

## **PORTLAND CHARTER COMMISSION MINUTES of NOVEMBER 19, 2009**

**Agenda #1:** 5:25 called to order by Comm. Cohen as Chair pro-tem. Commissioners Spritz and Plumb absent due to illness.

**Agenda #2:** Motion to approve minutes of 11-5-09 (Smith/Ranaghan). Unanimous

**Agenda #3:** Public comment

\*Comm. Cohen – Background for tonight’s discussion - Straw man proposal prepared by Chair based on Commission’s prior discussions. Process – tentative resolution tonight; legal to put into charter language and will be revisited later on in the process.

- a. Marcus Miller, 17 Atlantic St
  - \*Think it’s a structural solution to problems identified; lack of leadership, lack of vision, political leadership, accountability, citizen involvement. Straw man makes the mechanism a bit bigger, but needs to be bolder look at machinery of city government.
  - \*Should be full-time and professional salary; should be set by the charter, not by the council.
  - \*Don’t think that elected mayor is a solution to the problems identified.
  - \*Look at other ways to involve the citizens, would develop leadership and locally based goals.
  
- b. Chris O’Neill – Portland Community Chamber
  - \*In general, think straw man is a good place to start. Akin to report from May of 2009;
  - \*If councilor wants to run for mayor, how will that happen? Should deadline for nomination papers be staggered so that people have to choose whether running for mayor or council (mayor nominated first).
  - \*If councilor running, then serves until December, but has to announce vacancy way in advance
  - \*Challenge of next redistricting. Might affect when the amendments would take effect.
  - \*IRV – has some merit.
  - \*Salary – might set it at in charter at a standard but not exact dollars.
  - \*Disagree that the citizen involvement committees belong in the charter.
  
- c. Charles Bragdon – Munjoy South
  - \*Favor strong mayor with executive powers and separate mayor from the council
  - \*Have budgetary line item veto
  - \*Vision – allowed by 3 year cycle.

- \*Don't need at large city councilors; more accountability with district councilors if have mayor elected at large
- \*Must be able to work with City Manager administratively. Public perception that mayor does not have the power he/she needs to have. Keep the city manager to work closely with the Mayor with Mayor having final decision.

- d. Stephen Scharf – Verandah Street
  - \*Favor the straw man proposal
  - \*Same as Portland Taxpayers Association proposal which was sent to Comm. Treverrow
  - \*Elected mayor replaces one of the at-large seats
  - \*Refer to other two council appointees in paragraph 5

**Agenda #4:** Announcements

- \*Comm. Cohen – this meeting is the same week new City Mayor was selected by the Council – Mayor Mavadones.
- \*Comm. Treverrow would like to schedule a planning committee meeting before the 12/3 meeting.
- \*Comm. Davis – background on school lunch income guidelines; will be distributed to Commission by staff.

**Agenda #5:** Deliberation on elected mayor issue and “straw man” proposal –

- \*Comm. Chipman - Proposal to take one of the at-large seats to make it into mayor's position; when would it be effective?
- \*Comm. Cohen – review of straw man proposal itself (see attachment).
- \*Comm. Gooch – what we have is not final draft of charter language, just trying to identify all the issues. Mechanics which Comm. Chipman talked about may be for another night.
- \*Comm. Cohen – that's correct, not actual charter language.
- \*Comm. Smith – tonight's meeting is to get sense of the Commission on these issues and probably still a fair distance from what will be put out to the voters. Can we cluster the issues in areas: e.g. method of election and term; relationship between mayor and manager; relationship between mayor and council; what's expected in terms of time commitment and salary.
- \*Comm. Cohen – be helpful to know how many changes there should be.
- \*Comm. Mermin – I think there can be a focused discussion around a few items.
- \*Comm. Treverrow – suggest as a starting point is whether the mayor should be part of City Council or separate from City Council – looks like an area in which fairly evenly divided. What are advantages and disadvantages and what powers would they have?
- \*Comm. Cohen – let's put a motion on the table to put out the straw man.
- \*Comm. Smith – what exactly is being done if motion is adopted?

