

Portland's Current Distribution of Powers & Authority Compared to Proposals for Change

<u>Powers & Authority</u>	<u>Current Portland Charter</u>	<u>Governance Committee Proposal</u>	<u>Shiekh-Yousef Proposal</u>	<u>Chann-Lizanecz-Stewart-Bouley Proposal</u>
1) Who is the Chief Executive Officer?	City Manager	City Manager	Mayor	Mayor
2) Who has policy making authority?	City Council	City Council; Mayor has special right to form staffed public task force on policy not taken up by Council committee	City Council; Mayor can propose policy to Council, which would be required to consider and vote on it.	City Council; Mayor has special right to form staffed public task force on policy not taken up by Council committee
3) Who is responsible for policy implementation?	City Manager	City Manager	Mayor	Mayor
4) Who is responsible for the oversight of policy implementation and city administration in general?	City Council	City Council	Public Advocate (note 3)	City Council and Ombudsman (note 4)
5) Who are the top city officials?(note 1)	City Manager, City Clerk, Corporation Counsel	City Manager, City Clerk, Corporation Counsel, Chief of Staff (note 2)	City Administrator, City Clerk, Corporation Counsel, Public Advocate	City Manager/Administrator, City Clerk, Corporation Counsel, Ombudsman
6) What is the process for filling top city official positions	Mayor chairs committee with at least 2 other council members to appoint city manager, clerk, and Corporate Counsel; full council confirms by majority vote	Same as current for manager, clerk, counsel, and Chief of Staff	Public Advocate is elected. Clerk and Counsel nominated by Public Advocate. Administrator nominated by Mayor. Council approves all by majority vote	Mayor chairs committee with at least 2 council members to appoint manager/administrator, clerk, Corporate Counsel and Ombudsman; full council confirms by majority vote
7) What is the process for removing top city officials	Mayor-chaired 3 person council committee may recommend removal; Council approves by majority vote	No change	Public Advocate may recommend removal of City Clerk and Corporate Counsel. Council approves with 2/3rds vote. City Administrator serves at will of the Mayor. Public Advocate may be removed by citizen's recall.	3 person committee (Mayor and 2 council members) may recommend removal; Council approves by majority vote
8) Who manages day to day operations of city affairs and supervises department heads?	City Manager	City Manager	City Administrator under direct supervision of Mayor	City Manager/Administrator under direct supervision of Mayor

9) How are Department Heads hired and removed?	City Manager nominates; Council approves. Heads serve at will of the City Manager.	no change	Mayor nominates; Council approves; Heads serve at will of the Mayor	3 person committee (2 Council members plus mayor or city manager) nominates and may recommend removal; Council approves by majority vote
10) Who Creates and Appoints members to Council Committees?	Mayor, but council may override with 2/3 vote.	no change	President of Council can create committees and appoint members	Council Chair
11) Who appoints members of city boards and commissions?	Council	no change	PA nominates; Council approves/ rejects	Council
12) Is mayor a member of Council? If yes, does mayor have a vote?	Mayor is voting member and chairs the Council.	no change	Mayor is not a member	Mayor is not a member
13) Who has authority for preparing/ approving Municipal Budget	City Manager prepares with "guidance" from Mayor; Council approves	Mayor prepares with assistance from Manager; Council approves	Mayor prepares with assistance of Administrator; Council approves	Mayor prepares full City Budget with funding policy for priorities, City Manager assists with gathering departmental info; Council approves
14) Who has authority for preparing/ approving School Budget?	School Board/superintendent with guidance from Council; approval by Council and then by voters	no change	Mayor prepares with School Board Chair and Superintendent; School Board approves and sends to voters; no Council vote	School Board/superintendent with guidance from Council; approval by Council and then by voters
15) Can Mayor veto the municipal budget approved by the Council?	Yes Override requires 6 (of 8) votes. Mayor does not vote	No	Yes; 75% majority needed to override veto	Yes; 75% majority needed to override veto
16) Can Mayor veto other Council decisions?	No	No	Yes -- full veto power over all policies, ordinances, orders, expenditures, etc.; council requires 75% vote to override	No
17) How long does the Mayor serve in office?	4 years	4 years	4 years, corresponding with Presidential election years	4 years
18) Are their mayoral term limits?	3 terms	3 terms	2 terms	3 Terms
19) Can Mayor be removed before term is over?	via citizens' recall	via citizens' recall	via citizens' recall	via citizens' recall or by 2/3 vote of Council
20) Have new powers/authority been proposed for non-city officials?	None	Charter Arbitration Panel (note 5) Required City Council hearing for Referendum Advocates (note 6)	None	None

Notes:

- 1) For purposes of this chart, current top city officials include the city manager/administrator, city clerk, and corporate counsel as these are often designated in a town's Charter. New top positions proposed include a Chief of Staff, a Public Advocate, and an Ombudsman.
- 2) Duties of proposed Chief of Staff: coordinate Council staffing need; receive and track constituent services and FOIA requests; notice city meetings and post all materials
- 3) Duties of proposed Public Advocate: serve as independent ombudsman to improve city government. Provide outside review of city agencies, investigate citizen complaints, and make proposals for improvement to Mayor and Council. Respond to FOIA requests. Serves as Mayor in case of vacancy or incapacity of elected Mayor.
- 4) Duties of proposed Ombudsman: assists Council in provision of constituent services; coordinates fulfillment of FOIA and other information requests; investigates complaints and reports to Ethics Commission of Council for action; enforces conflict of interest policies and ordinances
- 5) Arbitration panel will convene when called to act by City Council to interpret Charter language and provide a formal decision.
Panel to consist of 3 members from previous Charter Commission
- 6) When a referendum campaign has collected 2/3 of the required signatures, City Council will be required to hold a public hearing