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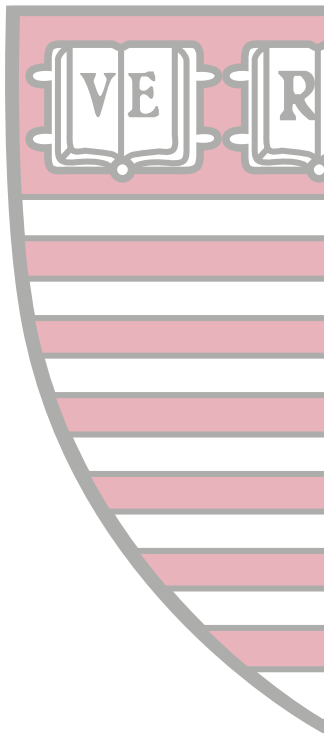

From Crisis to Opportunity: How the City of Portland Embraced Democratic Innovation

Max Kiefel, Nick Chedli Carter, Archon Fung

June 2024

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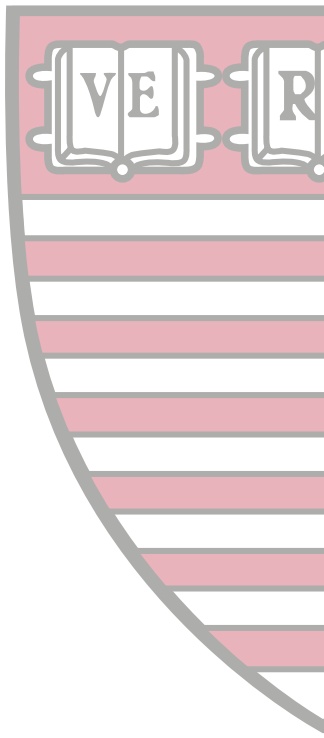

From Crisis to Opportunity: How the City of Portland Embraced Democratic Innovation

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About the Authors

Max Kiefel is a Democracy Post-Doctoral Fellow at the Ash Center for Democratic Governance and Innovation. His research is in political sociology, party politics and comparative political economy. He received his PhD in 2022 from the London School of Economics. His thesis focuses on the decline of Social Democratic parties in Western democracies. Max develops a unique organizational framework to analyze the process by which political parties make decisions. He employs this in the analysis of the British Labour party to demonstrate that attempts at ideological and strategic change were constrained by pre-existing organizational structures. Max's other research projects are on political representation amidst increased inequality; intergenerational conflict; and the politics of place. His work has been published in *Politics & Society* and *Governance*.

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About the Ash Center

The Mission of the Roy and Lila Ash Center for Democratic Governance and Innovation at is to develop ideas and foster practices for equal and inclusive, multi-racial and multi-ethnic democracy and self-government.

This paper is one in a series published by the Ash Center for Democratic Governance and Innovation at Harvard University's John F. Kennedy School of Government. The views expressed in the Ash Center Policy Briefs Series are those of the author(s) and do not necessarily reflect those of the John F. Kennedy School of Government or of Harvard University. The papers in this series are intended to elicit feedback and to encourage debate on important public policy challenges.

A PUBLICATION OF THE

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Executive Summary

Portland, Oregon recently passed Measure 26-228, which represents some of the most expansive voting reforms by a major American city in recent history. Instead of being elected in at-large districts, members of the Portland City Council will be selected from four multi-member districts, through ranked choice voting. This expands the number of City Council members from four to twelve.

This is a case study of democratic innovation at the local level. Portland adopted its "commission" form of government in 1913. Between 1917 and 2007, seven ballot initiatives attempted to reform this governance structure; however, they tended to focus on strengthening mayoral power rather than enhancing democratic representation and expanding voting rights. At the core of this case study is the question: Why, in 2022, was voting representation and democratic reform firmly on the agenda? Did this shift contribute to Portlanders passing Measure 26-228?

Our analysis highlights the interplay between institutional structures and political agency. The opportunity for these reforms came from a permissive political environment, characterized by the widespread perception that Portland was "broken" alongside a broader context of racial reckoning amid the protest wave triggered by the murder of George Floyd. As the decennial charter review process commenced in late 2020, there was consensus across the spectrum on the need for governance reform. However, it was the Charter Review Commission that proposed the bundle of reforms included in Measure 26-228. This sparked opposition from local political elites and the business community, who were primarily concerned with strengthening the position of mayor. We identify a process of network building and community organizing that, at each stage of the reform process, proved critical to developing and passing the reform initiative.

This process was precipitated by a coalition of community organizations, local activists, and leaders, often connected to people of color, that acted as the key agents in the reform process. This, in and of itself, is a significant factor. In the authors' view, it is relatively unusual for these types of organizations to successfully mobilize public support and pass reforms in the face of opposition from local political and business leaders.

This report is being published at the stage where the reforms have been passed and are in the process of being implemented, although they have not been utilized in an election as of this writing. To this end, analysis of the effects of Measure 26-228 lies beyond the scope of our research. However, we do propose a number of questions and avenues of inquiry for future evaluations. These include:

Will the reforms effectively address issues of good governance and accountability? We were advised that voters generally engage with local politics by attributing issues of governance to publicly salient individuals, like the mayor. As these reforms do not strengthen the mayor's powers, there are questions as to whether they will improve perceptions that Portland is heading in the right direction.

Will the introduction of multi-member districts and ranked choice voting lead to differences in the types of candidates that seek election? New kinds of candidates may, in turn, realign voting coalitions in Portland.

Will the move to appoint a city manager to administer government bureaucracy actually expand democratic participation within the structure of local governance?

These questions have broader relevance to other places in America that may seek to draw lessons from Portland's governance reform experience, either directly or indirectly, as they look to introduce voter reforms that arguably deepen the democratic character of local government institutions.

Introduction

In November 2022, the citizens of Portland, Oregon voted to pass Measure 26-228, 58.1% to 41.9%. This affirmative vote substantially altered the structure of Portland's government by revising the city's charter. Specifically, the reforms expanded the number of City Council members from four to twelve. These members would be elected in four multi-member districts, instead of the at-large status quo, through ranked choice voting. At the same time, Portland would move away from a "commission" form of government, in which city councilors administered bureaus, through the introduction of a professional city administrator.

These reforms were both significant and surprising, representing the city's most fundamental changes in over a century. In fact, Portland is one of the few U.S. municipalities to adopt a multi-member district in more than 100 years. Like many American cities, Portland had adopted the commission governance structure in the early 20th century, in part to provide accountability against rampant corruption. In the intervening decades, other cities moved away from this model, making Portland's retention of this structure unique. However, this was not for want of trying. Between 1917 and 2007, there were at least seven ballot initiatives to reform Portland's governing structure; they all failed. What distinguishes these efforts is that they tended to focus on strengthening mayoral power rather than enhancing democracy through ensuring popular representation and voting rights. Why then, in 2022, was voting representation and democratic reform firmly on the agenda, and did this contribute to Portland finally voting for change?