\*Comm. Cohen – would be adopting the straw man and then ask counsel to draft up and “park” it.

Motion to adopt the “Straw man”: Smith/O’Brien

\*Comm. Treverrow – would like to have the issue discussed first – would like to propose that the mayor not be part of the city council, and then what would the Commission feel comfortable with for mayoral powers.

\*Comm. Valleau – think the motion should be to discuss this; not to adopt the “straw man”. I would amend the motion to place the straw man on the table for discussion.

\*Comm. Smith – should have been that we refer the straw man to counsel for recommended charter language changes to bring back on another day. Also happy to withdraw the motion and proceed with discussion first.

\*Comm. Cohen – let’s not get bogged down in process; clear we are having a discussion, at end we’ll have a refined idea, and that will be referred to counsel and will come back, and that this is not a final vote of the Commission. I will accept the amendment to the motion. Let’s talk about whether the mayor should be part of council.

\*Comm. Mermin – I’m looking to Council- Manager with a mayor form, where mayor is part of council. Council is policy body. We are looking for political direction rather than administrative direction. Most comfortable assigning powers to mayor when he/she is firmly within the council.

\*Comm. O’Brien – I favor mayor being part of council; council needs clear and empowered leadership and the council needs a strong diplomat between council and manager.

\*Comm. Chipman – I think mayor merit to having mayor separate from council. He/she should attend council meetings, but not be just another voting member of council. Voters wanted more of an executive mayor when set up Commission. Straw man really keeps in place a strong manager form; want mayor running things on day to day basis in conjunction with manager. That’s the only way we can justify the salaries we’ve been talking about, have mayor be chief executive for the City.

\*Comm. Treverrow – is there some sharing of responsibilities with manager that would be outside of being a member of the council? Looking for a balance, sharing of responsibilities with manager that would merit being outside of council? Does focus on facilitative role which is important but would add a little more authority than in the straw man.

\*Comm. Gooch – think there is a real benefit to having mayor be a member of the council, but straw man does not lay out all of the powers that might be added, e.g. power over budget. One of the problems is an ineffective council. Creating an “ubercouncilor” will give leadership to Council. Generally speaking, a strong and effective council will be more effective with the population than a strong mayor by him/herself. If we give mayor more tools, then actions by city government will have more credibility. Council needs more directive leadership so wouldn’t change in regard to being part of the council.

\*Comm. Ranaghan – would there then be a council president if mayor is not part of council? Would mayor have a vote or veto authority? Who would set the council agenda?

\*Comm. Valleau – Support mayor being member of city council and having a vote on council; think removing the vote from mayor makes him/her weaker.

\*Comm. Smith – in order for mayor to be effective, should have vote on council. I am drifting toward hybrid form of council-manager – popularly elected mayor; how do you empower mayor with enough to hold him/her accountable for bringing forward vision? Still like close collaboration between council and mayor. Worry about mayor becoming isolated; he/she needs to be engaged in push and pull of legislation.

\*Comm. Chipman – would see council naming its own president to run meetings and set agendas; see mayor attending meetings similar to city manager; in between meetings he/she helping to run the city. See mayor as a CEO; don't need to have a vote to see that things are carried out.

\*Comm. Davis – come down on side of mayor being part of council; would have real concerns about having council separate and mayor on side, could have less collaboration and isolation. But we need to strengthen the powers.

\*Comm. Mermin – the talk of executive mayor is different than the form of mayor in straw man which is chief legislative policy maker.

\*Comm. Cohen – Issue of Council Manager versus Mayor Council is essential issues. I have heard from many people who want a strong mayor for Portland, responsible for running day to day operations of the city. I worry that even if we had consensus for strong mayor on Commission, it might not be accepted by the voters as too much of a change. I am concerned that elements of the straw man don't go far enough. At this point, I am comfortable with sticking with Council Manager form with mayor as part of council.

