

The Oregonian

Google Fiber could be snared by thorny Oregon tax law

*By Mike Rogoway
December 10, 2014*

A tangled thicket of Oregon tax rules might snare Google Fiber, and could have a big impact on whether that company opts to bring its hyperfast Internet service to the Portland area.

State lawmakers say they're planning to address the tax issue during the legislative session that begins next month. It's unclear if that would be soon enough for Google, which has said it could make a decision on serving Portland and its suburbs by the end of the year.

The issue dates to 2009, when Oregon moved from local assessment of cable companies' networks to "central assessment," which triggered a new tax formula that values companies' property based on the value of their brand and other "intangible" assets.

Comcast went to court to fight that ruling and, in 2009, the Oregon Tax Court concluded that the state had incorrectly applied its tax formula. That could have required 10 Oregon companies to refund nearly \$17 million in property taxes they'd already collected from customers.

But the Oregon Supreme Court reversed that decision in October. At a legislative hearing on Monday, businesses interests and state officials warned the current formula could scare off Oregon's \$1 billion in prospective investment – and could deter competitive Internet and cable TV services from coming to the state.

Google never came up by name at Monday's hearing. Portland estimates the company would spend at least \$300 million if it builds a fiber-optic network to bring gigabit service to Portland, and it could spend hundreds of millions more if it serves Gresham, Tigard, Lake Oswego, Beaverton and Hillsboro, too.

"If we want to bring in additional competitors hopefully we'll have a system that wouldn't prevent them (from) making those investments," said Vince Porter, economic policy adviser to Gov. John Kitzhaber, who testified Monday.

Google Fiber announced in February that it is contemplating offering hyperfast, gigabit Internet and cable TV service in the Portland area and eight other metro areas around the country. Portland granted the company a cable franchise in June and Google reiterated last week that it expects an update on its expansion plans by the end of 2014.

Google declined to comment on the issue but two public officials, who asked not to be named talking about that company's decision-making, said they are very concerned Google Fiber might find Oregon's current tax formula prohibitive.

"There's no question Google Fiber would be subject to central assessment," said Mike Dewey, executive director of the Oregon Cable Telecommunications Association.

While Dewey said he has no knowledge of Google's plans, he said the tax issue is bound to come up for anyone considering a telecom network in Oregon. Comcast's property tax bill in Oregon is 353 percent higher than its national average, according to Dewey.

The central assessment issue has also been important to Oregon data centers, which lobbied successfully two years ago for exemptions from the tax formula. The data center industry still has concerns, according to Porter, which it hopes to see taken up by lawmakers this winter.

State Sen. Ginny Burdick, chairwoman of the finance and revenue committee that held Monday's hearing, said Tuesday that she's committed to addressing the central assessment issue in the upcoming session.

"Part of the problem is the court decision, it's not entirely clear what's covered," said Burdick, D-Portland. "What we do know is we've got a real problem and we have to address it."

Companies need "to pay their fair share," she said, but deserve some clarity on what Oregon expects.

Technology is outpacing old Oregon statutes, Burdick said, so Oregon needs "a system that is fair and creates a level playing field and gives the industry certainty."

Sellwood Bridge: Vehicle registration fee, city of Portland will help pay cost overruns

*By Tony Hernandez
December 09, 2014*

Cost overruns on the Sellwood Bridge project will be covered through a vehicle registration fee and cost-sharing with the city of Portland, Multnomah County commissioners were told Tuesday morning.

The briefing centered on the project's sustainability and impact on neighbors and the community, with only a short mention of the overruns detailed in a Nov. 26 story by The Oregonian's Brad Schmidt.

Project managers now estimate costs could run 3.25 percent more than expected, or \$10 million on a project originally budgeted at \$307.5 million, according to a presentation from county project manager Ian Cannon and Mike Baker of David, Evans and Associates, consultants on the project.

Commissioner Jules Bailey asked Cannon and Baker whether Portland would help shoulder the extra cost. Cannon said the county has an agreement with the city to help pay any increase -- to a point. "I was more asking to get a sense of what's the relative risk around the city versus the county essentially," Bailey said after the meeting, "but it sounds like they're committed to a cap which is more than we'll ever need from them."

According to the agreement, the city and the county estimated the project to cost \$330 million. Of that amount, the city agreed to pay no more than \$86 million.

"Project costs that exceed \$306 million shall be paid in equal amounts by the city and county up to a maximum total project cost of \$330 million," the agreement reads.

Pullen said a \$19 vehicle registration fee on county residents levied specifically for the project will continue until the county pays off the bridge. Commissioners approved the fee in 2009 and expect it to last for 20 years.