In this report, we document the process of Portland's charter reform. We collected data firstly through an extensive reading of newspaper articles; reports from local, statewide, and national sources on voter reform; minutes from Portland's Charter Review Commission meetings; opinion polling; and other publicly available material. Secondly, we conducted 24 interviews with individuals across Portland's political spectrum, including journalists, campaigners, nonprofit leaders, election and city officials, local and state legislators, and pollsters. We deliberately sought a range of perspectives in terms of both level of involvement in the reform process and opinion on the reform itself. To achieve this, we employed a snowball sampling technique, wherein our interview subjects helped to identify other subjects to interview. By adopting this purposive approach, we were able to include both proponents and skeptics of the reform. This provided us with a robust methodological approach to identify the process for democratic reform.

In this analysis, we emphasize the interplay between institutional structures and political agency. The opportunity for these reforms came from a permissive political environment, characterized by the widespread perception that Portland was "broken." The upheaval caused by the COVID-19 pandemic fomented a collective desire for change. This was amplified by the city's intense protest wave triggered by the murder of George Floyd which saw property destruction and a brutal police response. Equally, a decennial charter review process provided a readymade institution to enable the willing to engage in reform.

At the same time, we identify a process of network building and community organizing that laid the groundwork for reform, creating an infrastructure that later enabled reformers to take advantage of the opportunity presented by institutional openings in the political environment. We show that community organizations, local activists, and leaders led the process of reforms, and they often centered on social groups connected to people of color. This is another significant and surprising factor. Remarkably, these organizations succeeded in mobilizing public support and achieving such significant reforms to the structure of government despite opposition from key actors in City Hall and the business community.

In the case study that follows, we provide an overview of Portland's existing form of government and the historical attempts at change. Next, we identify the first key stage in reform: the network building that occurred in the mid-2010s. Third, we examine the construction and work of the Charter Review Commission, the body that formally advanced Measure 26-228. Fourth, we examine the dynamics of the campaigns for and against the measure, with specific focus on the inability of the opposition to coalesce. Finally, we conclude with a particular focus on the most transferable aspects of the campaign, as well as suggestions for future research.

Portland's Anomalous Governance Structure

In the decade preceding the passing of Measure 26-228, myriad reports were published that detailed the defects of Portland's city government. The issues raised in these reports can be grouped into three categories: service delivery, modern and effective governance, and minority representation.

Historically, the city's attempts at charter reform have largely focused on the first two areas, as indicated in the "Purpose of Proposed Change" column in Table 1, below. Reformers commonly link issues of service delivery and effective governance to Portland's "commission" form of government, adopted in 1913, which vests all powers of municipal government in the city commission. While many large American cities adopted this commission system at one time, Portland became the only city to retain this structure.

Under Portland's prior charter—the so-called Galveston "commission" system—city government is divided into five administrative departments: Public Affairs, Public Safety, Public Utilities, Public Works, and Finance and Administration. A commissioner, elected at large and appointed by the mayor, heads each department, with the mayor personally leading one of them. Each commissioner is responsible for overseeing a number of bureaus within their department. For instance, the head of Public Affairs is responsible for Portland Fire and Rescue, the Bureau of Emergency Management, the Bureau of Emergency Communications, and Fire and Police Disability and Retirement. Bureaus can be created and dissolved as needed, and each bureau "chief" is responsible for executing policy determined by the City Council or through their own operational experience.

Reports from the League of Women Voters and the City Club of Portland note that potential strengths of this system include clarity of responsibility.[1] Under this system, it is clear which commissioner is responsible for which policy area. Theoretically, flexible leadership can be achieved by assigning specific commissioners to policy areas to which they are well suited. However, these reports, alongside our interviews with sitting and former commissioners, community leaders, and business leaders,[2] also reveal a host of problems with this system. These include a lack of coordination as commissioners create silos around their bureaus and use their agencies to increase political influence; a lack of long-range planning; mismatched skill sets, as commissioners are often responsible for managing bureaucracies in policy areas for which they lack experience and/or expertise; and administrative inefficiencies. Additionally, some observers were concerned that this system is easier to navigate for advantaged citizens, such as business leaders and the affluent, who have experience with and access to elected officials. The former city auditor, Mary Hull Caballero, pointed out that the commission form restricted access to city government for low-income communities. She cited this limitation as a reason for low utility funding assistance and infrastructure deficiencies in northeast Portland.[3]

Table 1. Elective Attempts to Change City Structure

Election Date	Purpose of Proposed Change	Vote Tally
May 3, 1913	Provide commission form of government with a mayor, four commissioners, and city auditor, all elected at-large.	Yes: 17,317 No: 17,025
June 4, 1917	Abolish commission form of government and replace it with a mixture of the commission and the council-manager form of government.	Yes: 14,196 No: 32,086
June 4, 1917	Repeal commission form of government and replace it with a council-manager form of government.	Yes: 12,647 No: 32,796
November 2, 1926	Simplify and retain commission form of government by giving the mayor more powers to run day-to-day government operations.	Yes: 27,388 No: 29,087
June 28, 1927	Simplify and retain commission form of government by giving the mayor more powers to run day-to-day government operations.	Yes: 7,459 No: 38,454
May 17, 1958	Replace the commission with an appointed city manager responsible to eight council members elected at large. The city manager would select all department commissioners.	Yes: 55, 283 No: 61,821
May 24, 1966	Replace the commission with a strong-mayor form of government and a part-time council.	Yes: 41,848 No: 68,158
May 21, 2002	Replace the commission with a strong-mayor system; expand the commission from four to nine, with two elected at-large and seven from districts. (Proposed by citizen petition)	Yes: 29,730 No: 94,179
May 13, 2007	Create a chief executive officer appointed by the mayor and confirmed by the council. (Proposed by Charter Review Commission)	Yes: 18,880 No: 60,608

Source: League of Women Voters report, 2019

Between 2006 and 2007, the City of Portland formed an *ad hoc* Charter Review Commission under Mayor Tom Potter. Along with an unsuccessful measure to create a chief executive, the commission proposed Measure 26-89, which passed. It required the City Council to convene a Charter Review Commission every 10 years. The first Charter Review Commission, which convened for a two-year period between 2010 and 2012, proposed nine measures that were enacted. However, these measures, which included aligning the city's tort claim law with state law, changing the mayor's fund, and deleting outdated provisions on obscenity, beggars, and vagrants, did not substantially change the structure of city governance.

Some local business leaders cited the failures of the commission form of government as their primary motivation for supporting charter reform in 2020.[4] While we lack a clear understanding of the specific dynamics behind each of the elective attempts at charter reform identified in Table 1, it is noteworthy that it was only when charter reforms specifically addressed minority representation, as was the case in 2022, that the measure gained sufficient elite and popular support to pass. Why, then, was it only recently that the question of greater inclusion in city government made it onto Portland's structural reform agenda?

