measure will be placed on the ballot. If the ballot measure passes with a majority of the vote, it becomes law.⁶⁷

As mentioned in Section 6, there have been eight unsuccessful attempts to change the city structure through elective action. As of January 2009 (and effective as of November 2011), at least every 10

years, the City Council is required to convene a 20-member Charter Review Commission to review opportunities to improve the city. Each city commissioner nominates 4 members, who are supposed to reflect the city's racial and ethnic diversity, age and geography, and are subject to approval by the entire council. More members may be added if needed. The charter sets out specific processes for how recommendations from a Charter Review Commission shall be approved.⁶⁸ The next cycle is scheduled to start in 2021.

Bob Ball, owner of a company that develops and manages commercial properties, was deeply involved in the 2000–2002 effort to change the Portland City Charter. As chief petitioner, he initiated the ballot measure and led the effort to collect 40,000 signatures to get the ballot measure on the ballot. He also visited leaders in other cities to understand how their governments worked, including the city manager of Phoenix, Arizona; the mayor (Willie Brown, later majority leader of the California legislature) and the chief operating officer of San Francisco; the mayor of Denver (Wellington Webb); and city leaders in Seattle. The ballot measure proposed a council composed of 9 members, 2 (including the mayor) to be elected at-large to promote a city-wide perspective, and 7 to be elected by district.⁶⁹

Mr. Ball also served on the subsequent 2007 Charter Review Commission under Mayor Tom Potter. That experience led him to recommend that proposed charter changes be narrowly focused and incremental. For example, he suggested that the next change could be having city councilors elected by district, but might not define the districts in the ballot measure, leaving the details (such as size and boundaries) to a “blue ribbon” committee.

Mary Hull Caballero, the City Auditor, believes that the previous charter reform efforts have failed because the city did not invest money in a program to inform voters about the issues involved.⁷⁰

Options for Changing the Charter to Improve City Government

At least four major changes have been suggested: electing commissioners by district, increasing the number of commissioners, limiting the council's role, or totally replacing the commission form with a different form of government.

- **Election by districts**

The charter could be changed to have some or all of the commissioners elected by district or required to reside in a defined district and be elected at-large. This would follow models already used to elect the Portland school boards, Metro Councilors, and Multnomah County Commissioners. City Commissioner Fritz has said that she likes representing the entire city, but she acknowledged that election by district might reduce the cost of campaigning and make the process more accessible.⁷¹

Underrepresented constituencies might feel they are better represented and have better access to leaders under this approach. Observers believe that a more diverse council would be more aware of the needs of underserved communities and be more likely to respond constructively to those needs. After studying options for improving equity in Portland's city government, the City Club of Portland has adopted a position in favor of electing commissioners by district. The mayor still would be elected at-large.⁷²

On the other hand, being elected by district might make it harder to have a city-wide or long-term perspective. A council member might feel the need to prioritize the needs of his or her district (a problem that would be compounded if he/she still held executive responsibilities for bureaus).

- **Increasing the Number of Commissioners**

Increasing the number of commissioners might also result in better representation. When Portland accepted the five-member commission system in 1913, one commissioner represented approximately 42,000 residents. With the city's population at more than 600,000, each commissioner now represents between 120,000 and 130,000 residents. A recent PSU graduate student thesis observed that, while there is no official standard or guideline for how large a council should be, his research identified two major norms that would be relevant to Portland. First, as populations grow, cities tend to expand the size of their councils to provide a more sensible ratio of elected officials to total population. Second, compared to other cities of similar size range, we have the fewest council members per resident.⁷³ The most typical pattern seems to be about 2 representatives per 100,000 residents, resulting in a 12-member council for Portland. A larger council would provide a "greater opportunity to add diversity of thought, gender, and race to the council."⁷⁴ The City Club of Portland concluded after their study that the number of commissioners should be increased to at least eight, plus the mayor, for a total of at least nine City Council members.⁷⁵

A larger council, however, would be more costly, since additional members would require more office space, staff support, and other resources. And it seems unlikely that this structure would be compatible with the dual legislative and executive roles.