\*Comm. Smith – would like to move to another topic. Should have another bullet that method of electing mayor should require that the mayor obtain the majority of votes cast to be mayor. Mayor would go into office with a mandate. Whatever system we propose, we owe it to them to enable them to elect by majority vote. Not saying how you get there, just that in conjunction with popular election, there be election by majority vote.

\*Comm. Cohen – thought we were only discussing powers tonight and we have subcommittee looking at IRV for later.

\*Comm. Smith – not specifying how you reach the majority; just that it should include election by majority vote.

\*Comm. Gooch – agree we ought to ensure it's by majority vote.

**Motion to add to straw man that it be elected by majority vote (Chipman/Smith)**

\*Comm. O'Brien – if have 50.5% to 49.5%, have majority takes all and rest of city may be left behind – majority doesn't always answer question of mandate.

- \*Comm. Valleau – need more time to come to a decision on this.
- \*Comm. Gooch – reminder that we will get more swings at this issue.
- \*Comm. Cohen – I think I’m comfortable, but has implications beyond just a majority election. Want to know more about IRV, otherwise setting us up either for a primary or runoff elections.
- \*Comm. Mermin – will vote in favor of motion; my support overall for mayor is that it be a majority elected mayor.

**Vote on motion: mayor be elected by majority vote – 8-2 (Valleau and O’Brien)**

\*Comm. Mermin – address “no administrative functions”; read Comm. Spritz remarks, taking out “have no administrative functions, but be”. I agree with Comm. Spritz. **Have the Mayor be the point of contact to the manager and providing some level of oversight for implementation of those policy goals. Restrict other councilors from interfering with administrative functions.** Mayor goes to manager on implementation of council agenda.

\*Comm. Cohen – let’s take up in pieces.

**Motion to strike “no administrative functions” (Mermin/Chipman)**

\*Comm. Ranaghan – would not know what mayor does or doesn’t do. At some point have to define what the mayor is going to do. Would like to know what the mayor’s duties are.

\*Comm. Cohen – language is in the charter about Manager being chief executive of City.

\*Comm. Ranaghan – I would like to know what the mayor’s duties are.

\*Comm. Gooch – need to sharpen the language about budget role.

Manager prepares the budget at the mayor’s direction and mayor presents the budget to the council. Agree with John’s point of defining the mayor’s job by what it does, not what it doesn’t do.

\*Comm. Cohen – Comm. Mermin’s point about mayor having the primary point of contact with the Manager.

\*Comm. Smith – raises an important question. Everyone in city has a lot of bosses; one of things in many charters limits contact between councilors and staff. How do you funnel the expression of will from the council into the city administration? Not a bad idea to have mayor be the point person and have manager report to mayor and then council. Should there be a clearer message about that? Should we be looking at what other charters do about councilors going to lower level employees? How do you make city government respond and move in a certain direction, maybe by channeling some of it through the elected official.

**\*Comm. Cohen – proposal is that mayor would be point of contact with the manager and other councilors would not go directly to the manager.**

\*Comm. Valleau – always thought that it’s good to have councilors able to sit down with city manager. As to issues of councilors going down further, that ebbs and flows and solution is that city managers should make it clear to his/her employees, that they should refer the councilor to the city manager. That ought to be organic in how things are managed.

\*Comm. O’Brien – we could say that mayor can be first point of contact

on issues of policy; councilors should not have to go to mayor for minor issues.

\*Comm. Davis – agree with Comm. O’Brien’s suggestions. It’s possible to have things run through the mayor, and to keep the mayor in the loop on issues to have the ability to have broad oversight.

\*Comm. Chipman – we don’t need to define in the charter who can communicate with whom.

\*Comm. Mermin – my concern was not limiting who can talk to whom. My concern is about accountability for implementation of policy at administrative level.

\*Comm. Smith – there’s merit to saying job of Manager is to implement the will of the council (legislative body) under the direction of the mayor. Does the manager only answer to the council or to the council through the mayor for implementation of policy? Do not want to suggest that only way to get to the manager is to talk to the mayor.