Agenda Setting and Advancing Minority Representation

Portland is a city where 73.8% of residents are white, yet the political culture is infused with strong progressive sentiments, not least in popular support for racial equity.[5] Its 2020 protests for Black Lives Matter frequently made the national news and drew the ire of the Trump administration.[6] Despite this progressive ethos, its local electoral system has frequently produced unrepresentative outcomes. The Sightline Institute's reports are particularly illustrative here. They find that "the vast majority of Portland's council members have been white men and have come from the close-in east side or west of the Willamette [River]—areas where residents are far more likely to have a higher income and own (rather than rent) their homes."[7] While proposing different solutions, the reports from the Sightline Institute and City Club of Portland both link Portland's at-large, winner-take-all electoral systems with the systematic underrepresentation of women and people of color in city political offices.[8] When Jo Ann Hardesty was elected to City Council in 2018, she became the first African American woman to serve on City Council as well as just the second councilor to live east of 82nd Street, an area home to significantly more people of color and school-age children than areas to its west.

Our interview subjects frequently noted that between 2018 and 2022, the composition of the City Council markedly changed. Alongside Hardesty, Mingus Mapps and Carmen Rubio, both elected in November 2020, identify as people of color. Dan Ryan, elected in January 2020, identifies as LGBTQ and holds the distinction of being the first person elected to Portland City Council known to have been diagnosed with HIV. Critics of the voting elements of the governance reforms cited this new composition, where a majority of commissioners are minority-identifying, as evidence that the existing system is capable of producing more representative outcomes.[9] However, some also felt that many of these new minority-identifying representatives are not connected with underserved and marginalized communities that suffer from a lack of resources and, historically, access to city government.[10]

Problems of service delivery and representation are interrelated, as was demonstrated by the COVID-19 pandemic, which disproportionately impacted marginalized communities.[11] Oregon's stay-at-home order was the longest in the country, lasting from March 2020 to June 2021. A report from the Portland Business Alliance (PBA) argues that this helps to explain why the city's economic recovery has lagged behind similar-sized cities, like Austin and Salt Lake City.[12] At the same time, the murder of George Floyd in 2020 sparked nationwide protests, and in Portland, a segment of the protest movement engaged in property destruction, burning buildings, smashing storefronts, and, on one occasion, throwing a Molotov cocktail at the police.[13] Concurrently, the Justice Department rebuked the Portland Police Bureau for its brutal response.[14]

In 2020, this local political and economic context shaped debates around charter reform. For both the business community and under-resourced minority groups, issues from parking management to business zoning manifested the city's inability to provide even basic services. What's more, there was no clear path to recovery.[15] Some interviewees pointed to this context as the driving explanation for why charter reform succeeded in 2022 when it had failed so many times before. As the CEO of the PBA, Andrew Hoan suggested residents would have voted for just about any change.[16]

While the broader political and structural context influenced public opinion, making it potentially more amenable to reform than in previous periods, this does not necessarily explain why earlier attempts at charter reform lacked the scope of proposals in Measure 26-228. When asked about the limitations of the previous Charter Review Commission, Jo Ann Hardesty, who served on the Charter Review Commission that met between 2010 and 2012, pointed to a lack of resources devoted to reform and resistance from City Hall.[17] For example, Hardesty mentioned that the only staff member provided to the Charter Review Commission was a City Hall intern: "Having a staff person who didn't even know where the restrooms were and had no access to materials and data or people that would actually help

inform the Charter Commission made it really clear to us very early that the goal was just to check a box and not to truly give the commission the power they needed to make changes or to recommend changes to voters in the city of Portland." Hardesty also said that when some members of the commission sought to make more substantive changes, largely aimed at curbing police powers, the city commissioners actively interjected and told certain commission members to stop attending meetings to reduce the quorum requirement.

Organizing toward the Charter Review Commission

Clearly, the broader political context created a permissive environment for issues of minority representation and voting rights to feature prominently in any reform proposals. However, our research suggests that these issues were only included in Measure 26-228 because of sustained efforts—occurring years before the formation of the 2020 Charter Review Commission or the 2022 popular vote—to put ideas about multi-member districts and proportional representation onto the agenda of local leaders, insert them into local reform "repertoires," and educate local advocates about the mechanics of these reforms and how they might apply to Portland.

Indeed, the failure of the 2010–2012 Charter Review Commission provided the basis for a new organizing effort that was able to take advantage of a permissive political environment to achieve its aims for democratic reform. The specific formation of the Charter Review Commission that began meeting at the end of 2020 can be seen as the culmination of a process where structural change intertwined with organizing efforts and network building. Jo Ann Hardesty, Kristin Eberhard (senior researcher, Sightline Institute), and Kate Titus (executive director, Common Cause) kickstarted organizing and network-building efforts in earnest, establishing round tables with community groups in late 2014 and early 2015.[18] In 2016, organizations like More Equitable Democracy, the Piper Fund, and the Northwest Health Foundation began providing strategic advice and funding for leadership development.[19] According to George Cheung of More Equitable Democracy, "I think part of the role that we played was really leadership development and supporting a small group of young people of color leaders who wanted to disrupt the system. And we provided the kind of deeper analysis of what that actually could mean."

The City Club of Portland translated these organizing efforts into research reports. These reports created the basis for substantive local discussions among policymakers, advocates, journalists, and scholars. The City Club, founded in 1916, is an individual member-led organization where the membership is largely composed of politically engaged citizens. The club periodically commissions volunteer research committees to conduct research on a specific topic and draft a report containing findings and recommendations. The club will then hold a debate and a vote of its membership to determine whether the research committee's recommendation should become the club's official policy.

In 2017, the City Club commissioned a research committee to consider whether Portland's voting methods enabled equitable representation. Many members of this committee had been active in the network-building stage and would play key roles in the subsequent Charter Review Commission and the ballot campaign: Jenny Lee (Coalition of Communities of Color), Robin Ye (Asian Pacific American Network of Oregon), Julia Meier, and Ricardo Lujan. Many of our interviewees credit the City Club as an important first step in crystallizing the problems with Portland's existing form of government. Most importantly, it played a pivotal role in carrying forward earlier discussions around voting reform and providing a tangible proposal for change.[20]

Even as these organizing and research efforts proceeded, broader changes exacerbated negative perceptions of Portland's government. As described above, the limitations of the commission form of government had become clear and then were exacerbated by the COVID-19 pandemic and, according

to some, drug decriminalization.[21] Portland's downtown had become almost abandoned, houselessness had markedly grown, and, at the same time, the George Floyd protests and the inadequacy of the police response crystallized problems of representation and community relations at City Hall. This crisis created the opportunity for reform. But community leaders largely shaped that reform, having done the hard work of educating themselves about options for electoral reform in the prior years. Specifically, they identified the Charter Review Commission as an opportunity to influence city reform by positioning themselves and allies to influence the commission's agenda once appointed.