- **Changing the Council's Role**

Redefining the City Council as a legislative, policy-making entity, without an administrative role, should enable council members to focus more on long-term and city-wide issues. They should also have time for more thorough analysis of the impacts and alternatives associated with such issues. The scope of charter changes needed to accomplish this is not clear.

- **Changing the Form of Government**

A full-scale change to a new structure would be the most radical approach. Many other cities that originally adopted the commission form have now changed to a council-city manager form. There is also the option of changing to a strong mayor-council form or a hybrid form. The weak mayor-council and the town meeting forms are considered appropriate primarily for small municipalities and therefore are not considered in this report.

Section 4 of this report identifies proposed criteria for evaluating these other forms, as well as the commission form. The main criteria we found for judging a government's effectiveness include:

- Accountability
- Equity
- Effectiveness
- Longevity
- Responsiveness
- Efficiency
- Transparency
- Livability

For its 2017–18 study of Portland’s government, the City Club of Portland’s research committee focused especially on equity—that is whether the government “equitably represents all the residents of the city.” It also looked at efficiency and accountability.

The Municipal Research and Services Center (MRSC)⁷⁶, which supports municipalities in Washington State, has identified two other factors to be considered in evaluating government structures:

- Management quality
- Political harmony and less divisiveness

The MRSC has also compiled a set of arguments (pro and con statements) from a variety of sources pertaining to the two relevant forms of city structure.⁷⁷ In order to organize a comprehensive view of the alleged advantages and disadvantages of the two alternative government structures this study considered, we have included MRSC arguments in the following summary. The sources of the quoted or paraphrased points are indicated as follows: 1991 League of Women Voters city government study (LWV), Municipal Research and Service Center (MRSC), and City Club of Portland 2019 report (CC).

Advantages of the Strong Mayor-Council Form

Effectiveness and Efficiency

- Administrative authority is concentrated in the mayor. (LWV)
- A strong mayor provides political leadership. (LWV) MRSC added that an elected mayor is a political spokesperson who has a high degree of visibility and may have a higher standing and greater voice in regional affairs.
- This structure allows centralized, streamlined leadership and improved pursuit of citywide policy priorities. (CC)
- The strong-mayor structure allows latitude in hiring competent administrators and firing incompetent ones. (LWV)
- A skilled administrator can be hired to minimize weaknesses in the mayor's management background or experience, but the mayor is still fully responsible. (This refers to the appointment of a Chief Administrative Officer and the addition of professional expertise to the mayor's office). (MRSC)

Transparency and Responsiveness

- There is a separation of powers between the executive and legislative branches. (LWV and MRSC)
- There are checks and balances. Also separation of powers provides healthy independence, debate, and creative tension and the best opportunity for debate and consensus building. (MRSC)
- The mayor is vested with veto power and can serve as a check on an unpopular council decision. (MRSC)

Longevity and Familiarity

- This form is similar to the forms of our national and state governments. (MRSC)

Disadvantages of the Strong Mayor-Council Form

Possible Lack of Effectiveness

- People elected to office are not necessarily experienced administrators. (LWV)
- If an elected mayor proves to be incompetent or worse, he/she cannot be removed until the end of the term, or after an expensive and divisive recall election. (MRSC)
- Any part-time council members may be unable to spend the necessary time at the job. (LWV)

Possible Lack of Accountability

- A strong mayor may dominate a weak council. (LWV) (The City Club and MRSC expressed this as concentrating too much power in one office.)

