

Portland Charter Commission

Public Conversations

Tuesday, February 23, 2010
State of Maine Room, Portland City Hall

Meeting Notes:

The Charter Commission held an evening of Public Conversations to provide for informal table conversations that gave the Commission broad public input on the issues under discussion and the preliminary decisions made to date.

After a brief review of the evening's process and the progress of the Charter Committee to date, the roughly 30 members of the public gathered around 5 tables with two members of the Commission at each table. Each table held three 20 minute conversations on different topics. All tables discussed the elected mayor issue and the non-citizen voting issue. Then 2 tables discussed the Ranked Choice Voting issue and the remaining 3 tables discussed the school issues.

Notes from Table # 1 (Commissioners Treverrow and Davis)

Non-citizen voting:

- Overview of the process so far
 - Informational meeting on non-citizen voting
 - Learned about hurdles to citizenship
 - Considering because we have lots of immigrants
 - Taxation
 - Municipal elections only
- Parkside: areas of it have few registered voters, but civic participants live there
 - It is taxation without representation
- It's going to take educational outreach
 - We are accustomed to stereotypes
 - Children act as liaison between elders & parents & English speaking community
 - It will help encourage and facilitate citizenship
- Feel some resistance, have to examine why
 - Struggling with this concept, it seems so fundamental
 - Would rather see foster better process of citizenship
 - How finely do you slice who, what categories with in "legal residents" has a claim to the vote?
- Many people were born here, but they struggle to understand democracy
- Questions about the percentage of affected population
- People come to our country and contribute a lot, we exploit their resources; it is a "no brainer"
- People choose to live here; they are permanent

- Room for discussion about whether the charter is the best mechanism to address the question

Elected Mayor Issue:

- Don't feel totally represented, not sure if that will change
- League of Women Voters support the council/manager for historically
 - Many versions
 - In terms of leadership and vision, CC's considerations have been effective
- In the 21st Century the Council/Manager form is lumbering
 - Now is the time for a powerful executive
 - City government is slow to move; time for a voted executive
 - We need a strong mayor
- Always lived in elected mayor set up; Portland's set up is a little strange
- Feel like Portland is not big enough to afford a strong mayor
 - Preserving the level of professionalism
 - Salary or stipend?
- Lots of offices are not open to full socio-economic spectrum
- School Board, Maine State Pier: strong mayor could address these issues
 - City needs Renaissance; now is time to put it forward
- We function so much as a service center for southern Maine
- Removal Provisions?
- City Manager should be under auspices of the elected mayor
- It is very hard to elect the right people
 - Creating paid position, probably not the right time
 - Not for elected mayor because it won't fix the "people problem"
- Mayor issue is about power; often elected officials are powerless
- Support elected
- Don't like term limits

School Issues:

- Schools are own culture, not to converse with the municipal side
- If we change mayoral position, does that change mirroring structure of two bodies?
- Would like to see compensation on a par
 - Early education – not enough focus on it
 - We put band aids on problems
 - Heavy concern with the budget cuts
- "0-5" – we expect kids to be ready for classroom settings
- Unity in function between city and school
- Nothing prevents the Council from attending and working with the School Committee now
- Could we put a structure in place for joint sessions and strategic planning, particularly with the budget?

Notes from Table #2 (Commissioners Gooch and Chipman)

Elected Mayor:

- Straw man not strong enough. Suggest shared powers and oversight over department heads and the formulation of their budget. The manager should fall under the mayor in no uncertain terms.
- There needs to be a clear definition of the Manager's responsibility under the mayor. The ultimate arbiter should be the Mayor.
- The Mayoral proposal needs more teeth, with a better definition of the relationship between the Mayor and the Manager with respect to the budget.
- The City Manager should be hired for a fixed, renewable term – a contract rather than “at will.” Suggest that the CM be hired as the Federal Reserve Chair, with the intention being to overlap the Mayoral term.
- The annual review of the Manager is not now taken seriously by the council.
- Right now the Manger is the de facto Mayor and to get rid of him you need near unanimity of the council.
- How does the Mayor set an agenda AND get the city staff to go along with it? How do you compel staff to act accordingly? Perhaps the Mayor and the Council need hire & fire authority a little further down the line, to include department heads.
- We want a Mayor with a vision; we need to give them to tools to facillitate that vision.
- A serious salary will open the pool of candidates.

