

Portland City Council Agenda Written Testimony

Document Number 2025-001

	Name or Organization	Position	Comments	Attachment	Created
1	Terry J. Harris	Support with changes	Please see the attached comments.	Yes	12/28/24 4:48 PM
2	Anonymous	Support with changes	Candace Avalos absolutely should not be council president. She will bring the same destructive policy making that Chloe Eudaly and Jo Ann Hardesty brought.	No	12/30/24 8:01 AM
3	Bob Weinstein	Oppose	<p>There is no need to make last minute changes to this section of City Code to concentrate additional power for the Council President, while correspondingly reducing the existing authority of Council members, the Mayor, and the Auditor to submit agenda items with an expectation that they will be heard in a timely manner. Existing code allows the Council President to make RECOMMENDATIONS regarding each item as to whether it will be considered immediately or referred to a committee. That should be retained. Existing code requires complete agenda items to be placed on an agenda in a timely manner. The proposed amendment would allow the item to be arbitrarily delayed for 3 months.</p> <p>Charter reform was intended to ensure more diverse voices to be heard in city decisions, and that the 4 districts would have equal representation. It seems that concentrating power in the hands of one councilor over the other 11 runs counter to that goal, and should be avoided. To the contrary, each council member should endeavor to retain their existing equal authority, and can do so by opposing those proposed changes which are designed to do exactly that.</p>	Yes	01/01/25 6:15 PM
4	Portland Forward	Support with changes		Yes	01/02/25 8:14 AM
5	Jim Labbe	Support	<p>Dear Council President and City Council,</p> <p>I strongly support the City Council holding at least one meeting a month in the evening. This is the minimum the City Council should do make its deliberations and decisions more accessible to working-class Portlanders most of whom cannot attend day-time meetings. Frankly, the City could do a lot more, as this provides for only one meeting a month when most working Portlanders, can attend and have the chance to testify on agenda items. The recent charter changes have provided transformative change in terms of representative democracy in the City of Portland. But there remains so much more work to be done-- some of it initiated by the Charter Commission but not taken up or forwarded to the voters by the last City Council-- to improve, deepen, and innovate participatory democracy in Portland.</p> <p>Sincerely,</p> <p>Jim Labbe North Portland, District 2</p>	No	01/13/25 4:35 PM
6	Anonymous	Support	I am writing today in support of the City Council holding at least one meeting a month at 6 PM, but preferably more. This scheduling allows working-class Portlanders to attend and participate in City Council deliberations and decision-making, and allows working-class Portlanders to engage with public testimony opportunities. As the changes within the charter structure are meant to enable greater political participation, it is in everyone's best interest to provide a broader range of times and dates for engagement.	No	01/13/25 6:50 PM
7	Chris Schweizer - Portland Association of Teachers	Support	My name is Chris Schweizer and I teach chemistry at Roosevelt High School. I live in the Portsmouth neighborhood in District 2. Please ensure that City Council has meetings after 9-5 work hours so that working people like myself and my coworkers can have a voice in how our city is run.	No	01/13/25 9:45 PM
8	Erik A	Support	I am only able to watch the evening working sessions. In order to be a public body that cares about all constituents, you must ensure that there is access to working sessions in a time frame that working people can also see what the city council is up to. Thank you for your consideration.	No	01/13/25 10:25 PM

TO: Members of the Portland City Council
FROM: Terry J. Harris
RE: Item 2025-001, Amending Code Chapter 3.02

December 28, 2024

Thank you for the opportunity to provide comments on this item, the first item of the new, expanded legislative council.

I am a member of the Government Transition Advisory Committee (GTAC), which has made a number of recommendations that are relevant to elements of this item. But because GTAC was not consulted nor provided an advance copy of this legislation, GTAC will be unable to weigh in officially on the specifics of this item on such short notice. Therefore, I am providing this testimony only in my personal capacity.