Possible Lack of Responsiveness

- Partisan politics could influence administrative decisions. (LWV and MRSC)
- City policies are more prone to sudden post-election swings since changing the mayor could significantly change the entire policy orientation. (CC)

Possible Lack of Equity and Responsiveness

- Viewed in terms of equity, the strong mayor system fails on multiple counts due to its tendency to grant the bulk of all political power to a single majority without built-in protections to ensure, or at least increase the likelihood, that minority voices are heard. (CC)
- A separately elected mayor may resist requests from the council. The mayor may attempt to isolate the council by controlling staff, information, and reports. (MRSC)

Advantages of the Council-Manager Form

Effectiveness

- Administrative responsibility is centralized in the hands of one official, allowing efficiency and coordination. (LWV)
- The council-manager form provides the opportunity for effective leadership by the mayor and city council by leaving the administrative duties to the professional manager. (LWV)
- There is an emphasis on administrative professionalism. Managers use analytical skills to solve business problems and are guided by a code of professional ethics (similar to ethics codes for lawyers provided by bar associations). (LWV)
- Efficiency of professional management based on a business model, similar to ...the familiar model of a school board's relationship to the school superintendent. (MRSC)
- Since city managers are appointed rather than elected, greater attention can be given to selecting a qualified manager. The pool of qualified candidates is larger because city

managers traditionally are paid better than mayors and candidates can be recruited from outside the city including a nationwide search. (Mayors must be residents of the city prior to their election). (MRSC)

- Emphasis is placed on the role of the legislative body and its policy-making function. Council gets better cooperation and information because the city manager is their employee. (MRSC)
- Since the manager serves at the pleasure of the council without a definite term, he/she can be removed at any time, limiting the danger of an abuse of authority. (MRSC)
- Under this form, elected members of the city council would focus their time and energy on policy development, long-term strategic planning, budgeting, and constituent services. (CC)

Accountability

- With the legislative powers of government concentrated in the council, voters know whom to hold responsible for public policy-making. (LWV)
- There is a separation of the appropriating and spending functions of government; the council appropriates and the manager spends. (LWV)

Equity and Responsiveness

- The city council-manager system increases representation and responsiveness by placing legislative power in the hands of elected representatives while increasing administrative efficiency by delegating day-to-day administration and implementation of those policies to career professionals who do not engage in politics. (CC)
- Administration of city business is removed from politics. (MRSC and CC)

Disadvantages of the Council-Manager Form

Possible Lack of Effectiveness and Efficiency

- This plan could fail to provide for adequate political leadership. (LWV and MRSC)
- It could be difficult to find a well-trained or experienced manager. (LWV)
- A large city may need an executive with political as well as administrative abilities. Departments, bureau offices, and branches may be influenced by special interest groups. A mayor who can hire and discharge department heads may be needed. (LWV)
- City managers may leave a city when offered higher salaries or greater responsibilities. (MRSC)
- When managers leave their jobs abruptly, it can cause disruption in the flow and efficiency of city business. (LWV)
- The council-manager form may lack strong leadership and centralized responsibility when compared to the strong mayor system. Some cities have experienced problems with a high city manager turnover rate or a tendency for city managers to involve themselves in politics or try to influence policy, although many other cities avoid that problem. (CC)
- The council-manager form can be too much like a business corporation which is not suitable for managing community needs. (MRSC)

- Professional city managers cost too much; other people could handle the job for less cost. (MRSC)

Possible Lack of Responsiveness and Equity

- In selecting a manager, there is a possibility that partisan or personal considerations might take precedence over professional competence. (LWV)
- Because the manager does not face the public in a general election, the manager does not have to be as responsive to citizens' demands as does an elected mayor. (LWV)
- A city with diverse ethnic or socio-economic groups may need a politically strong mayor to bring the groups together. (LWV)
- The council-manager form gives too much power to one person: the city manager. (MRSC)
- A professional manager, often chosen from outside the city, does not know the community and is too far from the voters. (MRSC)
- Councils may leave too much decision-making to the manager, who is not directly accountable to the public. (MRSC)
- Citizens may be confused about who is in charge. Most expect the mayor to respond to their problems. The mayor has no direct control over the delivery of services and can only change policy through the city council. (MRSC)

Section 10. Conclusion

In the 28 years since the Portland League published its last study on city government, Portland has grown in many ways. The 1988 population was about 388,000; the estimated population in 2015 was approximately 612,000, nearly the same size as Denver, Colorado (see Appendix D), with many more people expected in the coming years. The population has become more diverse; technology is changing the political and government processes; and the political issues have changed, as seen by the recent focus on housing costs and homelessness. At what point do quantitative changes become qualitative changes that require action?