It's also worth noting that the state of Oregon boasts a rich history of direct democracy, which arguably created opportunity for the reform movement that prevailed in 2022. In fact, the state's ample provisions for citizens' initiatives and referendums are known as the "Oregon System." Oregon was one of the first states to allow for citizen-led initiatives and has had over 400 on the ballot. Originating from the political right, center, and left, they have impacted an expansive range of policy areas. Examples include establishing an eight-hour workday for those on public works projects (Measures 320–321, 1912), setting limits on real estate property taxes (Measure 5, 1990), defining marriage as between one man and one woman (Measure 36, 2004), and legalizing marijuana (Measure 91, 2014).

In terms of voting and electoral systems, Oregon became the first state in the nation to adopt universal vote-by-mail in 1998, as well as the first to adopt automatic voter registration in 2015. Currently, the state is pursuing a statewide ranked choice voting system for federal and state offices, with a vote set for November 2024. If it passes, it will be the first time such a reform has been proactively initiated by a state legislature. In 2009, the Oregon Legislature approved the Oregon Citizen Initiative Review, enabling the secretary of state to form citizen panels to review and create official statements on initiated state statutes and amendments to the Oregon Constitution.

The Charter Review Commission 2020–2022

The Charter Review Commission was appointed in late 2020 and commenced its sessions in early 2021. This commission consisted of 20 citizens who engaged in a two-year process of deliberation that, at the outset, had the potential to generate proposals for changes to Portland's charter. A supermajority was required for any proposals to advance directly to a ballot; a simple majority would see the proposal debated and, potentially, modified by city commissioners.

The actions of this specific commission raise several questions. First, as noted in the previous section, the first Charter Review Commission, which met between 2010 and 2012, proposed only small changes that never substantially transformed the structure of city government. Why did the charter review process a decade later generate a much more ambitious set of proposals? Second, the Charter Review Commission ultimately voted 17-3 to advance its proposed reforms to election. The significant debate during the campaign period, and even the preceding formal debate, demonstrates that this was a contentious topic. The Portland Business Alliance and several City Hall commissioners voiced their opposition to the proposals. Why wasn't this pressure from such a traditionally influential interest group enough to sway more votes and avoid a supermajority?

Finally, it is notable that by late 2020, there was agreement across the board—from the CEO of the Portland Business Alliance (PBA) to the members of the progressive Coalition of Communities of Color (CCC) to the chair of Street Roots, the local houselessness body—that Portland needed significant governance reform. Despite the subsequent disagreement between the CCC and the PBA on the issue, it is notable that the City Club report was launched at an event hosted by the PBA in conjunction with the CCC. Still, given the financial and power disparity between these different actors, why was the

voting reform component of the commission's proposals included and, indeed, prioritized for a working majority of review commissioners?

Through interviews with review commissioners, extensive reading of minutes from the Charter Review Commission's meetings, and analysis of news reports, our findings point to the specific composition of the commission. This composition drew on the organizing efforts highlighted in the previous section and the deliberative processes that were embedded in the commission's work. These factors were mutually reinforcing, as the specific sociological experiences and interests of the vast majority of commissioners led them to adopt the mindset to engage in the deliberative processes, as opposed to simply advocating for their *ex ante* positions. This, in turn, helped to generate consensus and insulate these decision-makers from pressures from business interests and local politicians. We take each of these mechanisms in turn.

Appointing the Charter Review Commission

Under the Charter Review Commission's appointment process, each city commissioner (and the mayor) was allowed to appoint four review commissioners. Notably, the city commissioners in 2020 leaned much more progressive than the city commissioners in 2022. The 2020 body included Jo Ann Hardesty and Chloe Eudaly, who both had links to progressive movements in Portland.[22] This was critical to the appointment of Julia Meier as the Charter Review Commission's project manager[23] and City Council's decision to take a "one city" approach to the appointment process. Under this approach, while each council member was entitled to appoint four commissioners, the council collectively established shared criteria for selecting commission members.

Almost 300 residents applied to serve on the Charter Review Commission. Due to the "one city" approach, which was advocated by Hardesty and Meier, many of those appointed to the commission were involved with community organizations. They strongly believed in the need for a more diverse and representative City Council and had participated in processes organized by Asian Pacific American Network of Oregon (APONO) and City Club. Hardesty said that "what normally would happen is each office would pick their five friends that they wanted on the commission, and that would be done. That would be it. And I got the mayor to commit that we would do a process to make sure that every demographic was represented and that we were not leaving people out of the process."[24] Table 2, below, provides a list of the original charter review commissioners, appointed in late 2020, and their occupational affiliation at the time of appointment.

Table 2: Original Members of Charter Review Commission and Their Background

Name	Occupation	Background
Amira Streeter	Policy Advisor to, Governor Kate Brown	Government
Angie Morrill	Program Director, Title VI Indian Education Program, Portland Public Schools	Education
Andrew Speer	Local Government Affairs Manager, General Electric	Business
Anthony Castaneda	Policy Manager, Latino Network	Nonprofit
Becca Uherbelau	Executive Director, Our Oregon	Nonprofit
Bryan Lewis	Union Organizer, Service Employees International Union	Nonprofit
Candace Avalos	Advisor, Portland State University; Co-founder, Black Millennial Movement	Nonprofit
Dave Galat	ADA Coordinator, City of Portland	Government
Debbie Kitchin	Principal, InterWorks LLC	Business
Debra Porta	Executive Director, Pride Northwest (local LGBTQ+ nonprofit organization)	Nonprofit
Hanna Osman	Assistant Planner, City of Portland	Government
Karol Collymore	Portfolio Director, Nike	Business
Melanie Billings-Yun	Retired international negotiator/academic	Business/education
Raahi Reddy	Diversity, Equity and Inclusion Program Director, Portland Metro Council	Government
Robin Ye	Political Director, Oregon Futures Lab; Policy Consultant, More Equitable Democracy	Nonprofit
Salomé Chimuku	Co-founder, Black Resilience Fund	Nonprofit
Scott Fogarty	Principal Consultant, Old Growth Wisdom Consultants	Nonprofit
Steven Phan	Business Relations Manager, JPMorgan Chase	Business
Vadim Mozyrsky	Administrative Law Judge	Law
Yasmin Ibarra	Political and Governmental Affairs Organizer, Service Employees International Union	Nonprofit

Deliberating toward a Supermajority

Our interviews with Julia Meier as well as several review commissioners indicate that the majority of commissioners clearly understood from the outset that it would be desirability to secure a supermajority for its recommendations.[25] Supermajority approval would ensure that any reform proposal would go directly to a citizen ballot, bypassing the City Council approval process, which would have risked diluting proposals from the charter review commissioners. This emphasis on achieving a

supermajority influenced the actions taken in the initial phase of the Charter Review Commission process to create a culture of deliberation. Minutes from the commission's early meetings detail an almost painstaking effort to discuss their procedures. These minutes suggest that between February and June 2021, the first five months of the commission's existence, each meeting devoted substantial time to discussion of process.[26] This helped to generate agreement and buy-in for the culture of dialogue on the Charter Review Commission.