Collections began on vehicles with registrations that expired after September 2010. The county originally projected to bring in \$127 million in revenue for the bridge project.

"Our finance people project that we're getting enough to cover any shortfall ... We're saying the fee revenue is coming in such a rate that we think in 20 years we can cover an additional \$10 million," Pullen said.

The cost increases arose from unanticipated labor costs to divert traffic and unexpected ground conditions that forced contractors to build more expensive retaining walls, Cannon said after the meeting.

"We've used significantly more flagging because of the complexity of the construction staging on the west side and the need to keep the public moving through there smoothly and safely," Cannon said about traffic control.

Commissioner Loretta Smith said she believes traffic control around the project area has been efficient after visiting the site during Labor Day.

"I was so amazed by how efficient and professional the folks were — it was clearly a very long line — and how they rerouted us," Smith said. "In fact, I had a better parking space because I had to park below for the Labor Day picnics."

The Oregonian continues to wait for the release of more specific financial records that detail more precisely the anticipated overruns. That request was sent Nov. 25.

Pullen said Friday and again Tuesday county attorneys were reviewing the Oregonian's request and were working to comply.

Commissioner Diane McKeel said she appreciated the efforts county officials have made to accommodate local businesses near the project site, including a sign that says the bridge would be open for traffic during holidays and to support local businesses.

Other highlights from Tuesday's report include:

- The project will work with 129 Oregon-based contractors and 23 from Washington. Subcontractor contracts range from \$1,000 to \$31 million

- Regional trail: crews will build 2,400 linear feet of a dedicated regional trail.
- Future bridge amenities will include 6.5-foot bike lanes including improvements.
- Improved stormwater treatment includes the use of vegetated swales on the east and west sides to collect and treat runoff water from the bridge and Oregon 43.
- The project will install a 90-foot-long, 32-foot-wide culvert for Stephens Creek that would help restore fish and wildlife habitat and improve connections between Stephens Creek and the Willamette River.
- Crews will plant more than 1,500 trees, more than 15,500 shrubs and about 5.84 acres of seeding.

Portland wants to buy more parking meters from Cale

*By Brad Schmidt
December 10, 2014*

Portland's search for a new parking-meter provider has come full circle: it's Cale.

City officials last month began negotiating with Cale America to provide up to 1,000 new parking meters under a multimillion-dollar contract.

That's the same manufacturer that provided the city's existing 1,300-plus meters under a bribe-tainted contract orchestrated by Ellis K. McCoy, Portland's former parking manager. In 2012, McCoy pleaded guilty to accepting about \$165,000 in bribes from two unnamed meter executives.

Commissioner Steve Novick, who oversees that city's Transportation Bureau, wanted to keep buying meters under that contract because he believed the city was getting a good deal.

But under public pressure, Novick in August 2013 said he was canceling the contract and launching a competitive process.

A year later, after allowing residents to test out the competition, city officials have again selected Cale machines.

Officials on Nov. 13 posted a public notice that Cale received the highest score among companies trying to win Portland's business. The notice stated that Portland would begin negotiations that could lead to a contract.

Dylan Rivera, Diane Dulken and Kelly Ball, spokespeople for the Transportation Bureau and the Office of Management & Finance, did not respond Tuesday to a request for information about the status of negotiations, contract and machine costs, or when the City Council is expected to vote on a contract.

Although Portland has selected Cale machines, city officials would not work with the same company that secured the original contract.

Portland originally did business with Cale Parking System USA, a Florida distributor of the Swedish-made meters, headed by George Levey. After FBI agents raided McCoy's city office and Cale's Florida headquarters in 2011, corporate officials reorganized the company, without Levey, and called it Cale America.

Portland transportation officials plan to add parking meters along bustling Northwest 21st and 23rd avenues in March.

Portland Street Fund: Fee breaks for small business means \$2 million less for transportation projects

*By Brad Schmidt
December 09, 2014*

A proposal to eliminate or limit new street fees paid by small businesses would reduce annual revenue for transportation projects by about 9 percent, or \$2 million.

On Wednesday, the City Council will review the latest iteration of the Portland Street Fund – a combination of new residential income taxes and businesses fees that would pay for transportation maintenance and safety projects.

At last tally, the City Council wanted to charge residents and businesses an estimated \$46 million a year, with \$23 million from residents and \$23 million from businesses.

But in response to concerns about how the fees would impact small businesses, the Portland Bureau of Transportation on Tuesday released a new fee schedule.

The shift came after Commissioner Steve Novick, who supervises the bureau, called for reduced fees after hearing complaints from small businesses.