In addition, the problems have become more resistant to easy solutions. As *The Oregonian* noted in an editorial published in December 2018:

The city is failing miserably at the basics. Portland's dearth of affordable housing has helped create a seemingly intractable homeless crisis. Roads are clogged and crumbling across the city. Downtown businesses and residents feel held hostage by dueling protests that police have struggled to control. More trash, more crime and mounting suspicions that the city's low-income communities are left to deal with a disproportionate amount of blight. City Hall can't solve these systemic issues any time soon. Most were years in the making and require continued policy improvement and sustained investments to dig our way out.⁷⁸

In considering possible changes, we need to be alert to the trade-offs and consequences of our decisions. For example, spending money to keep the downtown area clean and safe makes it more attractive to businesses and associated jobs. But the same resources could also be spent on bringing sidewalks and sewers to outer neighborhoods. Which is the better choice? Similarly, would the benefits of increasing the number of commissioners outweigh the likely increase in the cost of running our city?

Even bringing more voices into the decision process can be problematic. As one set of observers commented, cities are using “more participatory forms of governance, but they also increasingly have to make strategic decisions and manage issues that are not necessarily amenable to popular input.”⁷⁹ Portland’s long-standing and highly technical issue about how to protect our Bull Run water supply from contamination is an example of such a problem.

As noted in the League’s 1991 report, no government structure is ideal. Any change presents some risk of unintended consequences, of a mismatch with the city’s underlying culture and values, or of failures we cannot foresee.

Does a structure dating back to 1913 still serve our needs? What will enable Portland to keep being “the City that Works”? The answers to these questions depend on understanding the pros and cons of possible changes reviewed in this report. League members will participate in group discussions in order to come to consensus, an overall sense of the group as expressed through the exchange of ideas and opinions. Any changes in the Portland League position statements that guide our future action will be the result of such a consensus process.

When the next Charter Review Commission considers how the City Charter might be amended, their recommendations and the voters’ decisions will be based on the criteria they prioritize for judging the potential improvements or trade-offs for each proposal. The League of Women Voters of Portland City Government Study Committee hopes this report will help guide the public, as we choose among the options that will shape Portland’s future government.



Appendix A: Overview of City Budget

FY 2018–19 Adopted Budget

Revenue (by Source)

Taxes	\$	706 million
Service Charges (mostly utility fees)		885 million
Licenses & Permits		291 million
Intergovernmental revenue		286 million
Budgeted Beginning Fund Balance		1,555 million
Bond & Note Proceeds		426 million
Miscellaneous Sources		50 million
Net Revenue	\$	4.2 billion

Expenses (by category)

Personnel Services	\$	831 million
External Materials & Services		1,011 million
Internal Materials & Services		234 million
Capital Outlay		510 million
Subtotal	\$	2.6 billion

Contingency	\$	1,028 million
Ending Fund Balance		245 million
Debt Service		573 million
Cash Transfers		713 million
Subtotal	\$	5.1 billion

Less Intracity transfers		947 million (double counting)
Net Expenses	\$	4.2 billion

Note: Although state budget law requires that all expenditures within and between funds are documented in the legal budget, this overstates actual expenditures for programs because it double counts internal transactions (internal materials and services and fund-level cash transfers). Such transactions occur between city funds, when one city agency provides services to another. Because this technically inflates the budget, the city usually references a net budget. After eliminating the intra-city transfers, the city's net budget in FY 2018–19 is \$4.2 billion.