As you know, this item amends a chapter of Portland City Code adopted in September of 2023 and given an effective date of January 1, 2025. At the time, I provided extensive comments on the draft legislation to both the transition team staff and then to the City Council expressing my concern that the code they were adopting was entirely inadequate for robust committee work that your new council will require.

So, while I appreciate your recognition that this council needs to correct for the inadequacies, I also need to comment that the draft legislation you are considering is barely a Band-Aid, likely unworkable, and compared to other jurisdictions, would be an outlier in its approach. For reasons outlined in these comments, **I support this interim fix, with amendments, ONLY IF the council commits to a much more robust implementation of council procedures in the form followed by a wide majority of city councils in peer cities.** More generally, given the complexity and importance of the effort to draft procedures and rules for the new Council, it will be extremely important that this Council dig more deeply and consider more carefully. Everything this Council does will set lasting precedent, for better or for worse.

1. The general procedures for "Item Submission" in the draft ordinance, 3.02.020 (B)(1)(a)(1), is NOT an adequate substitute for a "first reading" legislative approach common elsewhere.

There is no reason for Portland to reinvent standard legislative concepts used for decades in cities and legislatures across the country. **Rather than a patchwork retrofitting of an obsolete code, the new Portland City Council should deploy common proven and well-understood frameworks that govern modern legislatures and their committees elsewhere across the country.** This ordinance is a perfect example: a "first reading" for items being introduced, a procedure widely used in most legislatures, solves the "Item Submission" problems this draft ordinance attempts to solve, but does so much more transparently, fairly efficiently and cleanly, without unnecessary complication.

a. Transparency

To start, **the main conceptual error in the draft ordinance is that it conflates mundane content-neutral behind-the-scenes ministerial “Item Submission” procedures with the purely legislative process of committee referral.** By failing to use a “first reading” process, the draft ordinance takes a key *legislative* procedure decision point – where to send an item for consideration – behind the curtain and out of the view of the public. This alone should be a fatal flaw.

b. clarity

The draft ordinance garbles its own jerry-rigged process by creating and conflating undefined terminology: “proposal,” “item,” “complete item,” “presented,” “raised,” “submitted,” “designated,” “referred,” “assigned,” “review,” “discuss,” “consider,” and “place items on the agenda.” All of it purports to be pre-legislative “Item Submission,” but it also describes committee activity that can *only* be legislative.

The result is, at best, an unnecessarily complicated pre-legislative *and* committee flowchart. For example, the ordinance contemplates an initial “presentment” of a “proposal” in the full Council *or* a Committee, but how does that occur exactly? How does a “proposal” show up on a Council agenda to be “presented”? Or a committee agenda? And how does a committee have initial jurisdiction of an “proposal” anyway?

2. A Councilor’s “designation” for a particular committee in subsection (a) is under-constrained. Council rules should contain standards for committee designation.

While a councilor’s personal preference could be a major factor in determining which committee will consider their legislative item, it cannot be the sole factor as this draft ordinance seems to suggest, nor should an individual councilor have the final word. Indeed, the more fundamental factor is that **the subject matter of the legislative item must be within the subject matter jurisdiction granted to the committee.** While this seems obvious, there will be cases where jurisdictional decisions are not necessarily clear or, more critically, jurisdictional decisions are highly politicized. In such cases, the full council may need to decide, but under this ordinance there’s no obvious procedure to do so unless a committee re-refers it to the President or another committee under subsection (c), or until the item (somehow) gets on the council agenda.

Conversely, there appears to be no way for an individual councilor to “prefer” that an item be considered by the full council. Nor is there a clear procedure for an item designated by the President for consideration by the full council to be (re)referred by the full council to a committee instead.

Again, by implementing much more common “first reading” procedures, these scenarios have easy procedural answers. In addition, **the Council should adopt, by rule, basic standards for designating an item to a particular committee (or multiple committees).** Doing so by rule

would protect the committee system but also allow the full council the flexibility to suspend the rule as needed.