As member Debbie Kitchin shared, "At the time, it seemed like excruciating months talking about what our values were, what our bylaws were, how we were going to function. To me, it was a very slow and deliberative process. I was getting really antsy. But it was so valuable that we did, because when it came down to it, we had strong, widely accepted rules about how we operated and truly had shared values, I think. So, that created a lot of cohesion at the end, or that helped us through some of the tough stages of where we're getting criticized or where we're negotiating things, where we're trying to decide how are we going to proceed."[27]

The efficacy of this deliberative approach can be seen in how the commission refined its focus and moved toward tangible proposals for reform. In early meetings, each commissioner submitted their general areas of interest via a poll. Starting in August 2021, "Form of Government" and "City Council" election subcommittees were formed to deliberate on specific measures that could be taken. From the outset, each subcommittee developed a "North Star" as its guiding orientation. This was formulated through deliberative discussion in response to the question, "What is the experience you would like Portlanders to have if you are successful in this work?"[28] Member Robin Ye recalled, "We really invested in saying what our North Star was; what are the objectives? What are the historical practices or ongoing practices? But we actively wanted to show people there was a different way to engage in policymaking."[29] The minutes from these subcommittees reflect a process of continued discussion and deliberation. While total agreement on a given issue was rare, it does not appear that there was ever outright conflict. In part, this was thanks to the promotion of a research-intensive environment.

Each subcommittee drew upon multiple sources of experience and insight. First, they utilized the research of individual commissioners. Several review commissioners confirmed that the reports produced by the City Club and the League of Women Voters were helpful resources in identifying potential pathways.[30] The commission's various subcommittees also arranged for presentations from other cities' mayors and city managers, academics, and interested stakeholders, like Sightline and More Equitable Democracy. Finally, the committees were heavily informed by community engagement. Through a competitive tender process, the CCC won the commission to manage the process of community engagement. This involved organizing focus groups with community members and producing reports on community sentiment for the Charter Review Commission to consider.[31] Several interviewees cited the value of this community engagement in informing the dialogue within the commission. As Robin Ye said, "Once the community research portion started to get going, it was probably every other week we would check in and be like, 'We're talking about this. What's emerged in those conversations? Are they the same? Are they informing each other? Can we make a connection between these two? Oh good, let's continue down this track. Oh, there's a clear theme that's emerging.'"[32]

In our interviews, both Billings-Yun and Kitchin cited the deliberative nature of the Charter Review Commission and the process of community engagement as pivotal in transforming their worldview. Both are examples of review commissioners who did not have a background in the nonprofit and advocacy space. Nevertheless, in different ways, they both became strong advocates of the reform process.

As a former chair of the Portland Business Alliance, Debbie Kitchin was well aware of the dysfunction of the commission form of government. Indeed, in our interview, she cited this as her primary

motivation in nominating for the commission. However, Kitchin said that through the community engagement facilitated by the CCC, she gained insight into the disenfranchisement resulting from the existing voting system:

> I didn't really have anything that I had thought about or had concerns about in terms of election change ahead of time. Once I started getting educated on it and once I started hearing our community input, it was just striking how many people and groups felt like they just had no voice. . . . So, because I had been involved in the business community and we had lobbyists . . . I felt like I was a member of a group that could have influence, but so many people felt no influence and that really struck me. It was like, "Wow, they're feeling very disenfranchised, very separated, very helpless." They can't have an impact. Then, having citywide elections [and] at-large elections added to that. People had to have money and connections to run. Things that came out of the community conversations before we even started were really compelling to me—that we need to change the representation and change so that people can feel like they can make a difference and they can be engaged. That was something I didn't go into the process being aware of or knowing about. I didn't know the level of disenfranchisement that people felt.[33]

This process led Kitchin to become extremely engaged in voting reform, to the extent that she went on research trips to Scotland, Ireland, and Finland to learn about potential processes that could be implemented in Portland.

Melanie Billings-Yun had a similar experience. She shared that she had moved back to Portland after living on the East Coast and overseas for 40 years, and she was shocked at how dysfunctional the city had become. In her semi-retirement, she wanted to do something, and "I went in with the idea that I was interested in working on changing the commission form of government, that piece. But the experience of talking to people all over the city, traveling all over the city, really changed my focus. It became much more on [the] voting and representation side."[34]

Kitchin and Billings-Yun serve as examples of how research and community engagement, within a deliberative process, can lead to a shift in orientation. As a result, both were won over to the side of reform advocates. According to Kitchin and Billings-Yun, along with Meier and other review commissioners, this proved integral to achieving the 17-3 supermajority that enabled the commission's proposals to move forward to a citywide ballot. Indeed, alongside Robin Ye, Melanie Billings-Yun resigned from the commission after the supermajority vote to publicly advocate for the reforms. In her frequent media interviews and in debates with opponents, Billings-Yun continually emphasized the unrepresentative structure of Portland's governance.[35]

An Absence of Outside Pressure

A significant puzzle that emerges from this analysis is why opponents of reform didn't pressure the Charter Review Commission in this early stage. How was the commission allowed to engage in a process that would lead to such major structural transformation despite misgivings from traditionally powerful actors in City Hall and the business community? Several of our interviews used the phrase "asleep at the wheel" to describe the input of city commissioners and the mayor. There are also conflicting accounts of how these actors engaged with the process. Commissioner Mingus Mapps told us that he would regularly check in on the commission; however, the review commissioners dispute this.[36]

Jo-Ann Hardesty credits herself with seeking to insulate the commission and protect its independence to function.[37] It is also possible that the "friendly" appointees, like Debbie Kitchin, were more independent-minded than anticipated, influenced as much by public testimony from the community as they were by colleagues on the PBA. But our analysis suggests that the specific composition of the

Charter Review Commission was effectively insulated from outside pressure through its deliberative processes. Thus, even if the PBA or city commissioners had sought to lean on individuals, the culture promoted within the commission would likely have made this exceedingly difficult.

Additionally, prior organizing efforts and appropriate resourcing played a pivotal role in shaping how the commission functioned. This manifested in a number of ways. First, previous organizing efforts helped to establish a network that could be called upon to engage in deliberative reform. In a similar vein, accessibility was actually enhanced by the COVID-19 pandemic, as all meetings took place on Zoom.[38] Second, having two full-time staff members, Julia Meier and Sofia Alvarez-Castro, helped to ensure that the Charter Review Commission maintained its independence, and the individuals involved were crucial in fostering the research-led and deliberative environment. Third, the available resources allowed the commission to partner with the CCC to facilitate community engagement and inform the process.