Under the latest proposal, home-based businesses with gross revenues of less than \$50,000 would be exempt from paying fees.

Small "micro" businesses with revenues of less than \$50,000, which are run outside of homes, would pay \$36 a year.

Before Tuesday's changes, any business with less than \$250,000 in annual gross revenues would have been billed between \$36 and \$216 a year.

Dylan Rivera, a spokesman for the Transportation Bureau, said in an email that the changes would trim estimated gross business revenue to \$21 million, a \$2 million reduction from the initial \$23 million projection.

Rivera said officials think "thousands" of businesses will qualify for the reduced or exempted fees. He hoped to have a more accurate number on Wednesday morning.

Uber to Portland: 'We will continue to operate' despite lawsuit; company gets case moved to federal court

*By Joseph Rose
December 09, 2014*

There has been a change of venue in the Portland-vs.-Uber transportation soap opera.

City Hall's lawsuit against the controversial San Francisco-based ride-sharing startup was moved Tuesday to federal court. Uber requested the change of venue, arguing in court documents that the company stood to lose more than \$100,000 in profits if required to follow the city's regulation process for taxis.

"If Uber is prohibited from operating its business in the city of Portland, Uber would suffer significant lost profits," Brooke Steger, Uber regional general manager, said in court documents.

Certainly, the cutting-edge-but-controversial company doesn't appear to be intimidated by the legal threat or the cease-and-desist order issued by the Portland Bureau of Transportation.

"We will continue to operate in Portland," said Uber spokeswoman Eva Behrend.

City officials said it's unclear why Uber wanted to the legal battle to take place in U.S. District Court in Portland rather than Multnomah County Circuit Court, where the city filed its suit on Monday.

Of course, the city's decision to file a lawsuit against Uber doesn't appear to be getting overwhelming public support.

About 61 percent of people who have taken an unscientific online poll conducted by The Oregonian say they don't agree with the city's decision to ask a judge to order Uber to stop operating its app-based, peer-to-peer ride UberX service within the city limits.

The company continues to push -- some would say "bully" -- its way into the market, advertising on Facebook and Craigslist for drivers interested in making some extra cash by turning their private vehicles into cabs with UberX.

On Tuesday, The Oregonian published an op-ed piece by Mayor Charlie Hales, in which he said the city would not be "stampeded" by Uber. "Governments must ensure the safety of everyone, while making sure that companies are responsibly serving their customers and our residents," Hales wrote. "It's not sufficient merely for us to welcome new technology, new companies and new economies."

Before the change of venue, City Hall had planned to ask Multnomah County Circuit Court to hold a Dec. 19 hearing on its request for "declaratory relief" against what officials see as an illegal taxi service.

In recent weeks, Uber hasn't had much success in fighting off legal challenges. As Gigaom reported on Tuesday, Uber has been banned in Spain and Thailand, sued in Portland and "hassled in Rio."

In fact, Reuters has put together a handy-dandy map of where in the world Uber is and isn't outlawed. Check it out.

Meanwhile, over at Geekwire, regional general manager Brooke Steger "sits down" for a Q&A entitled "Here's why Uber launched in Portland despite being illegal."

Meanwhile, on OregonLive and social media, supporters and critics of Uber's devil-may-care launch (but mostly supporters) are having their say.

Here's a sample:

I support Uber for one reason: They actually come when I call. And withing 5-10 minutes. I don't support breaking the law, so I won't use it until it's been cleared up, but City Council REALLY dropped the ball with this. And the cab companies have been substandard for years. I use Uber every time I'm in SF or Seattle and have had nothing but good experiences. They do a good job of filling a "need" at least in my experience.

-- Jonnisixx on OregonLive

Another issue not being considered here- traffic. San Francisco traffic, already bad, has become nightmarish because of all the Ubers now trolling the streets waiting for rides. Any quick trip to downtown SF will show you that, and any conversation with SF citizens will tell you that.

Portland streets are already getting jammed. Adding a bunch of Ubers circling around downtown trolling for rides is only going to make it worse. At least taxis are waiting at stands and responding to calls. Uber drivers just troll, hoping to be close when a request comes in. And they do it without paying their share of maintenance costs.

When I was in SF, taxis were consistently quicker and cheaper than Uber. Maybe it's a response to the competition, but for what Uber has done to clog traffic in SF, it's a high price to pay.