\*Comm. Gooch – we need to say that the mayor shall be responsible for overseeing the implementation of policy through the offices of the city manager. Makes the mayor the point of focus when it is time to review the implementation of the policy.

\*Comm. Mermin – willing to look at language, but need to have a clause that calls for a contract with the city manager, which begins to have the structure of accountability.

\*Comm. Cohen – narrow issue is whether there should be a limitation on the path of communication to the manager, and then reaching below the manager to staff, then the ways the manager is responsive to the policy directions of the mayor.

\*Comm. Mermin – not my intention to limit communication. Concept is that mayor shall be responsible for implementation of policy, beyond budgetary control.

\*Comm. Davis – think we’re talking about how much detail you put in the charter. How do we put enough in to craft an expectation for implementation and accountability? Desire to move out of reactive position to leadership.

\*Comm. O’Brien – I would like to separate constituent concerns from legislative concerns. Issue is really about the policy concerns, with mayor being first point of contact on issues of policy.

\*Comm. Ranaghan – I don’t think you can dictate in charter how these individuals can handle the offices. I have not heard of any examples of when council votes on an item, that it has not been carried out, whether it has been done well or well enough is another matter. If mayor is going to be chief administrative officer, then manager reports each morning to the mayor and manager carries out the mayor’s game plan subject to council review. I don’t think can define how each one of them is going to handle the office.

\*Comm. Cohen – I think what we’re talking about is power and who has to listen to whom. We can’t really manage who talks to whom. Manager

is going to be chief administrator and is hired by the council and supervised by the mayor, along with corporation counsel and the clerk. We want to have the mayor to have some power to ensure that policy visions get carried out by management. Is the mayor going to be chief spokesperson for the council to the manager and to the public. Mayor as primary person for hiring and evaluation of manager. Where does final buck rest with the budget? By Charter we can focus on where certain authorities rest.

\*Comm. Gooch – there isn't any problem getting city managers to do things, once it is clear to them what to do. We're saying the council must speak as a single voice to the manager. It is council's duty to funnel the policy direction to the manager through the mayor's office. Then judging mayor on capacity of mayor to unify the voice of the council and to provide the manager with clear direction. We're not trying to micromanage the relationships.

\*Comm. Cohen – may want to add something to 3d paragraph.

\*Comm. Smith – what did Comm. Gooch previously state?

\*Comm. Gooch - “The mayor shall be responsible for overseeing the implementation of city policies through the offices of the city manager.”

\*Comm. Smith – like the wording, sufficiently flexible but assigns responsibility.

\*Comm. Cohen – Comm. Mermin withdraws prior motion.

Motion made to adopt Comm. Gooch's sentence above in straw man description (Gooch/Mermin) Motion carries unanimously.

\*Comm. Cohen – next issue is budget.

\*Comm. Valleau – the language in straw man is vague as to who exactly prepares the budget and submits to City Council. I think we ought to say either mayor or manager prepares the budget and sends it to council.

Motion to say that the manager prepares the city budget at the direction of the mayor and that the mayor will submit the budget to the council – (Gooch/Valleau)

\*Comm. Chipman – Amend last sentence in paragraph 4 – “The mayor is expected to play a facilitative role with the Manager, Council, the School Committee and the Public in developing a budget to be presented to the council for approval.” Budget would come out of the mayor's office after playing a facilitative role. It would be the mayor's budget.

\*Comm. Cohen – so if you're amending the proposal on the floor, you would include language that “the mayor would play a facilitative role with the manager, council, school committee and public as part of the process by which the manager prepares the budget with the mayor.”

Comm. Chipman – I guess that's it; just wanted to clarify who does the budget and presents it.

\*Comm. Ranaghan – the mayor is not going to prepare the budget, have administrative staff to do that. Budget philosophy is what mayor provides – nuts and bolts has to come from Manager's office. If want some language in charter about direction for budget, that's budget philosophy that can come from mayor's office.

