



Office of Community Involvement



Multnomah County Charter Review Committee

November 17, 2021

COMMITTEE MEETING 3

November 17, 2021, 5:30pm – 7:30pm via Zoom

Attendees

Committee Members

- Annie Kallen (she/her)
- Danica Leung (she/her)
- Georgina Miltenberger (she/her)
- J'reyesha Brannon (she/her)
- Jude Perez (they/them)
- Maja Harris (she/her)
- Marc Gonzales
- Nina Khanjan (she/her)
- Salma Sheikh (she/her)
- Theresa Mai (she/her)
- Timur Ender (he/him)

Absent:

- *Donovan Smith (he/him)*

- *Ana del Rocio (she/her)*
- *Meikelo Cabbage*
- *Samantha Gladu (she/they)*
- *Ana González Muñoz (she/ella)*

Staff:

- Dani Bernstein (they/them),
- Kali Odell (she/her), Charter Review Committee Program Coordinator
- Katherine Thomas (she/her), Assistant County Attorney
- Allison Brown (she/her), JLA Public Involvement
- Ariella Frishberg (she/her), JLA Public Involvement

In addition, members of the public were welcome to observe the meeting as non-participatory attendees. There were no public attendees during the meeting.

Welcome and Introductions

Allison Brown, JLA Public Involvement, started the meeting with an overview of Zoom logistics and the meeting agenda. She explained that the Zoom chat is part of the public record, including direct messages to the hosts. The Zoom chat can be found in Appendix A.

Decision-Making Structure: Discussion

Kali Odell, Multnomah County, and Allison Brown led the group in a discussion on potential decision-making structures. Kali Odell began by reviewing the Approaches to Decision Making document that committee members received prior to the meeting (found in [this PDF](#) on the committee's website).

- **Consensus**
 - Members talk together as a group to come to an agreement. If the decision is to move forward, every member must be in agreement that the decision addresses their concerns. In addition to a yes/no decision, a numerical scale can gauge how strongly the group agrees with the decision.
- **Modified Consensus**
 - Operates similarly to consensus, but the group decides on a reasonable time limit for discussion before a topic is voted on. If consensus is taking a long time, or is seemingly unreachable, the group can set more time to discuss, or move on to an additional topic without getting caught up in the decision-making process.
- **Aiming for Consensus with a voting threshold**
 - Consensus is the goal, and the group can set a threshold for voting if consensus is not reached. This might include 2/3 or 3/4 majority, or full consensus minus 1 or 2 votes.
- **Unanimous Consent**
 - Enthusiastic agreement from everyone in the group. This can often be difficult to reach and time consuming.
- **Majority Rule**
 - 50% plus 1 additional member voting in favor of a decision passes it. This is more time efficient, and a consensus-based approach can still be used, but it can also leave those in the minority who do not agree with a decision feeling as though their voices are not being heard or do not matter.

Allison Brown asked if committee members had any questions about the presented approaches or if they had any additional methods they'd like the group to consider.

- A member asked if there will be times when the committee is choosing between multiple options or if most decisions will be a vote between one of two options. Allison replied that typically the vote will be between one or two options. Work will be done as a group or in subcommittees to narrow down multiple choices to one choice before the formal voting process.

Poll and Discussion

The group took an informal poll to get a sense of which decision-making processes the committee was interested in discussing for the group. They were most interested in aiming for consensus with a voting threshold and modified consensus, which can also be imbedded in aiming for consensus. Two members were interested in majority rule. The group then discussed why they were interested in each decision-making process.

Majority Rule

- A committee member discussed their reasons for choosing majority rule, and it was clarified what a quorum is and that any decision-making model would move decisions forward based on the votes of members who were present at a meeting.

Polls

Allison asked the group if they were interested in using a scale or thumbs up/down/to the side as a tool for informal “temperature checks.” A member commented on their appreciation of the polls and thumbs up/down functions, as they keep things moving while allowing for feedback.

Allison then explained that polls could be used as an informal check-in to see how committee members were feeling about decisions, but that they could not be used for a formal decision. They need to be framed in a way that doesn’t present as secretive voting for public records.

