

JOSEPH ANDAYA
JOHN ARDNER
SHELLEY DENISON
CHRISTOPHER DRESEL
TIM FIER

AMANDA GAYKEN
JACK HOLLIS
CATHY KEATHLEY
DANA STROUD

**GRESHAM CITY CHARTER REVIEW COMMITTEE
MARCH 27, 2023, VIA ZOOM MEETING (SEE INSTRUCTIONS BELOW)
OPEN SESSION – 6 PM**

The Gresham City Charter Review Committee will be holding the
MARCH 27, 2023, Meeting at 6 PM Via Zoom Meeting.

Please click the link below to join the webinar:

<https://greshamoregon.zoom.us/j/82679860100?pwd=VUFnSUlpZUV6WDIkRHkxNG5yVVB0QT09>

Passcode: XiLzkzH7Ve

Or One tap mobile :

US: +12532158782,,82679860100#,,,,*5867913162# or
+16699006833,,82679860100#,,,,*5867913162#

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Persons who desire to access the meeting and are unable to access the meeting via Zoom are encouraged to contact Jane Leo, Policy Analyst, by calling 503-618-2508 or emailing jane.leo@greshamoregon by 5:00 pm two business days before the meeting, so the City can provide alternate arrangements.

Persons who desire translation services for this meeting must notify Jane Leo by calling 503-618-2508 or emailing jane.leo@GreshamOregon.gov by 5:00 pm three business days before the meeting, so the City can make arrangements for translation services.

If you wish to receive notices of future meetings, please contact Jane Leo, Policy Analyst, at jane.leo@GreshamOregon.gov or (503) 618-2508.

GRESHAM CITY CHARTER REVIEW COMMITTEE
March 27, 2023

AGENDA ITEMS

1. PUBLIC TESTIMONY

Instructions to Citizens regarding public testimony on agenda and non-agenda items:

Instructions for providing Written OR Oral testimony are listed below.

Written Testimony must be received by 12 PM on Wednesday, March 22, 2023, via email to Jane.Leo@greshamoregon.gov.

Oral Testimony

If you plan to provide Oral Public testimony you may register your Name, email address, phone number and subject matter to Jane Leo via email to Jane.Leo@greshamoregon.gov. Advanced registration is not required. Individuals will have 3 minutes to speak, persons representing a group or organization will have 5 minutes.

2. APPROVE MINUTES FROM PREVIOUS MEETING

- FEBRUARY 27, 2023

3. 2022-2023 CHARTER REVIEW COMMITTEE – DRAFT 1, FINAL REPORT TO CITY COUNCIL

4. FUTURE SCHEDULE

5. OTHER ITEMS

Committee Members Present:

Joseph Andaya, chair
John “Jack” Ardner, vice chair
Shelley Denison
Christopher Dresel
Tim Fier
Amanda Gayken
Jack Hollis
Cathy Keathley
Dana Stroud

Staff Present:

Kevin McConnell, City Attorney
Jane Leo, Policy Analyst
Mary Hajdu, Administrative Assistant
Margarita Contreras, Administrative Assistant

A public meeting of the Charter Review Committee (CRC) was called to order by Chair Andaya at 6:01 p.m., via Zoom. The meeting was recorded digitally and minutes prepared by Jane Leo.

1. PUBLIC TESTIMONY

Written comments were submitted by Mr. Paul Wilcox regarding multi-winner districts, Ranked Choice Voting, gender-neutral pronouns, and the 60-percent voter approval requirement for Charter amendments.

Carol Rulla provided written and oral comments regarding Ranked Choice Voting.

2. OPEN PUBLIC COMMENTS

None.

3. MINUTES FROM PREVIOUS MEETING

Motion by Vice Chair Ardner, seconded by Member Hollis, to amend “Report from Subcommittee” section, first paragraph, third sentence: delete word “candidates” and insert “seats.” Motion approved by consensus.

Motion by Vice Chair Ardner, seconded by Member Stroud, to amend the third paragraph, last sentence: delete word “candidates” and insert “seats.” Motion approved by consensus.

Motion by Vice Chair Ardner, seconded by Member Stroud, to amend third paragraph striking the sentence beginning “Ms. Leo added...” Motion approved by consensus.

