

The charter review process, explained, and why it's so critical this time around

Every 10 years the City of Portland undergoes what's known as the Charter Review Process, in which an independent body of 20 Portlanders is appointed by the City Council to review the city's charter— the founding document which establishes and explains how the city is governed and structured— and to make recommendations for how it might be amended. 2021 is a Review year for the city and offers an important opportunity to reflect on whether the structure of Portland's government is best suited for our city as it is today.

The City of Portland is the last of America's large cities that still uses a commission form of government. Portland's commission form of government was established in 1913 when the city had a mere 200,000 residents. Today, it maintains the same number of commissioners (five plus an auditor) despite the population more than tripling in size, as well as shifting in cultural, ethnic, and racial dynamics. In 2021, Portland's roughly 650,000 citizens have just five commissioners (including the Mayor) who compose the City Council to represent their diverse opinions and needs. Elections for the commission are held city-wide which makes running for City Council an expensive endeavor, and there is no consideration for where in the city they live or represent. This creates a significant barrier to entry for individuals from diverse socioeconomic backgrounds who may lack the significant financial backing or connections with the ability to solicit funds that are required to sustain an election campaign. Portlanders elect commissioners to their positions based on campaign promises to make changes to specific areas under city government control, such as homelessness or police accountability. Commissioners act on these promises through legislative, administrative, and semi-judicial power, but this power is limited to a single vote per commissioner. Further, the extent to which a commissioner is able to realize their intentions is largely dependent on the bureaus they oversee during their tenure (such as the Housing Bureau or Police Bureau).

In most major US cities, councils range from 5 to 51 members. Although they may hold significant power, city councils typically rely on an additional entity— either a mayor with powers above the council, or a city manager— to oversee their work and to hire bureau chiefs, or to administer the city's day-to-day needs. Mayors are typically elected based on their perceived ability to oversee the city as a whole. City managers are hired based on particular credentials that qualify them to administer to the various bureaus that compose a city's services, such as water, fire, police, parks and recreation, and planning. Portland's structure utilizes only a mayor, but one who does not have authority over the council.

Instead, each of Portland's commissioners are afforded equal voting power on the council. The mayor's particular authority comes in his or her ability to assign commissioners to oversee whichever bureau or office they see fit, regardless of their qualifications. Alarming, the citizens who vote these officials in have no say in bureau assignments because they are elected at-large, or in the mayor's decision to transfer any or all agencies under their control. A commissioner need not have any experience with housing, for example, but may be assigned executive status of that bureau. Further, the mayor may at any time elect to pull oversight of any bureau from a commissioner and reassign it. This creates a system in which well-intentioned individuals are put in a position to provide leadership outside of their areas of expertise and in which the mayor can easily wrest control of an agency, for any reason. It also narrows commissioner's focus onto their particular bureaus by obligating them to these specific areas of government, rather than allowing them to focus more neutrally on the city's collective needs which creates inconsistency in how bureaus are led over time.

The current commission structure gives voters and community members little direct influence over how the city operates. The Charter Review process happening now offers us an opportunity to ask important questions about whether the commission still works for all of its citizens, or whether another structure might serve us better. Portland Forward will offer a series of pieces outlining some of the tensions with the current structure as well as information on other structural options available, and how they differ from what we have today to help Portlanders think through some of these questions. In upcoming pieces, we'll discuss bureau assignments, the size and makeup of the commission, and other city government structures in more depth.