Aiming for Consensus with a voting threshold

10 committee members were interested in aiming for consensus with a voting threshold. The parameters of the process were discussed, and members were asked for feedback.

- Most members agreed on 2/3rds majority, as it allows a chance to discuss and work through differences. One member mentioned having a lower threshold for putting an amendment to voters since an amendment only needs a majority of voter support to pass.
- Most of the group felt that the committee should aim for consensus and if consensus cannot be reached, a 2/3rds majority would be acceptable. They were asked how they should gauge consensus and using a 1-5 scale as a temperature check was discussed as an option, as it allowed for more topic discussion for those who might not agree with a decision. Polls were also discussed as an option and Allison reiterated that polling could not be used for actual voting.
 - Allison clarified that the 1-5 scale can help gauge if the group is on the same page before voting. If most of the group is at a 4-5, they probably are. If they’re at a 3, they should take some time for discussion, and a 2 or 1 means the group isn’t ready to move forward.

Allison discussed the benefits of using a 1-2-3 or thumbs up, to the side, or down approach for seeing how group members are feeling about decisions, because consensus can often erase nuance and encourage groupthink, and members agreed.

She recapped that the group was aiming to reach consensus, but if consensus isn’t reached, an official vote needs to have a 2/3rds majority to move forward, with a quorum reached at 9 members. Polls and other tools will be utilized during meetings to gauge how members are feeling about decisions. When voting, members can use thumbs up, to the side, or down, and they can attach comments when they cast their vote. The group agreed.

- A member questioned using alternative ways of approval for a vote, and if that was legally binding. Each vote would have to be documented and put on public record, and as long as there is an understanding of what each vote means, they can be counted. It was also reiterated that a fist of five would be used as a temperature check tool during discussion and not as a formal voting tool.
- Members were concerned that a sideways thumb might be used to mean abstention. The hope would be that the group could come to a consensus without having to use abstention.

- It was asked if a member has a duty to abstain if they miss too many meetings or feel they can't make an informed decision, and Katherine Thomas, Assistant County Attorney, explained that if the group wanted to allow abstention, they needed to discuss how this might impact their 2/3rds majority. The bylaws currently allow for abstention, but parameters surrounding what this means can be added.
- Another committee member discussed how using fist of five might be more useful for complex voting decisions because it is easier to see how members are truly feeling about their decisions, and this would give more space for discussion and engagement in the group.

After this discussion, Allison recapped again that the group would aim for consensus and explained that when voting happens, the group members would have an option of yes or no and they would be able to publicly declare their reasoning if they choose to. If consensus isn't reached, a 2/3rds majority could still move a vote forward.

- A member asked if the 2/3rds majority would automatically happen if consensus isn't reached and it was clarified that there would be two stages in the process before coming to a vote. The temperature check would be a way to gauge how people were feeling about decisions before coming to a formal vote, and it should be safe to assume that if everyone is at a 3 or above, the vote would likely move forward.
- Another member asked for clarification on how the decision-making process would work and how much time the committee would have to discuss decisions before voting. Kali Odell explained that subcommittees could work together to craft a recommendation document for the group and how the subcommittee came to that decision. This could be sent prior to any consideration at a general meeting so that members have an adequate amount of time to review.
- It was asked if deadlines could be made to streamline how the group comes to a consensus, and there was some concern for how few people could potentially make decisions, even if they meet quorum requirements. Allison stated that they could choose a different way to explore meeting a quorum, including applying a more equitable lens to what meets quorum.

Allison reiterated that although committee members have big decisions to make, they also will also have a lot of support through the decision-making process.

Abstention

Katherine Thomas reviewed the bylaws and stated that they allow for abstention but do not clarify how this would work for a quorum and the group's decision to use a 2/3rds majority in voting. The group should clarify how they want to count and use abstention in the bylaws.

