

## **Portland Charter Amendment, Measure 26-228**

**Official Title:** Amends Charter: Changes Portland’s government structure and process for electing city officials.

**Question:** Should Administrator manage city government, 12-member Council (three from each district) make laws, voters elect officials using ranked choice process?

**Financial Impact:** The City Budget Office estimates the direct costs of implementing the measure at between \$900,000 and \$8.7 million annually. The City’s annual net budget is \$4.66 billion, so the higher estimate is roughly 0.003 percent of the net budget.

### **Probable Results of a “Yes” vote:**

1. A City Administrator, supervised by the Mayor, would manage the operations of the City.
2. The City Council would expand to twelve members, with three elected from each of four geographic districts. It would set policy through legislation and have the power to approve and adjust the budget proposed by the Mayor.
3. City officials would be elected using a ranked choice voting process in a single election in November.

### **Probable Results of a “No” vote:**

The City would retain its current form of government and elections.

## **Background:**

### **The Commission Form of City Government**

Portland’s version of commission government was adopted by the voters in 1913. It replaced a city council made up of a mix of council members elected from districts and a smaller number elected citywide. It was seen as a way to break up political “machines” and reduce the corruption that was rampant. In time, in American cities across the country, the commission form of government proved quite susceptible to corruption as well. Today Portland is the only one of the 30 largest cities in the United States to use the commission form. The establishment of a professional civil service became the preferred method of working for honest government.

For close observers of municipal life, there has been skepticism that the process that identifies good representatives also identifies good administrators. Voters do not have the power to elect a particular candidate to run a particular bureau; the Mayor makes these assignments. Studies sponsored by the City have shown a low level of cooperation among the various bureaus. An often-cited result of this “silo-ing” is the delays and frustrations encountered by those needing City permits, inspections and services. The system may also make the City a less attractive workplace for professional managers who want to work effectively as part of a team.

After eight unsuccessful attempts to change the commission system, Portlanders voted in 2007 to establish a Charter Commission to meet at least every ten years to suggest amendments to the Charter. The first commission did not recommend any changes in the charter; the second commission, after extensive outreach and study, made the recommendations now before the voters.

## **Background for the Proposed Changes: Expanding the City Council and Electing Councilors from Districts.**

Portland has very few council members for the size of its population compared to other American cities of similar size: according to the U.S. Census, it has one commissioner for every 130,000 residents, while most cities of similar size have one commissioner for about every 50,000 residents. The Charter Commission and civic groups heard many complaints from residents who felt their elected officials were too remote. They could not reach commissioners and were not sure which commissioner to try to reach in any event. Comments to the Commission from Portland residents favored increasing the number of members of the City Council and electing them from separate geographic districts.

Commissioners would be required to live in their districts. Historically, Portland City Commissioners have lived in the Southwest and Central Northeast sections of the city. At the same time, other areas, usually poorer and with more residents of color, have been under-represented. This is widely viewed as impeding the delivery of City services to those areas, and as discouraging participation by their residents in City government.

### **Multi-Member Districts**

In terms of demographics and economics, the Portland City Council has historically not been representative of women, people of color, renters and people of modest means. A Portland City Club report concluded that multi-member districts would be able to elect both majority and minority representation: If voters are encouraged to rank their own choices on ballots, a broader group of people would be able to elect officials who represent their interests. Thus multi-member districts may give representation to widely-held, but minority, views.

### **Ranked Choice Voting**

Ranked choice voting is used in a number of American jurisdictions to eliminate the need for two elections, both a primary and a runoff. Primaries are criticized for adding needless expenses to campaigns and creating an overly long election season. Primaries can also result in the election of candidates who have little demonstrated support. In Portland, where the turnout in the 2022 primary was only 37 percent, it took less than 18 percent of the City's registered voters to pick a commissioner. By contrast, 80 percent of Portland registered voters participated in the November 2020 elections. The results of those elections reflected the choices of a much larger group of voters. If the Charter Commission's recommendations are adopted, two districts would hold their elections in November in presidential primary years and two in gubernatorial election years.

When voters rank candidates on their ballots, the election results have been shown to more accurately reflect the interests of voters, in proportion to their percentage of the population. This is because of the transfers of votes from each voter's top choice to their next-highest choices. In all elections with ranked choice voting, votes may be transferred from the candidates with the fewest first-choice votes to voters' next highest preferences, so that voters who supported losing candidates still have a chance to be represented. If a voter's first choice is eliminated, their next choice will be considered, until someone wins. In multi-member elections, excess votes from winning candidates can be transferred to the second choices on the ballots of the voters who elected those candidates. This allows those voters to be more fully represented in proportion to their numbers in the population.

## Summary of Measure:

The Portland City Charter Commission recommends amending the City Charter to reform the structure and operation of City government. The recommendations, made after months of study and community engagement, are supported by seventeen of the twenty Charter Commission members.