3. Without more, in subsection (e), four councilors requiring (in writing) that an item be considered by the full council may be problematic.

While there needs to be a mechanism to pull an item stalled in committee, the threshold needs to be higher and the procedures clearer. Otherwise, there is potential for abuse that could undermine the committee system. And it is unclear here when or under what circumstances such a mechanism would be allowed or disallowed. For example, if public input has already been taken in committee, should pulling an item from committee trigger more public input in the full council? What if public input has NOT occurred in committee? Is this mechanism always available or only when an item has been stalled in committee for some specific amount of time? (And procedurally, what is the purpose served by a writing requirement other than to accommodate a lower threshold than a motion? How does this particular maneuver reach the full council agenda?)

4. Subsection (f), as drafted, seems unnecessary, but referral to committee should be preferred in most cases regardless.

As drafted, the subsection seems to indicate complete discretion as to whether most items may be assigned to the full council. (*Whose* discretion is unclear.) However, emergency ordinances and nine-twelfths agenda items, by their nature and with their higher vote threshold can be resolved by the Council without committee consideration independent of this new provision. Resolutions and reports, on the other hand, should probably “generally be assigned” to a committee rather than the full council. And Council rules might be more efficiently considered by an ad hoc (or standing) Rules Committee. Otherwise, **if items frequently default to full council consideration, full council meetings will become very unwieldy very quickly.**

Furthermore, consistent with a “first reading” approach, when something is considered “assigned to the full Council,” this ordinance and future Council rules should use a “Committee of the Whole” structure as the designation instead.

5. Emergency ordinance procedures should be used only for emergencies. And the President should decide.

Too frequently, the outgoing Council used the accelerated vehicle of the emergency ordinance for items that were clearly not emergencies. (Or emergencies of a Bureau’s own making.) In the new Council, even with the higher vote threshold, this should be a disfavored practice. Emergencies shortcut the time for public involvement and opportunity for deeper committee consideration. For accountability purposes, the designation of an “emergency” should not be simply a declaration by the sponsor (especially if the sponsor is the Mayor on behalf of a Bureau) but rather a determination by the President.

6. The proposed “three months” timeliness limit in 3.02.020(B)(4) is NOT timely. And it should be unnecessary.

At a basic level, it should not take three months for a completed item to be placed on an agenda. But it’s completely unclear how the three-month deadline would be enforced or who could enforce it. It could be self-operating by automatically placing the item on the first council meeting after the deadline expires. Or it could require a councilor or other sponsor to make the formal request to do so. Either way, rules would need to be adopted or additions to this draft ordinance would be required.

But again, a “first reading” approach would obviate the need for this sort of regulation. Complete items would simply be put on the agenda immediately so that the bills don’t languish in the clerk’s office and any delays would be internal to the council and subject to council and committee rules to move (or not move) legislation along.

6. Council should retain district representation in standing committees in 3.02.050(C)(1)

Based on extensive community input last summer, GTAC made a number of recommendations on committee composition, but one of the most important considerations was that council committees take advantage of the new district representation in the charter amendments. With three councilors per district, it is certainly feasible to do so for a reasonable number of *standing* committees. **For accountability purposes, if a district is NOT represented on a standing committee, it needs to be a decision by district councilors themselves, not a rule that excuses it.** For ad hoc or other committees, it may not be necessary to strictly maintain district representation, but based on community input, the Council should consider it when possible.

7. The legal drafting of this ordinance is not ideal.

- The placement of committee and committee referral procedures in the “Item Submission” subsection is not appropriate.
- The sub-sub-subsection labeled “a. Procedure,” and its subsection “(1) General” are unnecessary and therefore bury the operative provisions in badly layered sub-subsections.
- As described in comments above, the terminology is imprecise and confusing. Definitions might help, but a narrative “flowchart” would probably be more helpful.
- The use of “will” (instead of “shall”) obscures who specifically has the duty to make something specific happen. And the use of “may” in several instances fails to identify who specifically has the discretion to make a specific choice.
- Some phrasing is ill-considered. For example, “will generally be assigned” in subsection (f) does NOT mean “will be assigned” but rather “MAY be assigned.” If “generally” is supposed to imply a general rule with exceptions, then the exceptions need to be described.