Non-Citizen Legal Resident Voting

- Is this too many issues? Doesn't seem important enough. Interesting philosophical question, but not for the Charter Commission – there are too many more important things, and too much technical to consider with regard to the things now being talked about.
- Originally opposed, but now inclined to be in favor, citing *Citizens United* case – if non-citizen corporations can flood the system with money, then why not allow residents to vote?
- Very appropriately a charter issue. Don't vote on it based on how you think it will affect other initiatives, and fear shouldn't dissuade us from trying it.

- Be sure to separate issues on the ballot from one another – “allow each to stand on its own merit.”
- Public debate on the question would be good.

Ranked Choice Voting

- Problem of perception: “Seems like the ‘least objectionable knucklehead’ gets elected.”
- Multiple candidate races area likely with a Mayoral race.
- Could be a strain on City staff if the race goes more than five levels deep. Could we have a system where the bottom two candidates were eliminated?
- Generally in favor of the idea.
- There is a burden on the Clerk’s office.

Other Input:

- We thought there would be more opportunity to interact with the Commission via a blog, comment pages, etc. Disappointed that that hasn’t happened.
- Automatic periodic review of the Charter:
 - Written into the Charter itself?
 - On the ballot automatically every ten years or so?
 - Perhaps an automatic technical review followed by a Council decision on whether to open the document in full.

Notes from Table #3 (Commissioners O’Brien and Plumb)

Elected Mayor

- Rhetorical question: would an elected mayor have been able to secure pier deal, avoid School budget meltdown, Libra withdrawal of civic center offer, etc.?
- Group generally agreed with current Commission proposal
- Portland needs a single voice; needs central consensus
- CEO (hiring and firing powers) versus Board President (political leader):
 - CEO required for checks and balances (a check against City bureaucracy)
 - More power over City Manager needed in current proposal
 - Council should have checks against a mayor, but not at the expense of mayoral powers
 - Maintain the City Manager as an employee of the mayor
- Why not partisan elections? Run on party platform. Fellow party members will share accountability
- The current system of government (Council-Manager) gets paralyzed at times

Non-Citizen Voting

- Determine legal requirements
- Up to Charter Commission to decide parameters
- Err on the side of allowing public to vote up or down; fair way to put it to the people to vote
- Allow community conversation
- Let Portland vote
- Concerns (against it):
 - Goes against established American tradition
 - Already have way to citizenship
 - Can non-citizens legally be charged with treason?
 - Tears away fabric of the United States
 - Earn right to express oneself
 - How have non-citizens been harmed by not voting?
 - Local government depends on Fed/State money, but no vote for Governor or Senators? Inconsistent rights.
 - Erosion of voting establishment at all levels
 - Limited understanding of governmental and legal structure
 - Change fed requirements for citizenship if necessary, not local voting laws
- Support (for it):
 - Practical needs (trash collection, etc.) affect all residents
 - Taxation without representation
 - *E Pluribus Unum*, The Many United
 - Some non-citizens come from countries without voting tradition; voting in municipal elections would be good primer
 - Refugees did not necessarily choose to be here; citizenship may not be goal;
 - Needs are now

Notes from Table #4 (Commissioners Mermin and Valleau

Non-citizen Voting:

- Big question about how to design and implement NCV
- Need to have clear rules set by the Commission
- Issue could bring down the entire Charter effort
- It is a legally cloudy issue
- There are language issues
- It could be a civil rights issue

Elected Mayor:

- Four year elected mayor is more effective, more leadership change is good
- No accountability in the current system. An elected mayor would be accountable
- The public should know the mayor's pay before voting: e.g. a formula
- A mayor may run the city just fine
- Should the mayor have legal counsel
- Don't reduce the place of the professional manager

School Issues:

- City council should not try to manage the schools
- City council should have final say on budget

Miscellaneous: Must vote on separate issues in November, not one big vote.

Notes from Table #5 (Commissioners Smith and Spritz)**Non-citizen voting:**

- What language to use?
 - Instead of “non citizens”...
 - Non citizens with legal residence
 - Legal residents who are not yet citizens
- Benefits/advantages/reasons for non-citizen voting
 - Non citizens are a substantial portion of Portland’s population
 - Gets parents of students civically involved
 - Makes the system more “generally inclusive”
 - “If people pay taxes, they should be allowed to vote”
 - Citizenship process takes long, and in the meantime, people are disenfranchised
 - Might bolster voter turnout
 - Immigrants are a target because they don’t have a voice
- Disadvantages/opposition to non-citizen voting
 - Fundamental principle: voting is accorded to citizens; doesn’t seem right to say that “just landing/being here” guarantees you the right to vote
- Related issues and questions
 - What about other countries, how do they handle non-citizen voting?
 - Should the Commission maybe not put endorse non-citizen voting, so as not to risk losing “the whole package”?