- \*Comm. Davis – where do we see development of school budget and where does the direction for that come in? Straw man doesn't address school budget or role of education, how education takes it place as an important function of the city.
- \*Comm. Smith – Clarification – does Comm. Gooch's language replace the first sentence of the 4<sup>th</sup> paragraph?
- \*Comm. Cohen – looking at 9<sup>th</sup> sentence -
- \*Comm. Gooch – moving to strike in full paragraph 4 and paragraph 9?
- \*Comm. Smith – then Comm. Chipman would bring back the second sentence in paragraph 4 to tack on to Comm. Gooch language.
- \*Comm. Gooch – yes, and want language about facilitative role and to the School Committee. Supt. Morse described the budget process, but not sure how those budgets come together at the end of the day.
- \*Comm. Cohen – Right now we're just focusing on City budget. I think what is on the table is policy direction to be refined by language – will have to see language come back. **First policy issue is whose budget is it?** Agree with Comm. Gooch that the budget is most important vehicle for development of policy.
- \*Comm. O'Brien – another issue is where the mayor spends his or her energy during budget development. Mayor may choose whether to focus on planning and policy or on numbers, and budget could suck up attention to policy. Mayor will not be doing much else if their name is on the budget.
- \*Comm. Cohen – Manager is preparing the budget, working with staff, crunching the numbers, but that the authority and direction for how that occurs – the policy direction – comes from the mayor.
- \*Comm. O'Brien – I understand but anyone whose name is on the budget will be spending their time on it. It's an important role but we need to consider whether it should be a more balanced approach.
- \*Comm. Ranaghan – The budget should be city manager's budget for approval by the councilor and mayor. Professional manager has to bring forward the budget, address the city council, and then the budget process begins. Too much power vested in one person to be able to change the direction of the budget.
- \*Comm. Gooch – The mayor will get the first opportunity to address and review the manager's budget. Give them ground floor access to developing the budget to give that position teeth to distinguish it from rest of councilors. How can we do this without upsetting the apple cart of the budget?
- \*Comm. Ranaghan – I think “budget direction” should be “budget philosophy”. Disagree that it should be mayor's budget; it should be manager's budget based on his/her and dept heads professional estimation of resources and where they need to be placed.
- \*Comm. Smith – I think the budget is statement of policy whether from manager or mayor. Agree with the motion to have the manager prepare the budget under the direction of the mayor. Not much risk of a rogue



budget, ultimately will be filtered through council finance committee and council if have a skewed budget. Constituencies will also speak. System has fair amount of built in protections.

\*Comm. O'Brien – I think the finance chair is most important appointment of mayor. We have been talking about mayor being diplomat of policy via the council. Now talking about mayor setting the policy through the budget. Should put the budget in the hands of the finance committee.

\*Comm. Treverrow – The budget drives policy, leaving it in hands of unelected official runs contrary to accountability and we need more accountability in government.

\*Comm. Chipman – agree with Smith and Treverrow.

\*Comm. Cohen – motion on table – that the manager would prepare the budget at the direction of the mayor and that the mayor would present the budget to the council.

Motion passes 9-1 (Ranaghan)

\*Comm. Cohen – turn to Comm. Chipman's proposal for 4<sup>th</sup> paragraph.

\*Comm. Chipman – motion that “the mayor is expected to play a facilitative role with Manager, Council and Public in developing a City budget for presentation to the council.” Want to keep in some language about the facilitative role.

\*Comm. Smith – just end after “budget” since have already said it would be presented by mayor.

\*Comm. Gooch – add – amend to read in developing a budget “philosophy”. After that process the manager will prepare the budget.

\*Comm. Mermin – the process is causing the problem. Comm. Chipman should put motion on table, get it seconded and then discuss.

Motion - Mayor is expected to play a facilitative role with the Manager, Council and the public in developing the budget.(Chipman/Treverrow).

\*Comm. Mermin – I want School Committee back in; want something referring to facilitative role of mayor in connection with both the city and school budgets. Political leader has authority to pull together all the pieces.

\*Comm. Cohen – referring to just the city budget in the motion?