Again, in earlier commissions, these factors were not present. In particular, the lack of prior community organizing and insufficient resources for the commission limited the potential. As Hardesty explained, "If you're in the whitest city in America and you want to have a diverse committee, you cannot, at the last minute, just put something on your website and expect people are going to find it."[39]

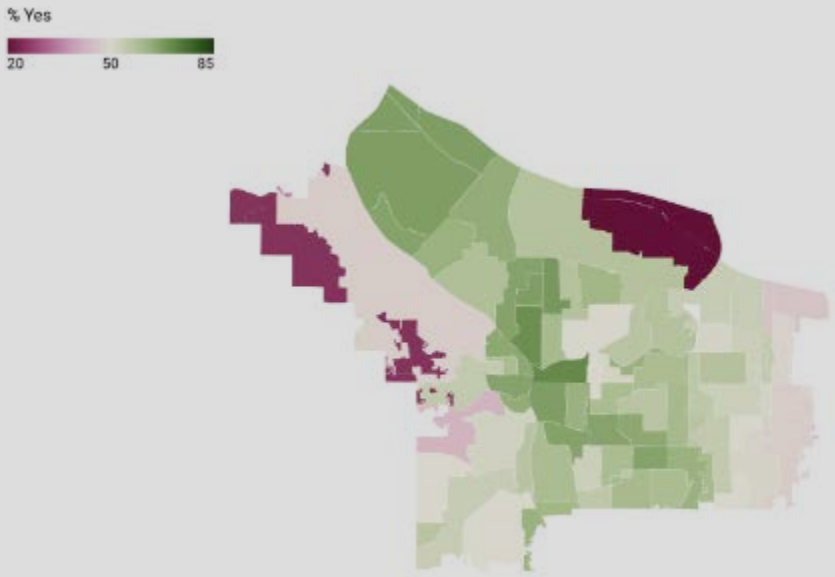
The Campaign Stage

Once the Charter Review Commission passed the reform proposal, the major site of contention expanded to the campaign stage.

The Outcome

Ultimately, Measure 26-228 passed on the November ballot with a share of 58.1% of the vote. But support for the reforms was not evenly dispersed. Support was highest in the inner Eastside of the city, which is typically characterized by white, higher-educated, and higher-income voters, in contrast to the more diverse neighborhoods east of 82nd. As one local pollster, John Horvick, remarked, "Those parts of Portland that are most racially and economically diverse were the least supportive."[40] Horvick also noted that this voting structure was common in other elections held concurrently. These included a race for city commissioner between Hardesty and Rene Gonzalez, where Hardesty supporters were more likely to live in areas that also supported reform; the Oregon gubernatorial race, where the Democratic candidate, Tina Kotek, did better in pro-reform neighborhoods; and voter registration in general, where areas least likely to support reform were more likely to have non-affiliated active voters.

Figure 1: Support for Measure 26-228 per Precinct



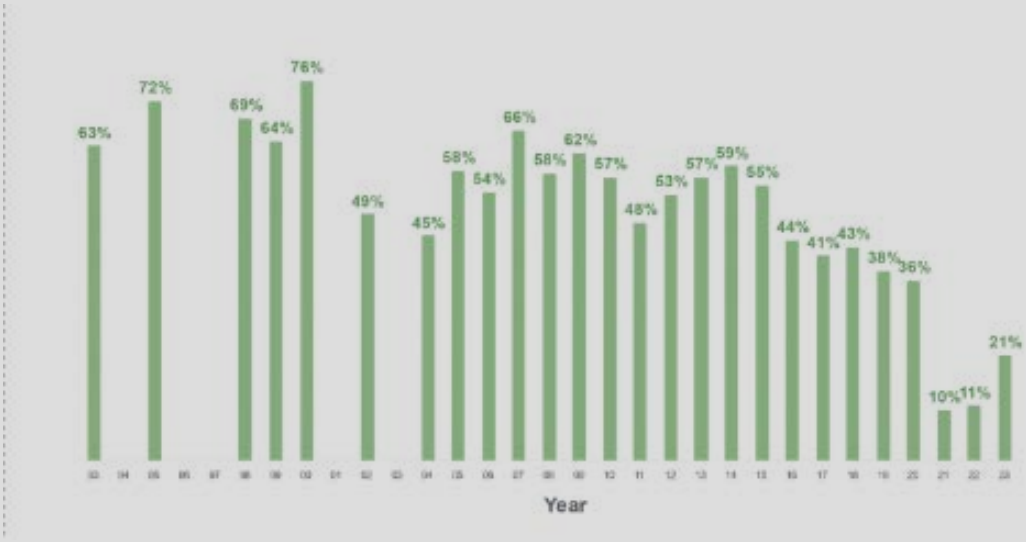
Source: John Horvick

Horvick also identified a number of potential interpretations as to why support for Measure 26-228 fit into these existing voting patterns. First, while the area east of 82nd is Portland's most racially diverse, there are still more white voters than people of color, and white voters in this region may have been most opposed to reform. Alternatively, because the area east of 82nd tends to feel less connected, voters may be more likely to record higher levels of political distrust and vote against any measures for reform. While this does raise questions about the extent of the pro-reform movement's connection to the least represented areas of the city (which we return to in the conclusion), private polling suggests that, aside from registered Republicans, the lowest level of support by demographic group was 51%. In this sense, there was an amenable political context for reform prior to the campaign.

Campaign Dynamics

This context aligned with the interests of key stakeholders. At the start of the charter reform, almost all elite stakeholders, from the PBA to the CCC, supported change. There was almost unanimous agreement on a need to move away from the commission form of government, although this was of particular importance to the PBA. What's more, there was a degree of shared enthusiasm for a move to district-based representation. It was only when the Charter Review Commission introduced more wide-reaching voter measures that this consensus broke down.[41] In our interviews, some skeptics of the final reform package suggested that any reform proposal would have passed due to existing dysfunction and a lack of representation.[42] There was certainly a widespread belief that the city was dysfunctional. As Figure 2, below, shows, in 2022 just 11% of Portland residents believed that the city was headed in the right direction. It is difficult to disaggregate this further, as pre-election polls, commissioned by a variety of sources, indicated that more than 60% of voters agreed with pro-reform messages. Messages around greater accountability, higher-quality representation, and more effective government all tended to score at least 60% support.[43]

Figure 2: Is Portland Headed in the Right Direction? Yearly Average



Source: John Horvick, using survey data collected by DHM Research

So, while the business community and some local politicians opposed the Charter Review Commission's proposal for ranked choice voting in multi-member districts, the dominant perception of city dysfunction created a public opinion constraint. Because the commission's proposal was the measure that would be voted upon in November, outright opposition would be challenging without being seen as against efforts to improve the quality of local governance.