-- Mvk on OregonLive

Only valid issue regards a problem with Uber is service for customers with disabilities. This should be discussed within an overall agreement with Uber. As for Uber going ahead with operations - it's clearly in violation of code and there's a lot of background information on Uber that is not complimentary - including boasting of how they track the movements of their customers. These downsides appear to be dwarfed by the upsides. The concern now should be to ensure their is competition for Uber - like Lyft or others. No one should have the field to themselves.

In the longer run the challenge for Uber may be having enough drivers. Some will realize that by the hour they're not making much, especially as they have to foot the extra wear and tear on their vehicles as well as wait for the next customer. The churn rate will be huge.

-- Peasant Pundit on OregonLive

Before these last few Uber vs. Portland stories, I did not know much about Uber. I've researched it and wow, what a great service. I use AirBnB often (both domestically and overseas) and Uber seems like AirBnB for taxis.

For those people (Portland City for example) that state lack of regulations, insurance, etc, you should read Uber's website. Drivers are screened for the past 7 years for various background checks (likely better than the local taxi drivers?), the cars have to be a certain standard and once a driver is 'on duty' for Uber, Uber's commercial insurance takes over, much the same as a local taxi operators does once you hop in a RadioCab or Broadway cab.

-- EJK on OregonLive

Uber is not a disruptive technology, it's just disruptive to the status quo in that it chooses to operate in open defiance of local laws. I applaud their entry into the transportation mix but let's not blindly cheer their business model and tactics.

While cities do stand behind their licensing models to protect various commercial monopolies granted over the years and the patronage therein to City officials, by ignoring it's own laws and allowing Uber to operate as they please, the city does open itself to liability.

If and when a citizen of Portland is injured or killed in an accident involving an Uber driver without appropriate insurance who is going to be sued? The city of course. They are right to challenge Uber's operations until they comply with regulations or said regulations are changed by we the people.

By all means, let's change the laws and allow competition but let's do it right. If the people of Portland want Uber, take it to the city council.

-- Portovelo on OregonLive

Mayor Charlie Hales meets with about 50 members of Don't Shoot Portland on Tuesday

*By Andrew Theen
December 09, 2014*

Mayor Charlie Hales met with about 50 members of the activist group Don't Shoot Portland on Tuesday afternoon. The meeting lasted roughly two hours inside his third-floor conference room at City Hall while dozens of protesters chanted and waited outside the office's doors.

Groups of roughly 10 people at a time filed through the glass doors of Hales' office and into a private room, where one woman live-streamed the proceedings to protesters outside.

Don't Shoot Portland cropped up in the wake of the fatal officer-involved shooting of Michael Brown in Ferguson, Missouri, in August. Protests have grown since the grand jury decisions to not prosecute police officers in two separate deaths of unarmed black men -- Brown in Missouri and Eric Garner in New York City.

Inside Hales' office, people shared their individual stories of encounters with the Portland Police Bureau and other law enforcement officers while the mayor largely listened and chimed in periodically.

"Let's continue this someplace, not necessarily here," Hales said at the end of the meeting.

Hales' spokesman Dana Haynes contacted organizer and former Multnomah County Board of Commissioners candidate Teressa Raiford to arrange the meeting. Last week, Raiford led dozens of people to City Hall to formally protest against the police after several rally participants were arrested in Portland.

Hales' office subsequently contacted two young black male leaders involved in the protests to join the meeting.

What was viewed by the mayor's office as a small meeting with the leadership of Don't Shoot Portland wasn't a popular move with dozens of people who gathered outside Hales' office during the noon hour Tuesday.

Some accused the mayor's office of using a divide-and-conquer strategy and demanded to hear from Hales directly.

Don't Shoot Portland posted the Tuesday meeting on its Facebook page, and more than 140 people said they would attend.

The event got off to a rocky start. One woman circulated a signup sheet for people who wanted to address the mayor.

When Raiford, Glenn Waco, Marcus Cooper and other members of the Don't Shoot leadership went into Hales' office, leaving dozens outside the office door, there was a loud outcry.

"Why not us? Why not us?" the group chanted.

Throughout much of the two hours, the protesters outside Hales' office, who periodically sat down en masse, chanted for the mayor to come out and address the people. "We are not OK with this," they chanted.

At one point, Haynes said the mayor did not intend to meet with the entire Don't Shoot group.

The group's chants echoed throughout City Hall, with some protesters taking their message to the second floor, outside other City Council members' offices.

Raiford thanked Hales for his time, but said more Portlanders needed to share in the dialogue with city leaders. "Nobody can speak on behalf of all of us," Raiford said to Hales. "We're all leaders and we all belong to this city."

According to Hales' deputy spokeswoman Sara Hottman, the mayor's office will meet with the group once a month for six months.