The measure includes three interdependent reforms:

**1. City Administrator, supervised by the Mayor, manages City operations.**

- **Currently:** City Council, consisting of the Mayor and four commissioners, exercises legislative and executive power. Executive power includes managing City bureaus.
- **If the measure is approved:** The City Council will continue to exercise its legislative power to make laws. A City Administrator, hired by the Mayor and confirmed by the City Council, will exercise executive power to implement laws and manage City bureaus. The City Administrator will hire, fire and supervise bureau directors. The Mayor will not be a member of the City Council but may introduce laws and break tie votes. The Mayor will have the duty to propose the City budget.
- An Independent Salary Commission of human resources professionals will set elected officials' salaries.

**2. City Council is expanded to twelve members, three from each of four geographic districts.**

- **Currently:** City Council consists of five members—one Mayor and four commissioners. All are elected citywide.
- **If the measure is approved:** The City Council will expand to twelve members elected from four new geographic districts. Each district will be represented by three councilors. An Independent District Commission will draw district boundary lines that are to be adjusted every decade, beginning in 2030, based on census population data.

**3. City officials will be elected using “ranked choice” voting process.**

- **Currently:** Qualified Portland voters cast one vote for each candidate for each office in citywide elections for Mayor, Auditor, and City Council members. If no candidate for an office receives more than 50% of the votes in the May primary, the top two candidates compete in a November runoff election.
- **If measure is approved:** Voters may rank candidates for each office in order of preference, with votes tallied in rounds until there is a winner. Ranked choice voting results in one general election, eliminating primary elections. Ballot tallying methods depend on the office.
  - For officials chosen in a citywide election (Mayor and Auditor), an “instant runoff” process is used to count ballots in rounds. If no candidate receives more than 50 percent of the vote in the first round, the candidate receiving the fewest votes is eliminated and that candidate’s votes are transferred to each voter's second choice candidate. The process continues for as many rounds as necessary until a candidate exceeds the 50 percent majority.
  - For city council seats, a “single transferable vote” method is used. Candidates win when they exceed a threshold set by the number of available positions. When all three seats are open in a district, that threshold is 25 percent plus 1, because no more than three candidates can achieve that number. Ballots are counted in rounds.

Any candidate exceeding the threshold is elected, and the proportion of that candidate's votes that are above the threshold determine a number of votes that are transferred to the second-place choices of all voters who elected the candidate. If vacancies remain, the candidate receiving the fewest votes each round is eliminated and that candidate's votes are transferred to other candidates based on voters' preferences. The process continues for as many rounds as necessary until all positions are filled.

**Supporters say:**

- The inefficiencies of the commission form of government alienate the public and reduce the quality of life in the City. A City Administrator and the Mayor overseeing all the bureaus would allow for accountability, prioritizing pressing issues and resolving inter-bureau disputes on a policy basis.
- Voters easily understand how to fill out ranked choice ballots. The method of ranked choice voting for multi-winner elections that will be used in Portland is used for electing city councils and government boards in six U.S. cities, as well as in local elections in Australia, New Zealand, Scotland and Ireland.
- A city council which focuses on setting policy by passing legislation, adopting the budget, and hearing important appeals will be more effective in setting current priorities for the City and engaging in long-term planning.
- Granting more executive power to the Mayor and a City Administrator will bring their capabilities into line with what voters expect.
- Increasing the number of city council members and electing them by district will enhance the public's ability to contact them with concerns. Councilors will be able to establish district offices and get to know their constituents and their districts better than officials elected at large.
- The residents of Portland are not well represented by the current system in terms of geography, gender, ethnicity, wealth and other factors. Multiple-member district elections will increase the range of people and views included, making for a more equitable and effective government.
- By running in a district one-fourth the size of the City, candidates may need less money to run for office and be less dependent on large donors. This would expand the pool of candidates for voters to consider.
- Since there are three councilors in each district, they can work collaboratively. Additionally, since at least seven votes will be necessary to pass laws and adopt policies, councilors will have to work across districts to gain support.

**Opponents say:**

- "At large" council members each have official responsibility to represent the entire city while district-based members who need only 25 percent +1 of the vote would be able to ignore districts and issues outside their own. It will be hard to know who speaks for the City.

- The current voting system offers protection against a weak or incompetent mayor, unethical or ineffective commissioners, and narrow interests in government. Moreover, the City currently provides public financing and open nonpartisan elections, resulting in a diverse City Council.
- Because each commissioner needs only 25 percent +1 of the vote and because there are three positions available in each district, commissioners could easily become entrenched.
- A larger city council would be more expensive.
- Ranked choice voting is too complicated for voters. Voters will stay away from elections, or there will be many spoiled ballots.
- Ranked choice voting does not necessarily result in the election of the most popular candidate. According to four former Portland Commissioners, “Gone will be the days when winning an election meant getting a majority of the voters to agree with you.”
- This proposal makes City government less accountable. If this measure is defeated, City Council can put forward a better proposal that could include a City Administrator, districts to increase representation, and single members from each district.
- The combination of ranked choice voting and multi-member districts has never been tried; according to former Congressional Representative Les AuCoin, the proposal will “result in city government focusing on solving the confusion caused by its complexity.”