Source: *City of Portland Oregon FY 2018–19 Adopted Budget, Volume 1, Bureau Budgets*, pp. 29–30, www.portlandoregon.gov/cbo/77095. Accessed October 30, 2018.

Appendix B: Overview of City Bureaus

Bureaus	FY 2018–19 Adopted Budget^a	Staffing Levels^a (Full-time equivalents)	Summary of Key Performance Measures 2016–17^b
Public Safety Bureaus <i>11.9% of Total City Budget</i>			
Emergency Communications	\$25 million	'16–17 Actual: 169 '18–19 Approved: 187	Answering times, dispatch times, staffing, overtime & attrition
Fire and Police Disability & Retirement	\$166 million	'16–17 Actual: 17 '18–19 Approved: 17	Disability claims, sustainable revenue vs. benefit costs
Police Bureau	\$227 million	'16–17 Actual: 1,235 '18–19 Approved: 1,299	Compliance with USDOJ agreement, crime rates, response times, staffing levels & diversity
Portland Fire & Rescue	\$126 million	'16–17 Actual: 720 '18–19 Approved: 729	Response times, call volume
Bureau of Emergency Management	\$9 million	'16–17 Actual: 20 '18–19 Approved: 23	NET responders & training, bureau continuity plans
Parks, Recreation & Culture <i>5.3% of Total City Budget</i>			
Portland Parks & Recreation	\$272 million	'16–17 Actual: 625 '18–19 Approved: 627	Quality of parks & facilities, access, safety
Public Utility Bureaus <i>38.0% of Total City Budget</i>			
Portland Water Bureau	\$445 million	'16–17 Actual: 588 '18–19 Approved : 616	Water quality, customer service
Bureau of Environmental Services	\$685 million	'16–17 Actual: 592 '18–19 Approved: 592	Sewer overflows, response times, sewer rates
Community Development Bureaus <i>7.6% of Total City Budget</i>			
Bureau of Development Services	\$154 million	'16–17 Actual: 382 '18–19 Approved: 453	Inspection rates, permit processing, plan reviews
Portland Housing Bureau	\$185 million	'16–17 Actual: 59 '18–19 Approved: 74	Affordable housing units, homelessness services
Office of Community & Civil Life (formerly ONI)	\$13 million	'16–17 Actual: 56 '18–19 Approved: 60	Noise control, crime prevention, outreach
Office of Equity & Human Rights	\$2 million	'16–17 Actual: 12 '18–19 Approved: 12	Civil rights, diversity
Bureau of Planning & Sustainability	\$23 million	'16–17 Actual: 100 '18–19 Approved: 100	New housing units, energy efficiency, carbon emissions, waste management
Prosper Portland (formerly PDC)	\$6.5 million	'16–17 Actual: NA '18–19 Approved: NA	Household incomes, start-up investments to underserved populations

Bureaus	FY 2018–19 Adopted Budget	Staffing Levels (Full-time equivalents)	Summary of Key Performance Measures 2016–17
Transportation and Parking 10.7% of Total City Budget			
Portland Bureau of Transportation	\$520 million	'16-17 Actual: 868 '18-19 Approved: 977	Traffic fatalities, street & bridge conditions, travel modes, parking
Elected Officials 1.8% of Total City Budget			
City Council	\$38 million	'16-17 Actual: 61 '18-19 Approved: 62	Oversight of Bureaus, Children's Levy
Auditor	\$32 million	'16-17 Actual: 55 '18-19 Approved: 56	Debt mgmt., police oversight, audit services, assessments, ombudsman
City Support Bureaus 23.8% of Total City Budget			
Office of the City Attorney	\$13.6 million	'16-17 Actual: 66 '18-19 Approved: 71	Cost of outside counsel, contract review, case resolution
City Budget Office	\$3.9 million	'16-17 Actual: 17 '18-19 Approved: 15	Performance measurement, funding gap for infrastructure
Government Relations	\$2 million	'16-17 Actual: 10 '18-19 Approved: 10	Outreach, satisfaction
Office of Management & Finance	\$638 million	'16-17 Actual: 664 '18-19 Approved: 665	Bond rating, revenue collections, network availability, diversity contract results, recruiting, service delivery, contract management, fleet mgmt., facilities
Special Appropriations	\$13.4 million	NA	NA