Portland sued by neighborhood group for not disclosing street tax documentation

*By Brad Schmidt
December 09, 2014*

In its fight for detailed information about Portland's proposed street tax, a neighborhood coalition on Tuesday filed a lawsuit in Multnomah County Circuit Court after it says city officials stonewalled the release of public records.

Robert McCullough, a board member and president for Southeast Uplift Neighborhood Coalition, has been challenging the city's methodology for calculating business fees projected to raise up to \$23 million a year for street maintenance and safety projects.

The court fight between the neighborhood coalition and the city is highly unusual. Public officials frequently deny or delay disclosure of public records, as state law gives government a "reasonable" amount of time to respond.

Often, members of the media appeal public records denials to local district attorneys. McCullough, according to the legal filing, appealed to the Multnomah County District Attorney but no action has been taken.

McCullough, a respected energy consultant, wants to review the numbers to aid in his argument that big transportation companies should pay more under the proposed fee structure.

"No one on the City Council has a clue where the numbers come from," McCullough said Tuesday.

"As one of my neighbors said, 'No taxation without explanation,'" he added.

McCullough verbally asked the city for its supporting documentation on Nov. 3. That request was formalized on Nov. 12.

The Portland Bureau of Transportation hasn't provided the documents, a cost estimate or a timeline for release, according to the legal filing.

McCullough has asked a judge to order release of workpapers related to the city's tax and fee plan. McCullough said he thinks the information is contained on spreadsheets that could be emailed with the click of a button.

"Unless the worksheets are produced, plaintiff will be unable to demonstrate what by all appearances are serious errors in the City's asserted approach to determining the incidence of the tax, with significant impacts on Plaintiff's members and other City taxpayers," Southeast Uplift wrote.

The City Council is slated to vote on the Portland Street Fund plan Dec. 17.

McCullough said he'd be surprised to get the documents before the vote.

Uber vs. Portland; slap on wrist for law-breaking deputy: Opinion roundup

*By Erik Lukens
December 10, 2014*

Ride-sharing company Uber has been shaking things up in Portland since Friday, when it decided to launch its UberX service in violation of city regulations. Portland Mayor Charlie Hales shot back yesterday with a guest opinion promising that the city wouldn't be "stampeded" by the company.

Uber is making waves in plenty of other places, too, including Kansas City, where the Star editorial page congratulates city officials for "going in the right direction as they seek the public's feedback on how to update the city's regulations regarding taxicab and ride-sharing services." Maybe officials in Portland will get around to updating the city's for-hire regulations someday, too.

Seattle Times editorial board member Jonathan Martin writes about the U.S. Department of Defense's 1033 program, an "obscure surplus military equipment program" that allows local law-enforcement agencies to stock up on heavy-duty hardware. In Washington state, Martin writes, why do "small police forces in Grandview, and Oak Harbor, and the Mason County Sheriff really need a \$733,000, 18-ton Mine-Resistant Ambush Vehicle (MRAP)"? Good question.

The (Spokane) Spokesman-Review, meanwhile, writes about the sudden rise in the number of oil trains running through the state. While there's little individual states can do about train traffic, the paper notes, some courses of action are possible. "Among them: supplying first responders with the training and resources needed to handle disasters; allowing the state Utilities and Transportation Commission inspectors to enter private property to conduct inspections, and improving the safety of some at-grade crossings."

In California, where drivers are enjoying suddenly lower gas prices, the (San Jose) Mercury News explains why the good times won't last too long. Among the reasons: "starting in January, the state's cap and trade law to reduce greenhouse gas emissions will apply to oil and gas products. This is not a tax ... but until producers reduce emissions, they will have to buy credits to keep polluting. They are likely to pass along some or all of the cost at the pump."

In Oregon, The Daily Astorian is pondering climate change as well and praises lawmakers in Washington for creating a task force to look at small-scale nuclear reactors. There's lots of studying to be done, the paper concludes, but lawmakers to the north "are right to be willing to at least entertain the possibility that next-generation reactors could be our least-bad choice in light of the existential threat of climate change."

In today's edition of The Oregonian, the editorial board discusses the fate of Sen. Ron Wyden's rural timberland legislation and blasts the slap on the wrist received by Oregon State Police Detective Dave Steele, whose misconduct compromised a high-profile murder case. They can be found at The Stump.

The Portland Tribune

Don't Shoot PDX protesters meet with Hales

*By KOIN 6 News
December 9, 2014*

Protesters involved with Don't Shoot Portland met with Mayor Charlie Hales in his office at City Hall Tuesday, Dec. 9.