Terry J. Harris

12 Principles & Practices For The People's Council

The Portland City Council matters. The branch of government closest to the people of Portland. Structured to represent all corners of the City. It's the People's Body.

When connected to the people, the Council is a powerful engine for improving lives, solving problems, and shaping a better future for all Portlanders.

The Council rules will matter. Some of those early habits will stick. It is important to get them right.

The rules give an opportunity to model genuine democracy, where decisions are made not just by the powerful or the loud, but by shared wisdom. The rules form a key part of the city's operating system and should embody our collective aspirations for bold, inclusive, and effective governance.

As the world grapples with democracy and collective self doubt, Portland can set an example to the nation of how the people can govern. How cities can work. We can build something closer to the kind of government we wish existed.

To guide those rules, and the process of gathering feedback from the community, we start with a set of values: Twelve Principles. A short set of non-exhaustive recommendations follows each principle. We welcome input on each and all.

Twelve Principles:

1. The People Are The Point

Government derives its power from the consent of the governed. The people are in charge. Wherever Democracy might be faltering, this principle has to be true in Portland. The City Council exists to serve people and give them power. The people are not an annoyance; the people are the point. The people share responsibility as well. Real public power means giving people a voice, helping them fulfill their responsibility, and amplifying the community's expertise and lived experiences.

- a. The people should be involved in meaningful ways in policy agenda setting and development. Listening sessions that result in no changes are not enough.
- b. Don't wait to get feedback until after ideas are hatched. Hold *pre*-legislative community meetings to gather input from those most impacted by potential policies, and input from people who know the subject matter.
- c. Participatory budgeting to let residents directly set spending priorities.
- d. Empanel civic juries for fitting questions where decisions will benefit from the valuable combination of reflective perspectives and political independence.

2. Accessible Governance // Open Doors for All

An accessible and inclusive council brings governance closer to the people. Connecting residents with their government fosters trust and participation. Accessible hearings and community-focused initiatives help ensure that voices are heard.

We can build modern mechanisms for participation, amplify the community's expertise and lived experiences, and offer a council calendar that fits people's lives.

- a. Provide online testimony and testimony hours outside standard work hours.
- b. Hold hearings in neighborhoods across the city and offer transportation support.
- c. Create family- and survivor-friendly spaces for public participation.
- d. Measure civic engagement. Performance measured is performance improved.

3. Craft Good Policy // Build to Last

Decision-making starts with deeply understanding problems, the systems, and the people they affect. By digging for root causes, we can seed better solutions. The outcome of governance must be actionable, evidence-based solutions for real problems. Good policies are grounded in expertise and a clear understanding. The best solutions consider the long-term interconnected impacts across systems.

- a. Establish a research office to support evidence-based insights.
- b. Define clear problem statements and key metrics at the time of policy enactment.
- c. Ensure that councilors directly engage with residents to understand diverse challenges and opportunities.
- d. Design policies and habits with an awareness of interconnected systems.
- e. Develop processes to formally consider the long term. While power haggles in the short term, the long term waits nervously. We can make choices now that merit future thanks.

4. Equity & Outcomes // Fairness at the Core

Portland centers equity in outcomes. Policies must address systemic unfairness and uplift underserved communities. Everyone counts or no one counts.

- a. Partner with and learn from groups representing impacted communities.
- b. Develop metrics to measure equity impacts and adjust policies as needed.
- c. Conduct early outreach to impacted communities to inform policy making.
- d. Integrate lived experience into data collection.