\*Comm. Mermin – I want to amend it to be broader to include the city and school budgets.

\*Comm. Ranaghan – “expected to” and “facilitative” need to have meat put on what they mean.

\*Comm. Chipman – accepts Comm. Mermin's friendly amendment to add the school committee back in and city and school budgets. (second by Comm. Treverrow). Also change “is expected to” to “shall”.

\*Comm. Smith – two issues – first piece addresses city side of budget and then the second piece focuses on the consolidated budget. Have another bullet with mayor's role to play a facilitative role to secure passage by the council of a city and school budget. It makes sense to have one bullet about developing the city budget and then second bullet having mayor

play a facilitative role in getting the city and school budgets passed. (Motion seconded by O'Brien – would add this in). Amendment passes. 8-1 (Ranaghan).

Main motion to amend – the mayor shall pay a facilitative role with the manager, council school committee and the public in developing the city and school budget that is passed by the council.

\*Comm. Smith – not the development of the budget, but after budget should say “to secure passage of a city and school budget”

That amendment passes (8-1) Ranaghan.

Main motion on floor – The mayor shall play a facilitative role with the manager, council, school committee and the public to secure passage by the council of a city and school budget. Passes 8-1 (Ranaghan)

\*Comm. Cohen – any other budget related issues?

\*Comm. Gooch – should mayor have any veto powers over budget, either line item or in total.

\*Comm. Chipman – not relevant if a member of the council.

\*Comm. Gooch – You're right, I withdraw the question.

\*Comm. Cohen – Any other budget things. Want to make sure we're striking the 4<sup>th</sup> and 9<sup>th</sup> paragraphs.

\*Comm. Cohen – yes, floor is open for additional topics.

\*Comm. Chipman – I want to address term. If the first election is in 2011, we can have it set to come in off year election. In off-year election, mayor's election would not be lost in shuffle of other campaigns. Should set the term as 2 years or 4 years in off-years then there will be more attention and focus on mayor's race. Voters will pay more attention to the local race. I prefer a 2 year term.

\*Comm. Ranaghan – I still have several items and would have no problem with carrying this over to next meeting. On issue of term, I hate to see us always having same 25-30% of voters coming out on off-year election. If we are to have a popularly elected mayor, we should do it so we get the most voters out.

\*Comm. Davis – if we have 2 year term with November election, their first budget is a done deal before they walk in – far enough into it so it would be difficult to provide much direction effectively. Other issue is whether more voters necessarily means more informed voters, and city issues lose importance and primacy in discussion that they should have. I do not agree that quantity of votes makes it more powerful.

\*Comm. Valleau – I agree with Comm. Ranaghan on the high turnout. I wouldn't want to judge the quality of the votes being cast. Voters are pretty smart; they pay attention.

\*Comm. O'Brien – 2 years is too short, first year is learning, then second year on to campaign again, but 4 years is too long. 3 years is a nice balanced term. It keeps us in cycle of sometimes in presidential and sometimes in off years.

\*Comm. Gooch – I agree 2 years is too short. Having a 4 year term means have some carryover with council terms.

\*Comm. Smith – We had a lot of discussion about moving elections from May to November. I believe it was on balance a more positive thing. Better to have more people voting. Always risk of bumping into presidential election but people can distinguish and sometimes pay more attention then. I agree with Comm. O’Brien on 3 – and to extent stay within established cycles of expectation, I think it would be better.

\*Comm. Mermin – I am slightly intrigued by 4 but agree to 3.

\*Comm. Cohen – I agree with 3.

\*Comm. Ranaghan – should there be term limits on mayor’s position?

\*Comm. Cohen - are we ready to vote on 2-3 or 4?

\*Comm. Chipman – think we would get a more informed vote by voting on the off years.

\*Comm. Cohen – at this point no motion on the table so 3 years stays in.

**Motion to amend to change to 4 years (Chipman/Valleau) (5 – 5 vote; motion fails (Smith, Ranaghan, Valleau, Cohen, O’Brien against).**

\*Comm. Cohen – any other motions on the table.