The protesters filled the hallways outside the mayor's office just after noon for the meeting. It was a chance for protesters to air their grievances about police conduct during recent marches in downtown and East Portland directly to Hales, who is also commissioner in charge of the Portland Police Bureau.

Hales allowed smaller groups of five to 10 people inside his office to discuss issues surrounding the protests. At one point, Hales told a group that the events that happened in Ferguson, Mo., and Staten Island, N.Y., had previously happened in Portland, and it was up to everyone involved to make sure to change that.

A series of groups met with the mayor from about 12:30 to about 2 p.m., which was streamed live via UStream by kmmoregon

Around 1:30 p.m., there were still about 80 people in City Hall's hallways.

Since grand jury decisions in Missouri and New York that did not indict police officers in deaths of unarmed black men, protests have taken place nationwide.

Portland's demonstrations have largely been peaceful, including one on Saturday that marched through the streets of the city for about four hours. At one point, throngs of protesters crowded into Pioneer Place in downtown Portland, but left within 10 minutes.

No one was arrested.

Neighborhood group sues city over street fee data

*By Jim Redden
December 9, 2014*

In the latest strange twist in the Portland street fee saga, a coalition of southeast neighborhoods sued the city Tuesday to obtain records it says will show the proposal does not adequately tax some businesses.

"No taxation without explanation" says Robert McCollough, president of Southeast Uplift, which filed the suit in Multnomah County Circuit Court.

According to McCollough on Nov. 3, a Portland Bureau of Transportation representative promised the SEUL board of directors to provide work papers for the intricate taxation rate proposal.

McCollough says PBOT summaries indicate there are no major transportation companies in Portland. Since there are no major companies, that transportation category receives a free pass under the proposal, only 0.9% as opposed to 40% under existing road taxes.

"Who owns and operates the 106,000 heavy trucks in Portland if there are no major transportation companies?" McCollough says.

At stake is \$15 million a year, almost \$100 million over the six year proposed life of the new tax, McCollough says.

SEUL, the neighborhood coalition office representing 20 inner southeast and northeast Portland neighborhoods, has been active in reviewing the proposed tax.

Locals get look at 'homeless campus'

*By Peter Korn
December 9, 2014*

Portland police chief Mike Reese was in San Antonio this July when he took a morning run along three miles of downtown riverfront — think Portland's Gov. Tom McCall Waterfront Park.

One big difference: Reese did not see one homeless person sleeping in the park, or in the downtown area, for that matter. He liked what he saw.

When Portlanders talk about the signs of social disorder that make them uncomfortable, the top of the list often includes the huge numbers of homeless people sleeping in city parks and in the doorways of local businesses. Reese and a number of other city officials were in San Antonio looking at a city that has taken a thoroughly different approach at dealing with its homeless.

Abbey Stamp was among the Portland and Multnomah County officials who accompanied Reese on a tour of the Haven For Hope facility that has transformed conditions for the homeless in San Antonio. Stamp, executive director of the Multnomah County Local Public Safety Coordinating Council, not only was looking at how Bexar County deals with its homeless, but also at how it helped indigent people suffering mental illness from getting caught up in the criminal justice system. She says four out of 10 Multnomah County jail inmates also have mental illness.

"We saw something beautiful in action," Stamp says.

Here's what they saw. Nonprofit Haven For Hope runs a 37-acre campus in a low-income area about 15 minutes from downtown San Antonio. Dormitories are available for about 1,000 homeless people who can prove they have lived in San Antonio for at least a year. The dorms are drug- and alcohol-free.

Homeless people who take shelter in the dorms are required to spend 40 hours a week in "productive activity," which can range from job training classes to counseling. Virtually every social service a homeless person can require is available at the campus, all intended to help people stabilize and find a path toward productive lives, all seamlessly working together. The campus even maintains a kennel for residents who have pets.

"The social service component blew us away," Stamp says.

For those unwilling or unable to enter the shelter, Haven For Hope offers an alternative — an attached courtyard campground with showers and sanitary facilities, fans and umbrellas, and no rules limiting length of stay. For those who cannot enter the dorms because they still drink or use drugs, the campground is an option — they can be under the influence there, though they can't bring in forbidden substances from outside.

The campground can accommodate as many as 800 homeless people, and even features roving mental health professionals looking for campers in need of their services.

Between the dorms and the camping area, there is room enough for just about all the people in San Antonio who don't have housing. Which partially explains why Reese and Stamp didn't see anybody camped in downtown doorways or sleeping in the park.

What Reese and Stamp didn't see was the other half of San Antonio's grand bargain — police carrying out a near-zero tolerance policy for those who try and sleep outside on their own.