This appears to have influenced the opposition's strategy, which tended to focus on striking down the work of the Charter Review Commission more than mobilizing and organizing mass support against Measure 26-228. The first phase of opposition was centered on legal challenges to the ballot language. The PBA sponsored a challenge, on constitutional grounds, to the bundled reform proposal. Their lawyers argued that under Article IV of the Oregon Constitution, ballot initiatives must only address one subject, and that the tripartite nature of the reform package violated this clause. Had the judge ruled in the PBA's favor, it would have struck down the Charter Review Commission's proposal and left only a very narrow window for the City Council to propose its own ballot measure. Otherwise, no vote would have taken place in November 2022.[44] However, on August 15, Judge Stephen Bushong ruled that the current package satisfied the single-subject requirement, noting, "All the provisions in this package of reforms are properly connected to the unifying principle of reforming the structure and operation of city government."

After the PBA's legal challenge failed, some city commissioners—likely due to the aforementioned strategic quandary tied to public opinion—sought to highlight the perceived complexity of the reform proposal without publicly opposing it. In this period of the campaign, several city commissioners, the mayor, and Portland's congressional representative all made vague statements where they refused to state their specific stance on the reform package but noted its "confusing" nature.[45] Outright opposition and endorsement of a "no" vote were limited to the PAC led by Vadim Mozyrsky, the former review commissioner, and received endorsement and funding from the PBA.

In September, City Commissioner Mingus Mapps foreshadowed the release of an alternative proposal.[46] In early October, around six weeks before election day, he released a proposal that included:

1. Seven regional districts, with one city commissioner elected per district, for seven total City Council members.
2. A city administrator to oversee bureau functions and daily administrative tasks, with the power to fire and hire bureau directors.
3. A mayor who has veto powers, but that veto can be overridden by a two-thirds majority of the City Council. The mayor does not have a vote on the council; however, they propose the budget and can hire and fire the administrator.
4. Instant runoff ranked choice voting, as proposed by the Charter Review Commission, although this would be voted on as a separate ballot measure distinct from the reforms to the governance structure.

While Mapps' alternative would not be on the ballot, he stated that he would campaign to have it voted on in May 2023, should the Charter Review Commission's measure fail in November. The PBA quickly endorsed this option.[47] Mapps' actions are indicative of how sitting city commissioners sought to provide alternative proposals rather than giving a firm "no," as outright rejecting the reform may have struggled to resonate with a largely disengaged electorate that only had the opportunity to vote for the one measure proposed by the Charter Review Commission.[48]

Around the time of Mapps' alternative proposal, the opposition campaign secured more funding. Andrew Hoan argues that this late funding surge was due reports indicating that the campaign for charter reform received substantial financial support from organizations outside of Oregon, assisting the PBA's fundraising efforts.[49] Fundraising was certainly an important aspect of the campaign, as the supporters for charter reform raised significantly more funds than the opposition. Oregon does not require financial disclosure on ballot measures, so it is not possible to determine exactly how much was raised. However, reporting on campaign financing suggests that Portland United for Change, the coalition that campaigned in favor of the ballot measure, raised over $1 million, while the opposition raised less than half a million dollars.[50] This was obviously not irrelevant; however, there is insufficient evidence to conclude that it was the primary reason that the campaign for charter reform was so overwhelmingly successful.

Instead, it appears that the broader political context, in which Portland was perceived as dysfunctional, predominated public perceptions of city government. While it would be difficult to claim overwhelming support for the specific reform proposals that emerged from the Charter Review Commission, these reforms were grounded in consultation with important community organizations, and they were able to sustain support for their specific measures within the broader context of political dissatisfaction. Additionally, a concerted, well-supported opposition effort never materialized.

Conclusion

This report has focused on the process behind the development and passage of the specific reforms in Measure 26-228. However, the reforms have yet to be fully implemented, and there is evidence that opponents are still working to modify or block them.[51] Even if, as appears likely at the time of writing, the reforms are implemented in full, it remains important to monitor and analyze their impacts on participation, policy, and representation.

The impetus for reform came from a lack of qualitative representation for different types of marginalized communities, including not just racial and ethnic minorities but also those that live in distinct

geographical areas. With several members of the Charter Review Commission having announced their intention to run for City Commission, it is important to consider whether this reform acts as a vehicle for their advancement while enabling the development of future local leaders. Opponents of reform are concerned that mixed-member ranked choice voting is confusing, which would conceivably lower voter participation.[52] In this space, it will be important to monitor whether having more candidates, running in geographically distinct districts, will promote a greater diversity of candidates in terms of both minority representation and ideological preferences.

The original consensus that predated the meeting of the Charter Reform Commission was focused on improving the quality of Portland's local government. This consensus broke down due to disagreement over whether a strong mayor system or a multi-member district system would best achieve the desired outcome. One line of criticism of Measure 26-228 is that voters tend to attribute the performance of government to high-profile individuals, and that these reforms in no way strengthen the governing capacity of such figures as the mayor. This raises concerns over accountability and who will be held responsible (and how), formally and informally, for any governance failures. Will it be the unelected city manager? The mayor? Will city commissioners have the visibility for voters to be aware of who's representing them?

There are also questions about the cost of implementation and ongoing enactment of these reforms. Critics have suggested that the reforms will cost much more than has been estimated, as relatively simple questions, like how and where to place a bigger City Council chamber, do lead to capital costs.[53] Equally, it will be important to consider whether an expanded number of candidates places strain on Portland's public financing campaign program. As such, it will be essential to remain abreast of the costs of implementation and consider whether these serve as a constraint or impediment to maintaining these measures. Interestingly, conversations with local election officials responsible for the design and implementation of ranked choice voting and multi-member districts were generally positive.

Beyond future analyses, it is also worth considering whether there are broader lessons to be extrapolated from our analysis that may guide future efforts at democratic reforms in other locations.

Did the success of charter reform grow out of Portland's distinctive characteristics? There were certainly a number of factors that were unique to Portland. Portland is a particularly progressive city, and Oregon is a state noted for its democratic initiatives. This may create a culture that is more open-minded toward reforms that have not been implemented and tested in other cities. Likewise, Oregon had a particularly lengthy lockdown during the high point of the COVID-19 pandemic, and it experienced longer and more zealous Black Lives Matter protests than many other cities. For very different reasons, these events contributed to the perception that Portland's government was not working and a concomitant demand for reform. While a host of American cities suffer from dysfunctional management, the specific political context that generated a shift in Portland over the proceeding decade is relatively unique. Finally, Portland's Charter Review Commission is a relatively unique institution that enables reflexivity and reform. For these reasons, it is possible to argue that Measure 26-228 was proposed and passed for reasons that are not generalizable to other contexts.