Elected Mayor Issue:

- Arguments against an elected mayor?
 - Potential to see City Hall politicized in an election, having the parties get too much control of the electoral process
 - Throughout the U.S., in city after city, where there is an elected mayor and a city manager/council (NY, Philly, Boston, etc.) “you see only adversarial relationships.”
 - But...the above speaker said he always was opposed to an elected mayor, but supports the current version/proposal
- Full-time vs. part-time position?
 - Don’t think we need a full-time mayor. “The things that need to be done, have always been done. For the most part the system has worked well.”
 - Need full-time mayor to lead us (Portland) to the next place. Someone who will devote a significant part of their life to guiding Portland.

School Issues:

- Why change the name of the School Committee?

- New name gives them more gravitas
- Should the high school representatives to School Committee also be compensated?
 - Is this a charter issue or a School Department issue?

Other Issues:

- Ranked choice voting
 - Good idea, but newspaper report was “close to unintelligible.”
 - Needs to be carefully explained to people
 - It’s a mathematical, not a political, process
 - Need to have a good education campaign
- Neighborhood associations
 - Long history of strong neighborhood associations
 - Joe Gray has monthly meetings with the association leaders
 - Some way to give neighborhood associations a platform, a way to keep them informed of what’s going on in city government
 - A facilitative role for the new (elected) mayor

Summary of key points from the different tables:

- Elected mayor not strong enough
- Significant population is disenfranchised
- Elected mayor would make for more accountability
- Need to codify joint meetings between school and city
- Lot of time on non-citizen voting; outcome was to let the people decide [in December]
- Concern around the design and implementation of non-citizen voting
- Separate the issues on the ballot
- Have some regular way to review the charter
- Need one voice to speak for Portland
- Don’t want the city manager diminished by the cost of the mayor

Individual comments added later in person or written:

- Add to the Mayor’s job description that the Mayor engage Portland’s Neighborhood Association, organizations and neighborhood stakeholders in city business by hosting regular formal meetings, ensuring neighborhoods a voice in City Hall. Portland Neighborhoods are vital part of Portland and need a voice and platform that connects them to the Mayor.
- Non-Citizen Voting: Many new immigrants may arrive in Portland ambivalent toward the idea of becoming a citizen of the US. However, city policy and city taxes will have an immediate effect on their day-to-day lives. They also have children who are in public schools and who may themselves be citizens. Therefore, I believe voting should be extended to these residents in municipal and school matters. (Alex Endy, East Bayside)

- Elected Mayor: With regard to the cost to the city, I believe that if the office of Mayor is made strong enough, it will allow the city (i.e. the City Council) to move more nimbly in taking advantage of investment and development opportunities. If this happens, the office and its staff and overhead could pay for themselves. (Alex Endy, East Bayside)
- Non-Citizen Voting: I strongly support putting non-citizen voting rights on the ballot for the voters of Portland to decide. This is a rare opportunity to expand democracy. Also, it is a way that the Charter C omission can effect change locally to help our diverse population. Expanding voting rights will strengthen our democracy and the whole community will benefit. (Anthony Zeli, Congress Street)
- I am deeply opposed to non-citizen voting.
- I am in favor of non-citizens being able to vote locally. Most are in the process of becoming citizens. I call them “awaiting citizens”.
- The meetings: Should you consider some Saturday or Sunday afternoon meetings to get more people of diverse groups in the City to meetings. Many people cannot get to weekday evening meetings for various reasons (work, studying, child care issues, etc.)?

Meeting Evaluation

WHAT WORKED WELL?	WHAT WOULD YOU CHANGE?
<ul style="list-style-type: none"> • Time at 7:00 PM is better for participation • Have each table chaired by a Commission member • Written summary • Well run meeting • Feel that the comments are valued 	<ul style="list-style-type: none"> • Have all the Commissioners here • Have more presentation up front on the background • Reach a wider range of people with the notice • Have 2 meetings at different times to make it more available to people • Put the summary in the paper in advance or on the website