



# Multnomah County Charter Review Committee

April 20, 2022 5:30-7:30pm

## COMMITTEE MEETING 10

Purpose: Hear public comment; share report outs from subcommittee and discuss any recommendations; continue values discussion and learn more about ballot measures.

### Attendees

#### Committee Members

- Ana del Rocío (she/her)
- Ana González Muñoz (she/ella)
- Annie Kallen (she/her)
- Danica Leung (she/her)
- Donovan Scribes (he/him)
- Georgina Miltenberger (she/her)
- J'reyesha Brannon (she/her)
- Jude Perez (they/them)
- Marc Gonzales (he/him)
- Samantha Gladu (she/they)
- Salma Sheikh (she/her)
- Maja Harris (she/her)
- Theresa Mai (she/her)
- Timur Ender (he/him)

#### Absent:

- Meikelo Cabbage
- Nina Khanjan (she/her)

#### Staff:

- Dani Bernstein (they/them), Director of the Office of Community Involvement
- Kali Odell (she/her), Charter Review Committee Program Coordinator
- Katherine Thomas (she/her), Assistant County Attorney
- Allison Brown (she/her), JLA Public Involvement
- Jen Winslow (she/her), JLA Public Involvement

In addition, members of the public were welcome to observe the meeting as non-participatory attendees. There were two public attendees during the course of the meeting.

### Welcome

Allison Brown, JLA Public Involvement, kicked off the meeting with an overview of Zoom logistics and etiquette. The Zoom chat can be found in [Appendix A](#). Marc Gonzales gave an overview of the agenda, which included public comment, recommendations and report outs from subcommittee groups, and a presentation on ballot measures.

## Public Comment

Kali Odell, Charter Review Committee Program Coordinator, began the discussion on public comment. There was one written comment for this meeting, which Kali summarized:

- Recommendation that the committee add an elected public defender to our county governance structure.

She noted that she had shared the comment with the Safety and Justice subcommittee prior to the meeting due to the overlap on what they have been working on.

There were no others in attendance who wished to speak to the committee. Allison closed the public comment period.

## Discussion: Subcommittee Recommendations and Vote

Theresa Mai introduced Jude Perez from the Government Accountability subcommittee. The subcommittee was recommending gender neutral language within the charter, which would align the charter with language already used in the county code and reflect the county's values in terms of equity and inclusion. They asked if there were any questions, and there were none. The recommendation is as follows:

The Government Accountability Subcommittee has recommended a proposed amendment to the Multnomah County Home Rule Charter to align Charter language with the gender-neutral language used in County Code.

Does the full Charter Review Committee want to move forward that recommendation to the County Attorney's Office for drafting of Charter text and a ballot title and explanatory statement?

Language drafted by the County Attorney's Office will be subject to a final vote by MCCRC.

Allison asked for a Fist of 5 temperature check to see how the group felt moving forward with a vote, and the group agreed to move forward.

Allison initiated a vote, and all members of the committee who were present voted to move forward with the recommendation.

## Subcommittee Report Out

Allison and the tri-chairs led a discussion for the subcommittee report outs. The group was able to submit questions for each subcommittee in a Jamboard. A screen shot of the questions or comments is in [Appendix B](#).

Government Accountability:

- Maja: We are working on two things. The first is the five significant amendments submitted from the Multnomah County Auditor's Office which range from giving the auditor more independence, to increasing the budget for the auditor. We are devoting a lot of time to studying the effects and have had some former and current auditors speak to us. We are also considering changing the Charter Review process and are interested in the committee's experiences. Some of the proposals for amendments from the Office of Community Involvement are to extend the process and change the ways that members are selected, which may mean removing the residency requirement to increase the number of

people who can participate. We would really like your feedback for this. We are also considering a formalized budget for the outreach process to get the word out about this committee sooner.

- Ana G M: We should define terms between residency and citizenship, because residents are associated with green cards and citizens can be associated with citizenship. This will help our community know what we are referring to.
- Maja: We want to take away the rule to live in Multnomah County to serve on the committee and make it broad to encompass all people who live here. We would use language such as “live/work/play/worship” instead.
  - Ana G M: Yes, we should also clarify that language.
- Jude: We want to hear your questions and comments.
  - Salma: Did we ever decide to have the amendment translated into multiple languages so that others can have access?
    - Kali: We can get that translated.
    - Katherine: There can be some interesting issues with translating a legal document and what the implications of that might be, so we should consider how the committee wants to move forward with that.
  - Georgina: Would you vet for connection of any kind to the county or would that not be necessary?
    - Maja: We’re still exploring this. One option is to use the language the City of Portland uses (live/work/play/worship). Donovan suggested language that people have current or historic ties to Multnomah County.
  - Donovan: That was taking a cue from the preference policy, which considers people who have been pushed out of the area, specifically NE Portland. You would get points based on your historic ties to the neighborhood, no matter where you currently live in the region. I don’t know if it needs to be calculated in the same way as this process, but we want to be open to more people tied to Multnomah County.