5. Efficient Processes // Work Smart

We can be a City Council that works. Democracy can sometimes be slower; it need not be worse. We need not pass bills as we did when they were parchment carried by a horse and cart. The Council can ensure that each process step adds value, not just time or hassle. A productive City

Council discards or improves needless processes. Committee structures and sufficient staffing support smart and timely decisions.

- a. Modernize procedural steps to reduce delays,
- b. Embrace collaborative technology.
- c. Establish committees with clearly delineated domains, and with structures to facilitate a good policy development along with the public and a review of alternatives.
- d. Sufficient staffing levels enable Councilors to do their duties. A staffed-up council aids independent judgment, as distinct from over-reliance on paid testimony.
- e. Professional staff (such as the clerk) assigns policy questions to committees based on their content, rather than political maneuvers.

6. Maintain Council Independence

The City Council is the people's branch, and operates with power derived from the people, not from the executive. A strong, autonomous council ensures checks and balances and safeguards its fiduciary responsibilities. Independence fosters accountability, respect for council decisions, and empowers Portlanders.

- a. Develop habits, systems, and feedback mechanisms to ensure the executive branch implements council policies as intended.
- b. The staff serving the Council (e.g., Council Clerk) are overseen by the Council.
- c. Council has independent legal counsel
- d. Allocate resources directly to the council to support its legislative functions.

7. Distribute Power Within the Council

The Council's operations should distribute agenda setting and decision making power within the council. The Council needs no monarch nor ruling clique. No individual or small group should be able to control the process or veto concepts with wide support from moving forward.

- a. In addition to subject area committees necessary to be knowledgeable about bureau policies and operations, a strong Committee of the Whole should address issues where the entire Council should be involved in the public input process and other aspects of policy refinement.
- b. Committee chairs selected by the body (not just the Council President)
- c. More onboarding training and time for new council members.
- d. A majority of Council can pull concepts out of committee.

8. Spend Wisely

Public dollars are held in trust and must be treated with care. The Council stewards public funds, deploys resources smartly, and ensures that investments deliver value aligned with community priorities. Council must ensure that the city's priorities are meaningfully funded.

- a. Offer Mechanisms for line-workers to provide feedback on wasteful practices.

- b. Adopt zero-based budgeting to identify cost savings.
- c. Provide incentives to bureaus to find savings. Check disincentives like use-it-or-lose-it deadlines.
- d. Council provides fiscal oversight by having the bureaus track and report the return on investment for high priority initiatives. Shine a light on smart investments, not just blunders.

9. Encourage Creativity & Solve Problems // Think, Test, Solve

Governance thrives when bold ideas have a chance, and when the best ideas win. Portland must champion forward-minded solutions to challenges and seize chances to improve lives.

- a. Bring people together—different voices, shared stakes—to co-create better solutions.
- b. Cities can be laboratories of democracy. Encourage inventiveness. Learn from well-intended experiments. Iterate. Gather data from failure; don't just gather scar tissue and political fodder.
- c. The Council can test small-scale policy interventions and also build for scale.
- d. Our city can also learn from other laboratories. Portland is special, and we can get better by being curious and audaciously humble. An office of research and digital and live testimony can offer lessons and provide data.

10. Proactive & Responsive // Listen & Anticipate

The City Council should focus on what matters most to the community, and have a vision beyond the latest news cycle. A clear and responsive process ensures residents can easily engage and see tangible outcomes from their feedback.

- a. Create transparent mechanisms for public input and follow-through.
- b. Create platforms where residents can submit policy ideas or concerns and receive formal responses once thresholds are met.
- c. Publicize progress and celebrate incremental achievements.

11. Transparent in Process // Show Your Work

Openness builds trust and accountability. Sharing data, lessons, and progress openly ensures that the public remains informed and engaged. Democracy cannot rely on the heavily staffed local newsrooms of yesteryear. The City itself must communicate and foster accountability. Design government for people.