According to one report, in one month last year San Antonio police issued more than 12,000 citations to street people, for violations ranging from aggressive panhandling to littering and sitting in the right of way. Some individuals have received hundreds of citations, which carry fines that almost never get paid. That leads to warrants and arrest.

San Antonio police use citations to roust the homeless from tourist areas, says Stephanie Stevens, director of St. Mary's University Law School's criminal justice clinic. But, Stevens says, there are still many homeless in San Antonio who are not ready for Haven For Hope.

"The bargain is, 'We've built this beautiful site, but if you don't go there, we're going to punish you,'" says Stevens, who is representing a homeless woman with \$24,000 in fines for camping, panhandling, littering and jaywalking. The woman is trying to stay out of jail, where she can work off her fines at \$50 for every day she spends behind bars.

For his part, Reese liked not only the Haven For Hope facility, but the attitude behind it.

"It's a different philosophy there around providing compassionate care," Reese says. "They would look at our model, letting people sleep under bridges, and shake their heads and say, 'How are you doing that? How is that humane treatment for people who are mentally ill and homeless?'"

Novick: Exempt 'micro' businesses from street fee

*By Jim Redden
December 9, 2014*

Commissioner Steve Novick wants to exempt home-based businesses that gross less than \$50,000 a year from the non-residential portion of the proposed street fee.

The amendment released Tuesday, Dec. 9, is supposed to be the final change to the heavily revised proposal released by Novick and Mayor Charlie Hales in May. It will be considered by the City Council on Wednesday, Dec. 10.

The amendment defines such businesses as "Micro" businesses.

Novick brought up the change at last week's hearing on the proposal as way to prevent such business owners from being taxed twice, once as city residents subject to its progressive income tax and the other as business owners.

Consideration of the amendment means the council cannot take a final vote on the proposal until next Wednesday, Nov. 17, at the soonest.

The proposal is intended to raise \$46 million a year for maintenance and safety projects, after collection and administrative expenses. Critics have promised to mount a petition drive to refer it to the ballot if the council does not set it for a public vote.

Hales and Novick have repeatedly said they do not want the proposal referred to the voters.

The Mercury

Charlie Hales Invited Several Demonstrators to City Hall. He Got Several Dozen.

*By Dirk VanderHart
December 9, 2014*

The chants that have rung through downtown corridors, over city bridges, and through the Pioneer Place mall since the decision not to prosecute Ferguson Officer Darren Wilson found a new venue this afternoon: The 3rd floor of Portland City Hall, right outside of Mayor Charlie Hales' office.

Hales had invited leadership from the group Don't Shoot Portland for a discussion about recent, sometimes-violent clashes with officers, police reform, institutional racism and whatever else came up. But it wasn't clear the mayor's staff was prepared for the dozens of demonstrators who showed up, all expecting an audience.

When Hales' chief spokesman, Dana Haynes, explained the mayor could only meet with a segment of the group, who could then relay the details of the discussion, chants like "We want Hales" and "Why not us?" joined standards like "I can't breathe" (a reference to the final words of New Yorker Eric Garner), reverberating through the hard, marble halls of power.

Hales never did come out, but what looked for a moment like potential bedlam settled into a productive—or at least largely cordial—meeting. Mayoral staffers ushered several shifts of demonstrators to meet

Hales and his chief public safety policy adviser, former Portland cop Deanna Wesson-Mitchell, and also allowed people to livestream the meeting.

As chants ebbed, then flourished again, outside, discussion within Hales' office touched on recent protests. The mayor was there to listen, he said, and to "troll for ideas and suggestions."

"We're serious about police reform and we're working on things, but we're not sure we're working on all the things that need to be worked on."

Some people were aggrieved that police had lobbed concussion grenades at protestors two Saturdays ago, and faux-arrested demonstrators in a police kettle.

Others asked why the mayor wanted to appeal a recent settlement agreement on police reforms ("We want it real clear that I'm accountable for the police bureau"), why he hasn't created an independent citizen commission to oversee cops, and what he's doing to make sure police don't brutalize people of color. On that last point, Hales acknowledged that institutional racism is alive and well, and found himself defending the \$56,000 racial sensitivity training he sent 16 white male managers to at a golf resort this summer.

"I took some lumps in the press," Hales told demonstrators, urging them to "take a look at what White Men as Full Diversity Partners does." ("Bullshit," someone said.)

One young man spoke of America's long history of racial oppression. "It's almost like we're at a point where we need to destroy and rebuild," he said.

Hales said no. Reform is the key. "I do believe that reform is possible, and actually that's why I'm here. While I'm here, and in the system, I'm going to try to make it better."