#### Equitable Representation:

- Samantha: We have learned about different methods of voting, including ranked choice voting and STAR voting considerations for districts. This includes single and multi-member districts, and proportional representation. Also, considerations on election timing and allowing candidates to indicate a party preference. I would really like questions and input for this, so please add to the Jamboard. Our subcommittee has agreement on expanding the ability to vote to non-citizens and changing the ballot structure. We are continuing research to inform what recommendations we bring to the full committee. The four subjects we have decided on are: voting methods, number of commissioners, franchise expansion to non-citizens and what that means, and election schedule and partisan preference.
- Timur: I posted our subcommittee notes in the chat which indicate who in the subcommittee is researching each topic. We also did a survey of subcommittee members to get a temperature check on people’s opinions and consensus.
  - Theresa: There is a note in the Jamboard about expanding the vote to non-citizens, and whether this applies to undocumented immigrants as well.
- Samantha: We need to make a decision about this as a group. In my research, I’ve read that specifying “permanent legal resident” might be easier to get through a court challenge. I’ve heard from community

members that having this first may reduce potential backlash later. We need to consider what can happen legally with regard to state and local statute.

Allison asked how the group was feeling about this.

- J'reyesha: We are trying to make this as inclusive as possible, so why not give undocumented folks the opportunity. I know being low-profile is also important to certain community members, and this process isn't popular because it's not low-profile. Stipends add another layer to this. We should still ask for the moon, because if we throw all the moons at them, we'll still get some stars.
- Marc: Has the Committee discussed the ability of unhoused persons to access the vote? Many are largely "undocumented".
  - Samantha: Yes, people experiencing houselessness can vote. There's a provision that allows people to register with an address that may not be a home address.
- Theresa: We should consider impacts applying for citizenship might have on non-citizen voters, and I'm also excited to see work being done on proportional representation. I would like to see more representation for East County.

Safety and Justice:

- Donovan: We focused on three areas: health in jails, public defenders, and Sherriff's role in evictions. We will continue researching and chopping away to get amendments to the full committee.
  - Samantha: What direction are you going with health in jails?
    - Donovan: We just met Monday, so we aren't sure yet, but we will be continuing research and discussion. We also received several amendments and ultimately decided not to advance them.
  - Theresa: Why did you decide to focus on these priorities first?
    - Donovan: We did a fist of five check on 12 topics to get down to three and these scored the highest. I also felt that because the auditor spoke to the Government Accountability subcommittee, there will be impacts there from other voices represented in the charter.

Community Engagement:

- Kali: We are continuing to try to contract with a partner who can do some high-level community outreach. Dani and I are in the midst of identifying who we can work with. We have a budget from a potential partner, and are seeing if we can get the budget they need for focus groups and surveys. We are hoping to move forward with this in the next week or two.
- Dani: We are waiting to see what kind of funding we can use between now and the end of June. We are doing an inventory of funds that might be available, so we're in a bit of a holding pattern. We will also request to our commissioners to provide additional funding beginning in July to wrap up the work.
- Timur: As we find a consultant or contractor, it would be helpful to think about tail end work as well, such as making a video or helping sell some of these proposals. What is the overall theme and story we are trying to tell? How do the charter review process and ballot proposals relate to people's lives?

Tri-chairs:

- Theresa: Previously, we talked about how to route public comment more effectively with the tight timeline we have right now. Kali's been routing them, and we will continue that until there is higher

demand and more comments. We also have a rough draft of the Values Statements, which you have a copy of. We will add in language about people being engaged in their democracy using their preferred language. We will also lead with race, healing, and justice as that is central to Multnomah County government. We are also coming together to think about the structure of the final report. Elected officials are being invited to our next meeting to discuss the impacts of the charter on their respective offices.

- Maja: I really appreciated the reminder of the values, and how that influenced the Government Accountability subcommittee's recommendations. We have created some documents with reflection questions on the decisions we need to make, including which aspect of our values are being represented by making a change in the charter. It would be good for other committees to build in those values now so when we write the final report, we have already identified which values are reflected and can incorporate those in the final document.
- Marc: We have some way of assessing if it would be a financial burden to the county or public if we make some of the suggested changes.

Allison asked if there were any lessons learned from subcommittees that could benefit other subcommittees. There were no comments.

The group then took a 10-minute break.

## **Presentation: Ballot Measures**

Theresa introduced the topic of ballot measures. Katherine Thomas, Assistant County Attorney, presented on the Charter Amendment Process, which explained what happens when a proposal is decided on through the time it ends up on the ballot for voters.