However, as we demonstrated in our analysis, in Portland's previous attempts at charter reform, the specific measures were either highly limited in scope or lacked mass appeal. Likewise, while COVID-19 and the Black Lives Matter protests provided an amenable public opinion for reform, which may not be replicated in other cities at different points in time, our findings highlight the combination of structural openings and agency. To this end, we point to four broad lessons that may strengthen governance reform efforts in other contexts:

1. **Cultivate leaders and build a strong bench:** Our findings suggest that a medium-to-long-term organizing strategy requires cultivating a bench of effective, competent, and passionate advocates. In the aftermath of the first Charter Review Commission's failure to implement more far-reaching reforms, community leaders like Jo Ann Hardesty appreciated that a more organized effort would be required for the next commission. This set the ball rolling for local groups, like APONO and the CCC, and out-of-state organizations, like More Equitable Democracy, to partner in identifying and promoting local leaders to positions of influence. Many of these leaders had experience with other organizing efforts, including local and statewide election campaigns, Get Out The Count Census campaigns, and campaigns on issues ranging from campaign finance reform to police accountability. Developing these leaders' skills and building the necessary networks was imperative to ensure that there were actors ready and able to capitalize on an amenable political context and institutional environment. Moreover, their organizing efforts proved valuable in building sufficient pressure to resist opponents' attempts to stymie the reform before and after the public vote.
2. **Be aware of institutional conditions:** In Portland, the Charter Review Commission was a once-in-a-decade opportunity to reform city governance. Interested advocates identified and prepared for it years in advance through a dual process of cultivating local leaders and commissioning research. This equipped advocates to engage in agenda setting, partly through settings like the City Club, and to interface with leaders to form the basis of the commission.
3. **Engage in deliberation and issue education among community leaders:** While not every city will have an institution or mechanism like a Charter Review Commission, its importance in the Portland case highlights a potential short-term goal for organizing efforts. Unlike voter reform, this could be a relatively uncontroversial measure. More to the point, the actual deliberative function of the charter review reform was pivotal to developing a cross-class, multiracial coalition that acted as a bulwark for democratic innovation.
4. **Use and integrate technology and research effectively:** The COVID-19 pandemic forced in-person meetings online with all sessions recorded. This brought in input from different voices that perhaps would not have been engaged with traditional in-person forums. In addition, advocates actively used studies and reports from organizations like Sightline, the MGGG Redistricting Lab, and the City Club for public outreach. This ties back to leadership development and network building, as advocates harnessed new communication technologies and recognized the value of data and research to bolster their cause. This speaks to the important role that research can play in translating organizing and leadership building into concrete reform proposals.

Looking Ahead and Ideas for Future Research

This paper focuses on the process, strategy, people, and conditions involved in the 2020 charter review process and 2022 campaign. It was written before any of the reforms had been implemented in an election, which will be held in 2024. However, as of this writing, some city council members have already announced their candidacy, and new districts have been drawn).

Moving forward, there are several intriguing areas for future research, particularly regarding evaluation of the reforms and criteria to determine if they are "successful." These outstanding questions should be of interest not only to the people of Portland but more broadly for scholars, elected officials, advocates, and those interested in democratic innovations elsewhere. Areas for further research and evaluation include:

- **Views toward local government:** Prior to the Charter Review Commission meeting, the need for reform was framed in terms of a need for more effective and more accountable governance. In 2022, just 11% of Portlanders believed that their city was headed in the right direction. This aligned with the unpopularity of the incumbent mayor, Ted Wheeler. While the reforms under Measure 26-228 are expected to lead to a more diverse and representative body, their ability to ameliorate the sense that local government is unaccountable remains unclear. At a base level, it is worth considering whether democratic reforms impact the quality of service delivery and voter perceptions of service delivery. In general, voters prioritize outcomes over processes, apportioning blame to individuals with a high degree of salience.

  Private polling data shared with us found that just 5% of voters were not able to rate Mayor Wheeler's job performance, compared to between 25% and 45% of voters who were not able to rate the job performance of the other incumbent council members. Under the new form of government, there will 12 council members but only three from each voter's district. Future mayors may be held more accountable than other council members for policy and outcomes; however, their position will be even weaker than it was under the existing structure. This is the logic that underpins calls for a stronger mayor.

  As John Horvick noted, the actual impact of this system is likely contingent on the next mayor's creativity, as they will have the opportunity to set new norms that may enable them to cultivate power in ways that proponents of charter reform may not have envisaged. More broadly, it is conceivable that the increased candidate diversity from distinct regions and unique backgrounds may enable new processes of accountability and contact with voters. Regardless, researchers must question whether important policy issues are being addressed more effectively and whether city operations and services are functioning better and more responsively.
- **Implementation of the new voting system and the emergence of new types of candidates:** A common concern raised across our interviews and in the media ahead of the ballot was uncertainty over how the combination of multi-member districts and ranked choice voting will work. Under this system, it has been projected that candidates will only require around 25% of the vote to get elected, which could lead to the election of candidates that lack the experience and real support to govern competently. Relatedly, critics of the voting reforms argue that ranked choice voting is confusing, which will ultimately depress participation. It will be necessary to monitor and evaluate how voters respond to ranked choice voting systems and the new districts. An additional line of enquiry will be whether there is any correlation between these reforms and voter turnout. Finally, researchers should explore whether the expansion to 12 seats encourages new types of candidates to run for office and, potentially, produces new political coalitions.
- **The shift to a mayor-council system:** There was reported concern that the appointment of a single city administrator to manage the city bureaucracy would produce undemocratic outcomes. The only clear layer of accountability is that the mayor can hire and fire this official; however, there are few other checks on their powers. At the same time, the shift to a mayor-council system could encourage more diverse mayoral candidates—and future researchers should monitor whether this is the case. Alternatively, there could be confusion because of misperceptions about the new role of the mayor and city manager.
- **Additional examples of charter review systems:** Finally, and looking beyond Portland's borders, what cities, towns, and other types of municipalities have similar charter review systems? A key takeaway is that the charter review system provided advocates with institutional support for organizing, while its deliberative practices enabled issue education across its members. For

cities that have such systems in place, this could provide an avenue toward reform. Conversely, cities that do not have such systems in place could utilize it as a nonpartisan means to work toward reform.

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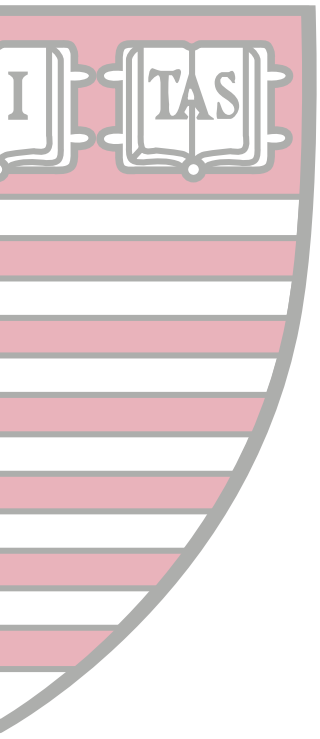

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