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b. City Budget Office, *Prior Year Performance Report Fiscal Year 2016–17.* Hardcopy and electronic version. www.portlandoregon.gov/cbo/article/665389. Accessed December 4, 2018.

Appendix C: Key City Planning Documents

According to Susan Anderson, former director of the Bureau of Planning and Sustainability, the following key documents provide long-term direction for the city:

The *Portland Plan*, dated 2012, was initiated under Mayor Sam Adams. It was intended to set a strategic direction for the overall livability of the city, addressing goals for education, health, jobs, etc. Some 17,000 people participated in creating the plan, as well as personnel from other levels of government, including Multnomah County, the Port of Portland, and Metro. The plan, with the subheading “Prosperous. Educated. Healthy. Equitable,” provides measurable objectives that go beyond infrastructure. The purpose was defined as providing a plan “that guides the city to build strong partnerships, align resources, and be more resilient, innovative, and always accountable.”

Bureau directors have used the plan for guidance since the plan set metrics for a sustainable, livable city. The Bureau of Planning and Sustainability has published at least one progress report (February 2017) documenting what has been accomplished. When the plan was developed, economic issues and job creation were the key issues, so it probably needs to be revisited and updated.

Portland Plan, April 25, 2016. www.portlandonline.com/portlandplan/indexcfms=58776. Accessed November 26, 2018.

The *Central City Plan* sets plans and priorities for the city core (including the Lloyd District), with land use implications subject to state approval, and is implemented through the Portland Zoning Code. City Council approved the most recent update as Central City 2035 Plan on June 6, 2018.

“The Central City 2035 Plan (CC2035) responds with carefully designed goals, policies, and tools to guide growth and development well into the 21st century and make the Central City a place that every Portlander can be proud to call their own. The CC2035 Plan replaces the 1988 Central City Plan as the primary guiding policy document for the Central City. It will be part of Portland’s new Comprehensive Plan, a 20-year plan for the physical development of the city. Both plans will help implement The Portland Plan (2012), which called for actions to make Portland prosperous, educated, healthy, and equitable. Because Portland cannot be a great city without a vibrant, accessible, and ecologically rich riverfront, the new plan also includes an update to the plan for the Central Reach of the Willamette River.”

Central City 2035 Plan, adopted by City Council on June 6, 2018 as Ordinance 18900, effective July 9, 2018. www.portlandoregon.gov/BPS/article/689693. Accessed November 26, 2018.

The *2015 Climate Action Plan* outlines the actions the city and Multnomah County will take in the next five years to keep Portland on the path of reducing local carbon emissions. Since 1990, total local carbon emissions have declined by 21 percent while nearly 90,000 more jobs were added to the economy and the population grew by 33 percent.

2015 Climate Action Plan. Office of Planning and Sustainability, April 2012. www.portlandoregon.gov/bps/66993. Accessed November 26, 2018.

Portland's Comprehensive Plan is a long-range, 20-year, plan that helps the city prepare for and manage expected population and employment growth, as well as plan for and coordinate major public investments. One component, the Urban Design Framework, provides a structure for Portland's current and future physical form and layout. The framework describes and maps the city in terms of major elements such as its places, natural features, and connections.

The Comprehensive Plan, which was redone in 2014, is a legal land-use document required for every Oregon city. It sets zoning and related policies, such as specifying industrial versus apartment zones.

2035 Comprehensive Plan. Office of Planning and Sustainability, 2014.

www.portlandoregon.gov/bps/57352. Accessed November 26, 2018.