### **Purpose of Multnomah County Home Rule Charter**

- Establishes the structure, organization, and powers of County government.
- Does not establish programs, operations, or administration, such as departmental functions and budgets.
- The charter is often described as functioning like a constitution.
  - Foundational principles.
  - Balancing enough detail to convey intent with enough flexibility to allow for adjustments as circumstances change and lessons are learned.
- The Charter can be amended only by the voters – Charter Review Committee, initiative petition, Board referral.
  - Putting something that is legally questionable in the charter could end up violating people's rights, end up in litigation, and redirect resources away from other programs.
  - It can be misleading and go straight to court. Voters may feel they weren't heard.
  - It would be wasteful to use resources that could potentially be struck down.

### **Process Timeline**

- January - June: MCCRC identifies concepts for proposed Charter amendments.
- April - July: County Attorney's Office conducts legal review and drafts.

- Text of Charter amendment.
- Ballot title.
- Explanatory statement.
- No later than August 4, 2022 (Charter section 12.60 – at least 95 days before election): MCCRC presents final report, including text of amendments, ballot title, and explanatory statement, to the Board.
- No later than August 18, 2022 (recommended): Board adopts Resolution submitting proposed amendments to the voters.

### **Procedural Review**

- Single Subject:
  - Each amendment covers “one subject and matters properly connected therewith.”
- Separate vote:
  - Amendments submitted so that “each amendment shall be voted on separately.”
- Legislative enactment:
  - Policy of general applicability that is permanent in nature.

### **Ballot Title**

Catherine showed examples of ballot titles and explanatory statements.

- Caption: Ten words which reasonably identify the subject of the measure.
- Question: Twenty words which plainly phrase the chief purpose of the measure.
- Summary: 175 words concisely and impartially summarizing the measure and its major effect.
  - The local measure doesn’t explain what happens when voters cast a yes or no vote.

### **Explanatory statement**

- 500 words.
- Impartial, simple, and understandable statement explaining the measure and its effect.

Katherine asked if there were any questions on what she had presented on so far.

- Maja: Would charter amendments be able to be packaged in the same language, or individual amendments?
  - Katherine: I haven’t done that analysis yet, but it’s possible they would need to be split out.
- Marc: We have so many different languages that are spoken in cities. How do we keep the language simple and understandable for everyone to read when there are so many nuances between languages, and many people don’t speak English as their first language?
  - Katherine: I can’t speak on translation of voter’s pamphlets, but I think there are some statements translated in other languages. We try to use simple language and plain text, plain meaning. There are laws surrounding what information we can or cannot include. We try to write for all people.
    - Samantha (in the chat): Multnomah County Elections offers some resources to residents who speak languages other than English: <https://www.multco.us/VEOLang>
  - Katherine: I think Tim Scott could also provide information on what resources are available for non-English speakers.
- Timur: Do explanatory statements go to the Secretary of State for approval on impartiality?

- Katherine: No, but any elector can challenge the ballot up to 7 days after, and it's a lengthy and complicated process to resolve them.

## Process Timeline

- No later than August 18, 2022: Board files text of proposed amendment, ballot title, and explanatory statement with County Elections Division.
- 7 business days after ballot title is filed: Last day for any dissatisfied registered voter to petition court for review.
- No later than September 8, 2022: Notice of Measure Election due to county elections official, which includes final ballot title and explanatory statement.
- No later than September 12, 2022: Any person may file an argument with County Elections supporting or opposing a measure.
- October 19, 2022 to October 25, 2022: Window for mailing ballots and County Voter's Pamphlet.
- November 8, 2022: General Election.

## Measure Arguments

- Any person may file an argument supporting or opposing a measure.
- Arguments must comply with ORS 251.395 and 251.415 (only words or numbers, not hate speech or profanity, no illegal language that cannot be circulated through mail).
- Names and organizations must be excluded.
- Material cannot exceed 30 square inches.
- Filing fee is \$400.

Katherine asked if there were any additional questions or comments:

- Timur: I'm interested in post charter advocacy, and I'll share my email because I think it makes sense for us to consider doing this.
- Maja: There has been some debate in the media about certain voting methods having some challenges. When it comes to a charter amendment, like election methods, is there something in state law that says it has to be a certain way? If something is a little unclear, does that cause it to be questionable to you? Is there an understating that as long as something can be easily changed, the amendment can still stand? I'm referring to Ranked Choice voting, which might have some statues about each county counting ballots individually. If something needs a statute change, does that automatically disqualify an amendment?
  - Katherine: When someone brings an initiative forward, we do not have ability to reject it because we think it is contrary to law. That review happens after if the voters adopt a measure.
- Marc: Is there ever an effective date in the explanation to the voters?
  - Katherine: Yes, that is often written into the amendments, an example being campaign finance. This can also happen when changes are made to how long someone can run for office or term limits to allow some time for infrastructure to be held up.
- Timur: How do we figure out how the number of commissioners we think are needed will be funded in the future?