- It was recommended that abstention not be used against the quorum requirement and that someone who is abstaining not be counted against the 2/3rds majority of people present for a decision to move forward. Most of the group agreed. A couple of members felt the majority should be lowered to allow for a decision to pass more easily if there is an abstaining member, and there was discussion surrounding this.
- There was also discussion surrounding whether abstention would end up counting the same as a "no" vote. A member asked if abstaining from voting had to be counted as a no, or if there could be agreement that the group would try to refrain from abstaining. Another member mentioned that they

choose to abstain from voting in their other roles because they do not think a topic is worth continuing discussion, such as in trivial matters. They felt the group was focused more on abstention being viewed as a “no” vote, vs. an inaction.

Allison stated that she felt that abstention would be rare and would not likely happen in the larger decision-making process. If multiple people were abstaining, there would need to be a discussion why. Someone also may have a conflict of interest when putting something toward voters, and that would also need to be discussed. There may not be full agreement on whether the 2/3rds counts if someone abstains, as there is desire among the group for high levels of agreements before putting ideas to voters. It is always an option to revisit bylaws for the committee in the future.

- A member asked if the group should meet more often to foster more discussion and deliberation. It was also noted that subcommittees would be discussing decisions and could raise points to the larger group.

The final bylaws of abstention stated:

- Abstentions are permitted, and abstainers count toward the quorum requirements and are not present in counting toward the voting threshold.

Kali stated that the group wouldn't be voting on final bylaws until the next meeting, but that they should think about where they stand on how members can be removed from the committee if they have a conflict of interest or miss too many meetings. There are also three members who are interested in being co-chairs. This will all be discussed at the next meeting.

Public Comment/Community Engagement: Discussion

Kali went on to explain how public comment might work at future meetings to allow for public and written comment. This included allowing a form on the website for people to add comments, which can then be brought to discussion at meetings.

There is flexibility in how public comment can be added to meetings:

- Time can be set aside for public comment in meetings.
- The group can add time parameters around comment discussion.
- Subcommittees can identify topics to discuss relevant to their groups.
- There can be special meetings focused on public comment, but a quorum must be reached.
- There can be a subcommittee focused on public engagement.

Members discussed what kind of limits they would want to put on public comment for the future and decided there would be written comment and verbal comment. Due to time constraints, written comment would be available for the next meeting, and verbal comment would be available at future meetings.

Next Steps and Closing

Allison and Kali wrapped up the meeting with the following items:

- The next meetings will be on December 1st and December 15th.
- Co-chairs and final bylaws will be voted on at the next meeting.

- The group should think about language surrounding how to remove members who miss multiple meetings to add to the bylaws.
- A survey about topics for charter review will be sent to members via email.
- There will be materials sent to prepare for the December 1st meeting.

Allison thanked everyone for participating in the group and ended the meeting.

Appendix A: Zoom Chat

Theresa Mai: Hello! Internet's shaky, but will join once it's more stable.

Maja Harris (she/her): Is it possible to make the text larger? :-)

Theresa Mai (she/her): The poll won't let us vote, since we are panelists.

Nina Khanjan: Modified consensus

Katherine Thomas (she/her): I think quorum would be 9

Annie Kallen (she/her): Agreed, the polls are helpful.

Nina Khanjan: Yes I'm fine with that. I can switch my vote

J'reyesha Brannon (she/her): I use "fist to five" in a few other spaces

J'reyesha Brannon (she/her): 5 is a go. 4, is mostly. 3 is I have questions, 2 and 1 are like a no

Georgina Miltenberger: Agreed

Maja Harris (she/her): Same

J'reyesha Brannon (she/her): 2/3 sounds good! agreed

Theresa Mai (she/her): Agreed.

Nina Khanjan: Yes for me

Jude Perez (they/them): 2/3 sounds good for me too

Salma Sheikh: i like fist to 5

J'reyesha Brannon (she/her): <https://www.ncfp.org/knowledge/fist-to-five-voting-and-consensus/>

Timur Ender (he/him): One reason I like "aiming for consensus with a voting threshold" is because it gives us an opportunity to hear concerns and aim to address those concerns.