The City Budget Office has published the following documents that have a shorter framework:

City of Portland, Oregon. FY 2017–2018 Budget in Brief. This is a summary version of the annual budget plan.

Prior Year Performance Report Fiscal Year 2016–17. Describes and analyzes actual accomplishments, expenditures, and issues in relation to key performance indicators. Dec. 2017.

Performance Dashboard. Available on the City Budget Office web page.

Budget Map. Available on the City Budget Office web page. This material compares city investments or program initiatives across time by city area.

Appendix D: Comparison with other Cities

	Albuquerque	Denver	Minneapolis	Oakland	Pittsburgh	Portland	San Francisco	Salt Lake City	Seattle
Form of Government	Mayor (at large); 9-member Council (by District) since 1991, City Manager	Mayor; 13-member Council (11 by district; 2 at large) since 1913	Mayor; 13-member Council (by Ward)	Mayor (at-large); 8-member Council (7 by District, 1 at large); City Administrator	Mayor; 9-member council (by District) since 1911 & 1974 Home Rule	Mayor; 4-member Commission since 1913	Mayor; 11-member Board of Supervisors (by District) since 1996	Mayor (Exec); 7-member Council (by District)	Mayor; 9-member Council (by District)
City Budget (Varies by Services)	\$957 Million (FY 2018)	\$ 2.4 Billion (Consolidated City/County)	\$1.54 Billion (FY 2018)	\$1.33 Billion (FY 17-19)	\$566 Million (FY 2018)	\$4.2 Billion (FY 2018)	\$10 Billion (FY 2018)	\$273 Million (FY 2018)	\$5.6 Billion (FY 2018)
Population (2015 est) ¹	556,092	663,303	399,950	408,073	305,928	612,206	840,763	190,679	653,017
Median Household Income ¹	\$47,030	\$56,258	\$51,480	\$54,618	\$40,715	\$55,003	\$81,294	\$47,243	\$70,594
Number of housing units ¹	241,326	299,358	180,989	171,087	154,509	269,917	380,676	81,427	315,950
Vacancy Rate ²	8%	6%	7%	7.4%	14%	5.8%	7.9%	7.5%	6.1%
Owner Occupied ²	59%	49.4%	48.1%	39.8%	48%	52.9%	36.4%	48%	46.1%
Renter Occupied ²	41%	50.6%	51.9%	60.2%	52%	47.1%	63.6%	52%	53.9%
% Population Completing 12 or more Years of Education ³	89.0%	86.4%	88.6%	80.4%	91.4%	91.3%	87.0%	87.6%	93.4%
% Population Completing 16 or more Years of Education ³	33.5%	45.7%	47.4%	39.1%	38.3%	45.5%	53.8%	43.1%	58.9%

¹ <https://factfinder.census.gov/faces/ndve/jsf/pages/community facts --2011-2015 American Community Survey. 5 yr estimates-SHOW ALL>

² <https://factfinder.census.gov/faces/ndve/jsf/pages/community facts --2011-2015 American Community Survey. 5 yr estimates-HOUSING>

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Reviewers

Douglas Morgan, Portland State University

Bob Ball, Robert Ball Companies

Study Committee

Betsy Pratt, Chair, Doreen Binder, Linda Mantel, Marion McNamara, Frances Moore,

James Ofsink, Nadyne Rosin, Janet Youel

Editing Committee

Beth Burczak, Debbie Kaye, Ted Kaye, Linda Mantel, Margaret Noel

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

The League of Women Voters of Portland Education Fund is a 501(c)(3) citizen education organization that helps people thoughtfully engage in the democratic process. This includes, but is not limited to, providing information about elections and the voting process.

League of Women Voters of Portland Education Fund



PO Box 3491, Portland, OR 97208-3491

phone: 503-228-1675 • email: info@lwvpx.org • web: lwvpx.org

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