Motion by Member Dresel, seconded by Vice Chair Ardner, to approve January 30, 2023, meeting minutes as amended.
Motion approved by consensus.

4. REPORT FROM SUBCOMMITTEE

Districts – Request for Approval

Subcommittee Chair Hollis reported the recommendation is four Districts, with two City Council members each, serving simultaneous four-year terms. He emphasized that, in a single district, both City Councilors run for office in the same election thus increasing the probability of non-majoritarian representation.

Additionally, the Subcommittee is recommending the City Council appoint an Independent District Commission (IDC) that will, with the support of professionals with expertise in districting, determine the district boundaries. Commission members should be selected through a democratic lottery system with one member being from the Gresham Youth Advisory Committee. Mr. McConnell confirmed that appointment of an IDC is the process most used in other cities with the district boundaries being approved by Council ordinance or resolution.

Discussion ensued clarifying the use of Single-Winner Ranked Choice Voting in elections such as for mayor and Proportional Ranked Choice Voting in elections such as multi-member Districts where there are two seats for City Council being elected.

Motion by Member Hollis, seconded by Member Dresel, directing staff to review, and correct where appropriate, the Districts and the Voting Systems (Ranked Choice Voting) recommendation memos to clarify as to when Single-Winner Ranked Choice Voting is applied and when Proportional Ranked Choice Voting is used. Correction to include the graphic mock election in the District Recommendation memo.
Motion approved by consensus.

Member Keathley complimented the Subcommittee's well-researched and extensive work. She expressed concern for the budget impact of the changes noting that the City is experiencing severe budgetary shortfalls. For her, now is not the best time to propose the changes and associated costs.

Member Hollis spoke to the Subcommittee having considered the financial impacts of the recommendations. Member Stroud stated that what assisted in her decision making was recent research that concludes districts, overall, save cities money. (The report can be found at: <https://scholarworks.calstate.edu/downloads/th83m171c>). Member Dresel shared that districts and Ranked Choice Voting is what the Subcommittee repeatedly heard from the public and what was stated in the Bagwell Report. The City must listen to the people, and if this is what the people want, the Council has a responsibility to find a way to fund it.

Ms. Leo reported a Fiscal Impact Statement is expected from the City's Budget and Finance Manager by mid-March. Budget and Finance staff are coordinating with Facilities staff to ensure all impacts are considered.

Motion by Member Hollis, seconded by Member Stroud, to forward the four City Council Districts recommendation to Council for consideration.

District Recommendation to Council	Yes	No
Members		
Gayken	X	
Keathley		X
Fier	X	
Denison	X	
Hollis	X	
Ardner	X	
Dresel	X	
Stroud	X	
Chair Andaya	X	

Motion passes.

Member Hollis spoke to the Council directive (Resolution 3478) to recommend a method for successfully transitioning to a district election system. Ms. Leo and Vice Chair Ardner presented illustrations of transition options.

Motion by Member Hollis, seconded by Member Gayken, to recommend Vice Chair Ardner’s transition proposal—known as *Gresham Transition Plan for City Council Moving from At-Large Elections for Councilors to District Elections*—to Council and to edit language in the District Recommendation Memo to reflect adoption of the transition recommendation.

Transition Plan--Ardner	Yes	No
Members		
Gayken	X	
Keathley		X
Fier	X	
Denison	X	
Hollis	X	
Ardner	X	
Dresel	X	
Stroud	X	
Chair Andaya	X	

Motion passed.

5. OTHER CHARTER AMENDMENTS

- **Recommendation to delete 60-percent voter approval for Charter Amendments requirement, presenter Chair Andaya.**

Chair Andaya spoke to the need to amend the City Charter to change the 60-percent voter approval requirement for amendments to a simple majority of electors casting votes on the measure. He highlighted examples where past measures have been approved by the majority of the voters but were

not implemented as a Charter amendment as the votes cast did not meet the 60-percent requirement. He stated to not recognize the will of the majority is undemocratic.

Motion by Vice Chair Ardner, seconded by Member Hollis, to recommend Council refer to the Gresham voters’ removal of the 60-percent requirement for Charter amendments.

Eliminate 60-percent requirement for Charter Amendments.	Yes	No
Members		
Gayken	X	
Keathley	X	
Fier	X	
Denison	X	
Hollis	X	
Ardner	X	
Dresel	X	
Stroud	X	
Chair Andaya	X	

Motion passed.