- Katherine: Consider the challenges that may occur with implementation and give a high-level recommendation while delegating the implementation some other place at the county. Think through the fiscal impacts of that.
- Samantha: How does districting work at the county level for the auditor's office?
  - Katherine: The districts are described in the charter, and the auditor's process is limited in the charter. They adjust the districts based on the Census, but they need to stay as close to the existing boundaries as possible.

## **Next Steps and Closing**

Allison and the tri-chairs thanked the committee members for their time and for answering questions.

- Kali mentioned that there were three months left with only three full committee meetings scheduled and recommended that the group schedule two meetings in June and July to ensure all things are covered.
- Theresa reminded the group about creating videos on why they were interested in the charter review process, and asked folks to email her or Kali if interested.
- The next meeting is on May 18, 2022.

Theresa wrapped up the meeting and thanked everyone for attending.

## Zoom chat: Appendix A

J'reyesha Brannon: Heating up my dinner. Will be on a video in about 2 min.

Marc Gonzales: Hi Timur!

Timur Ender (he/they): Hi Marc- always good to see you!

Georgina Miltenberger she/her: yes

Georgina Miltenberger she/her: five

Annie Kallen she/her: 5

Georgina Miltenberger she/her: Would you vet for connection of any kind to the county or would that not be necessary?

Georgina Miltenberger she/her: Got it!

Salma Sheikh: Thank you

Marc Gonzales: Has the Committee discussed the ability of unhoused persons to access the vote ? Many are largely "undocumented".

Samantha Gladu: Samantha.gladu@gmail.com ;)

Samantha Gladu: Thank you, Donovan!

Ana del Rocio: I think you got it all! Thanks, Theresa. 😊

Marc Gonzales: Many thanks to Theresa for her editing of the Shared Values document!

Samantha Gladu: 10 is good!

Theresa Mai (she/her): I am so happy for a 10 minute break

Annie Kallen she/her: I'm here

Samantha Gladu: Back!

Ana del Rocio: Welcome back!

Danica Leung: im back!

Jude Perez (they/them): Here!

Samantha Gladu: Multnomah County Elections offers some resources to residents who speak languages other than English: <https://www.multco.us/VEOLang>

Samantha Gladu: I'd be up for pitching in on that

Timur Ender (he/they): cool! TimurEnder1@gmail.com

Timur Ender (he/they): I have another question but happy to standby in case others have questions too

Georgina Miltenberger: Thank you, Katherine. So helpful!

Annie Kallen she/her: Yes, the boundaries are described in the charter

Samantha Gladu: Ah, adjusting!

Annie Kallen she/her: Thanks Katherine!

Danica Leung: Thank you!!

Maja Harris (she/her): Thanks, Katherine! Super helpful!

Maja Harris (she/her): I'm good with that.

Georgina Miltenberger: Agree

Samantha Gladu: 5

Annie Kallen she/her: Makes sense to me. 4

Theresa Mai (she/her): 5

Allison Brown (she/her): 5 - yes more meetings! 1- no extra meetings, 3 - either way

Timur Ender (he/they): 4

Danica Leung: 3

Georgina Miltenberger: 5

Salma Sheikh: 4

Donovan Scribes: Im for it

Donovan Scribes: Im having a baby soon so I'm just not sure of availability

Timur Ender (he/they): congrats!

Maja Harris (she/her): Baby is priority #1!

Samantha Gladu: Congrats!! 🍷❤️

Jen Winslow (she/her), JLA: Congrats!

Theresa Mai (she/her): Congrats!

Donovan Scribes: Thanks everyone

Georgina Miltenberger: Congratulations!!

Salma Sheikh: congratulations!!!

Kali Odell (she/her): We're filming on the 30th

Georgina Miltenberger: Thanks, all!

# Jamboard: Appendix B

## Questions for Subcommittees

Community Engagement	Equitable Representation	Government Accountability	Safety & Justice	Tri-Chairs	Parking Lot/ Other
Question...?	<p><b>Voting Method (RCV or STAR)</b></p>	<p>Expand and/or clarify the language around citizenship and residency.</p>			
<p>excited about PR and number of commissioners - would love to see more representation for east county</p>	<p>Number of Commissioners / Proportional Representation</p>	<p>Would you vet for connection of any kind to the county or would that not be necessary? A. "Work, Play, Pray, etc"</p>			
<p>Does this apply to undocumented immigrants as well?</p> <p>would voting before citizenship influence people's ability to become citizens?</p>	<p>Expanding the vote to non-citizens</p>	<p>Translating amendments to different languages.</p>			
	<p>Election Schedule &amp; Partisan Preference</p>				