Annie Kallen (she/her): I think fist to five is too complex for an actual vote as long as the choices are binary.

Timur Ender (he/him): unstable wifi here.

Timur Ender (he/him): My concern with the sideways thumb is that there may be some confusion about whether that is a yes, no, or abstain. Plus, ppl may forget what we decided here today. I wonder whether it may be better to aim for "yes" or "no" with the ability to comment/explain one's vote.

Annie Kallen (she/her): I think you're right Timur.

Maja Harris (she/her): I agree

Marc Gonzales (he/him): i apologize, but I'll have to leave the meeting at the break. Thanks for understanding.

Georgina Miltenberger: I need to leave at 7:10.

Danica Leung (she/her): Proxy voting is not allowed though, right?

Annie Kallen (she/her): I think it makes sense to count an abstaining person for quorum but not towards the 2/3 requirement.

Kali Odell (she/her): no proxy voting

Timur Ender (he/him): I support ability to abstain and abstention not breaking quorum.

Maja Harris (she/her): Agreed

Theresa Mai (she/her): I agree with Jude.

Marc Gonzales (he/him): I feel hopeful that we will have much more than the minimum quorum at each meeting.

J'reyesha Brannon (she/her): If we didn't have the holiday week, I'd suggest meeting twice this month.

Salma Sheikh: I agree

Annie Kallen (she/her): 2/3 of 11 is 7ish. 2/3 of 12 is 8. So losing one person does affect things in that case.

Timur Ender (he/him): Agreed. There is a number of reasons for ppl to abstain

Theresa Mai (she/her): +1 Brannon

Annie Kallen (she/her): I think we're getting too in the weeds on this and it won't be a common issue. I'm okay with either counting the abstaining person towards the 2/3 or not at this point.

Maja Harris (she/her): I think the subcommittees will help with that, Salma! We'll have more opportunities to get into details.

J'reyesha Brannon (she/her): She emailed them

Salma Sheikh: Thank you

Timur Ender (he/him): I think Annie and Salma make a good point which is that some ppl may care more about bylaws (and particular items) and others, like J'reyesha and I, are happy to have others who are more interested take the lead.

Theresa Mai (she/her): It's okay to do a 1-5 when we come back on the topic.

Nina Khanjan (she/her): I need to log out for a few minutes be right back

Allison Brown (she/her): Thanks, Nina!

Allison Brown (she/her): 5 - heck yes; 4 - mostly yes; 3 - I want to talk more; 2 - I don't like it; 1 - This is a hard no

Georgina Miltenberger: Signing off...apologies!

Ariella Frishberg (she/her): The proposal is: Abstention is permitted. Abstainers do count toward the quorum requirement, but they do not count in meeting the 2/3 voting threshold requirement.

Nina Khanjan: Having access to the online form to share right away would be great.

Timur Ender (he/him): My 2 cents:

12/15 mtg: 2 min of public comment for 14 min

Plan for half of Jan and March meetings (for example) to be listening session

Written comments allowed to 400 words (esp if there is an expectation that cmte members are reading all of these)

I like having public comments part of general mtg and not having all of it delegated to a subcmte where it may not see light of day by others.

Theresa Mai (she/her): @Timur, one idea is to have the subcommittee to bring a summary of testimony to the larger group.

Timur Ender (he/him): cool, and hopefully there is a pathway for members of the public to speak directly to full cmte should they choose

J'reyesha Brannon (she/her): Community Outreach Subcommittee

Maja Harris (she/her): Sorry if I missed this but can we open up written comment right away or do we need a vote?

J'reyesha Brannon (she/her): I'm interested in helping with that

Maja Harris (she/her): Great - look forward to hearing from the community!

Jude Perez (they/them): Me! :)

Theresa Mai (she/her): I'm happy to help with engagement!

Timur Ender (he/him): Just like polls within mtgs, I like the idea of polls between meetings (thanks Kali!) so co-chairs have a starting point for discussion on some of these longer discussion items.

Theresa Mai (she/her): Does Jude still have a question? Sorry.

Theresa Mai (she/her): Nvm