- **Recommendation to Revise Vacancies in Office Charter Language, presenter Vice Chair Ardner.**

Vice Chair Ardner withdrew the February 14, 2023 proposal and presented a revised proposal dated February 27, 2023. He spoke to the need to clarify and specify within the Charter how candidates are elected or appointed to office. He commented that the current process, outlined in the Charter, has been applied in the past with varying degrees of voter satisfaction. The proposed changes involve the City residents, set out a process by which candidates can apply and provides transparency, predictability, and consistency.

Motion by Member Hollis, seconded by Member Gayken, to approve the revised Vacancies in Office recommendation, dated February 27, 2023.

Revise Vacancies in Office Process	Yes	No
Members		
Gayken	X	
Keathley	X	
Fier	X	
Denison	X	
Hollis	X	
Ardner	X	
Dresel	X	
Stroud	X	
Chair Andaya	X	

Motion passed.

- **Recommendation to Add Anti-Discrimination Statement, presenter Member Stroud.**

Member Stroud withdrew her proposed Charter Amendment recommendation and, in its place offered, the following:

The Charter Review Committee recommends the City Council create a coordinated and comprehensive Work Plan related to the issues identified here and, at a minimum, yearly report on their progress to the public. We expect to see anti-discrimination employment policies, Gresham Revised Code and/or Charter Amendments which establish and strengthen accountability structures to eliminate discrimination based on race, ethnicity, color, religion, gender-identity or non-identity, sexual orientation, multilingualism, neurodiversity, disabilities, economic status, national origin, or other protected classes. The Council will note this list of protected identities is different from those currently offered protections in existing Title IX or ADA protections, elevating the standards for identity protections as a jurisdiction. We look to your leadership on how to proceed with this work.

She outlined the areas to be addressed and commented the City will need to include the DEI Manager, City Attorney, and others in developing, implementing, and enforcing anti-discrimination policies and practices.

She spoke on the collaborative work done by the CRC over the past year. She feels the CRC has been effective with their work and is encouraged about the processes created together. The CRC came together as residents of Gresham and attuned to the Charter language listened to the voices of the people and acclimated to the context, power, and privileges evident in the systems as it tangentially learned about the issues from nonpartisan experts in the field(s).

She encouraged the CRC to forward the research started so the City Council can consider the best ways to advance the work. She proposed the CRC offer this amendment to Council, not to head to the ballot as is, but with the understanding it needs to be re-worked with legal support from the CAO's office as well as others and parts of this work may need to be carried forward as revised code rather than going into the City Charter. The CRC needs to present to Council its important work, stemming from community concerns and independent City audits, recognizing the proposal needs to be considered and finessed.

CRC Members concurred the knowledge obtained through the Charter Review process should not be put aside. Gresham residents benefit from the proposal being forwarded to Council as the recommendation stems from learned community concerns. Without objection, the recommendation that the City continue working on and implementing anti-discrimination policies and procedures will be forwarded to Council.

Motion by Member Hollis, seconded by Member Dresel, to forward the Anti-Discrimination request, as amended and presented, to the City Council. Request is to include Member Stroud's remarks as presented to the CRC.

Forward to Council recommendation to Continue Work on Anti-Discrimination	Yes	No
Members		
Gayken	X	
Keathley	X	
Fier	X	
Denison	X	
Hollis	X	

Ardner	X	
Dresel	X	
Stroud	X	
Chair Andaya	X	

Motion passed.

6. FUTURE SCHEDULE

Ms. Leo and Mr. McConnell explained work had begun on drafting the CRC’s final report. The Committee was advised meetings may be called with limited notice to resolve issues or questions as they arise. These meetings would be held during the business day. Ms. Leo anticipates presenting the first draft of the final report to the CRC by the end of March. She expects the CRC will have two to three opportunities to review the final report.

7. OTHER ITEMS

Motion by Member Stroud, seconded by Member Fier, to dissolve the CRC Subcommittee as the body had completed its assigned work.

Motion approved by consensus.

There being no further business, the meeting was adjourned at 8:42 p.m.

Next Meeting: Members were asked to hold March 27th for presentation of the Final Report Draft 1.