\*Comm. Gooch – move that amend the sentence that the mayor appoints members and chairs of the council committees and various ad hoc committees – add that it could be overridden by 2/3 override. They would be effective unless some councilor introduced a motion to override.

\*Comm. Ranaghan – 2/3 of 9 or 2/3 of councilors minus the mayor?

\*Comm. Gooch – 2/3 of 9.

\*Comm. Smith – this is a good idea, and we should have them appointed annually. Intention is that the matter come to the council, but to alter what the mayor has proposed need to change by 2/3 vote.

\*Comm. O’Brien – is that in the positive or in the negative?

\*Comm. Gooch – in the negative, the appointments stand unless overridden.

\*Counsel – Need to have some communication between mayor and council in order to trigger the override and to have a public record.

\*Comm. Cohen – so intention is that the matter come to the council but to alter what the mayor has proposed, a 2/3 vote would be required.

\*Comm. Chaipman – would Comm. Gooch accept friendly amendment about “subject to approval of the council.” Mayor’s appointments will stand unless overridden by 2/3 of council.

\*Comm. Gooch – I don’t care, just want idea of 2/3 override.

\*Comm. Cohen – it has to come forward in some way to the council and it stands unless rejected by 2/3 vote.

\*Comm. Chipman – what about making it subject to approval of council.

\*Comm. Gooch – my idea is that it is approval by lack of action.

\*Comm. Smith – We have a “deemed approval” by the council with an opportunity to override by a 2/3 vote.

**Motion to amend by adding “annually” in regard to appointing council committees. (Smith/Valleau); passed unanimously.**

\*Comm. Gooch – would like to vote on the main motion.

\*Comm. Smith – I have other issues that have not been addressed

Final

\*Comm. Cohen – the main motion question is to amend the straw man to state that the mayor would annually appoint the council committees and appoint the various ad hoc committees, that the appointments have to come to the council and can be overridden by a 2/3 vote. Passed unanimously.

Motion to postpone the main motion (approval of overall straw man) to a date established by the Chair (O'Brien/Gooch) – passed unanimously.

\*Comm. Smith – would like to capture everything in a revised straw man proposal and then see what's left to discuss.

Final public comment requested:

\*Nancy Akers of Portland Street, Portland, ME

Concern about timing of city's inquiry into changing government.

Nation going through tremendous change and many people anxious

What city needs is anything but change right now.

Don't want to see change for the sake of change.

Motion to adjourn passed unanimously.

Attachment.

Final

**“Straw Man” version of an elected mayor amendment to the charter, draft 11-12-09**

Motion:

That the Charter be amended to provide for a popularly elected mayor.

That the Elected Mayor be one of the at large seats on the current council, preside over Council meetings and have a vote on the Council.

That the Mayor be elected for a 3 year term to provide political leadership for the City, articulating a vision and goals for the future, engaging the public, representing the City with other communities, different levels of government, various community groups, and businesses, and building coalitions.

That the Mayor have no administrative functions, but be expected to work with the Manager in developing a budget that reflects the Mayor’s priorities and vision. The Mayor is expected to play a facilitative role with the Manager, Council, the School Committee and the Public in securing a budget that is passed by the Council.

That the Mayor manage the process for recommending to the Council the hiring or firing of a Manager, but the Council will be engaged in the process and will have the final vote on hiring or firing the Manager.

That the Mayor manage the process for regular evaluations, in conjunction with the Council, for the three Council hired employees (Manager, Clerk, Corporation Counsel).

That the Mayor appoint the members and chairs of the Council Committees and various ad hoc committees.

That the Manager is the chief administrator of the City, in charge of overseeing the day to day operations of the city.

The Manager will work with the Mayor in the preparation of the budget.

The position of the Mayor will be a full time job with a salary or stipend decided by the Council at a level that will attract capable people to run.

The Mayoral election will be non-partisan. Any candidate collecting the requisite number of signatures is eligible to run.