- a. Publish clear and accessible statements on council proposals.
- b. Maintain an easy-to-see and use public register for notices and meetings.
- c. Use plain language and graphical tools for public communication.
- d. Timelines that work for working people, and not just those who work as lobbyists.
- e. Limit the number of decisions made by any Council clique.

12. Accountability & Feedback // Own What We Do

Policies must be adaptable and evolve to meet changing needs. A culture of accountability ensures that progress is monitored, and feedback is continuously incorporated to improve outcomes.

- a. Share annual reports from council committees to evaluate progress. In ways that people might actually see, connect with, and understand.
- b. Establish mechanisms for reviewing and updating policies based on outcomes and community input.
- c. Celebrate success and progress. Highlight incremental achievements to foster civic pride and keep momentum alive. Recognize the contributions of community members and stakeholders.

Subject: Support Chapter 3.02 amendment
Hearing Date: Thursday January 2, 2025

Good morning Portland City Council

My name is James Ofsink (he/him), and I am speaking today as the volunteer Board President of Portland Forward. We are an intergenerational group focused on the big ideas for the future of our region. And there is no bigger and more important idea that we can help succeed than that of our city's new governance structure.

You collectively represent a broader infusion of new ideas and perspectives than has historically joined city council in any given decade. We strongly believe that your success will drive our city's success.

I am testifying this morning on the proposed amendments to Chapter 3.02 of the city code. In general, Portland Forward supports the amendments, which we believe improve the Council's operations by empowering independent and engaged councilors and groups of councilors. In addition to the proposed amendments, we ask you to consider several others.

First, regardless of what specific rules you ultimately adopt, we implore the council to build a sunset date into the initial set of rules. These rules are foundationally important to the operations of the council and will impact its ability to collaborate and develop broad-based solutions that harness every councilor's talents, expertise, and passion for our city. **The rules deserve public engagement, study of best practices that work elsewhere, and learning from what is and isn't working in the initial council operations.** If the rules are not considered temporary, we worry that organizational inertia will set things in stone solely because that is how they have been done previously in Oregon. Rules designed for a process that relied on horse and parchment should not be the starting point for the modern and effective legislative body our city needs.

I have included with my written testimony the principles and values we think should drive this process. However, we humbly recognize that we don't have all the answers and that many voices should be included in this important conversation.

Second, although it need not be specified in code, we encourage the creation of a governance or rules committee tasked with several responsibilities, including making initial recommendations on committee membership and leadership for the council to approve. Having more councilors participate in this research and recommendation process will help facilitate collaboration.

Third, while the proposed code does provide for public notice and testimony, it is light on specifying how the people of Portland can meaningfully engage with their city government. Perhaps community engagement will receive more clarification as the role of council committees is further articulated, but we believe that one thing that has made Portland special at its brightest moments has been the accessibility of decision-makers to the people. Portlanders have ingenuity and passion for our city, and we encourage you to make sure it's clear how community members can bring their solutions—and their concerns—to Council in a way that respects their time and can affect council decisions. In this vein, the Council should spend time thinking about participatory mechanisms such as citizen juries and participatory budgeting.

Lastly, related to transparency, we recommend that Council adopt a process for proposals that requires policy proposals to have summary language that everyday people can understand. The standard process for a proposal should include the *why*—the specific problem a concept is addressing, *what* it proposes to do, and *how* Council will know if it has been successful.

Thank you for your time and commitment to Portland. Portland Forward looks forward to working together to ensure this Council's success and build a city that reflects the needs and potential of its people.

Portland City Council Meeting
Thursday, January 2, 2025 - 9:30 a.m.
Verbal Testimony

	Item	Name
1	2025-001	Terry Harris
2	2025-001	Charlie Michelle-Westley
3	2025-001	Dan Handelman
4	2025-001	James Ofsink
5	2025-001	Jeff Smith
6	2025-001	Robert Butler
7	2025-001	Bob Weinstein
8	2025-001	Matt LaVine
9	2025-001	Steve Herring