It wasn't entirely clear, when all was said and done, that anyone felt a whole lot better, or that anything would change, though many demonstrators thanked the mayor for his time and attention. And, as Denis pointed out: This would seem to be a fairly unique step among mayors in major cities.

There are intentions of keeping the dialogue going—potentially for as long as six months.

"Let's meet again, please," Hales told Teresa Raifford, one of the principal leaders of Don't Shoot Portland. "Not necessarily here."

GoLocalPDX

Portland Mayor's \$20 Million 'Anti-Gentrification' Deal Comes Under Fire

*By Shelby Sebens
December 10, 2014*

A deal struck between Mayor Charlie Hales and black leaders, intended to halt gentrification in North and Northeast Portland, is coming under fire for being inadequate and toothless.

Outrage erupted earlier in the year after the city announced that a long dormant publicly-owned property at on the south block of Martin Luther King Jr. Blvd would be developed by Californian-based developer Majestic Realty, into a retail plaza anchored by a Trader Joe's.

Black activists protested the development, saying it would spur gentrification. Trader Joe's was eventually replaced by Colorado-based Natural Grocers and Hales eventually struck a deal with activists promising to invest \$20 million in affordable housing and to develop a jobs plan for the neighborhood.

But critics now say \$20 million won't be enough to stop gentrification in North/Northeast Portland and that the proposed jobs plan doesn't have any real power to it.

"Basically, Majestic and Natural Grocers have veto power over anything that the committee suggests," said Cameron Herrington, who sits on a committee hammering out the jobs plan with the city, Majestic and Natural Grocers.

Jobs Plan With No Teeth

Majestic Realty, with Colas Construction as the primary contractor, is proposing to construct an urban retail shopping center consisting of approximately 20,000 square feet of gross leasable area in two separate buildings.

To make amends for the previous controversy over Trader Joe's to the local NAACP, Portland African American Leadership Forum and others, the city promised \$20 million for affordable housing to be spent in an urban renewal district in the area and community benefits such as economic and job opportunities for local residents that would come with the project.

A coalition of community leaders, developers and city officials have been meeting, trying to work out a so-called Community Benefits Agreement. Another meeting is scheduled for January.

The proposed agreement includes some stipulations like selling local goods at the grocery store and working to recruit for neighborhood residents for jobs at the store.

But a proposal that Natural Grocers agree to allow workers to unionize, if they wished, was quickly shot down.

Herrington said he went into the committee holding his nose.

"We knew that if there are things that we wanted to propose, that would have in any way limited Majestic's profit margins, that they would just reject that," said Herrington.

The lack of leverage has some black leaders concerned.

"That's the exact type of thing we're trying to avoid in this process," said Katrina Holland of the NAACP Portland. Holland said she's seen the city break too many promises to Portland's black community in the past. "We're not going to have that again, not on my watch."

She and others fear whatever plans they come up with won't be substantial if Majestic and Natural Grocers are not legally required to follow through.

"Quite frankly, I'm going to reach out to our national leadership to see if we can get some support in rallying around making that a legal agreement," said Holland. "That's where the NAACP and other members of the community have to rally around putting outside pressure around them to change that."

Herrington said that because the deal with the community was cut after the deal with Majestic was inked, the residents didn't have much say.

"In general, I think the process has been a bit handcuffed because it's happening backwards, basically," Herrington said. "There's no leverage that this group has to get Majestic or Natural Grocers to do anything that they don't want to do."

Not Enough Money to Hold Back Gentrification

As a second part of Hales' deal with the community, Hales committed \$20 million to build affordable housing in the area. That money will be combined with \$16 million already slated for housing by the Interstate Urban Renewal Area.

"Nobody thinks that this \$20 million is going to significantly address or turn around the impacts of the kind of 20 plus years of gentrification," said Midge Purcell, director of advocacy and public policy for the Portland Urban League. "I think that what we really want to see is a real commitment to, you know, kind of anti-gentrification strategies both in North and Northeast Portland."

Even city officials agreed \$20 million for housing is not much.

Here's what \$20 million could buy:

- Multi-family rental: 500 apartments
- Single-family rental: 100 houses
- Single-family homeownership units: 150 houses
- Home retention and repair units: 1,500 houses

Martha Calhoun, Portland Housing Bureau spokeswoman, said the goal is to leverage the money for more and it's just one part of an overall approach.

"The \$20 million is ... restricted to paying for costs associated with building buildings," Calhoon said. She added the bureau plans to request from money from the city's budget process.

An Opportunity

Some volunteers working on the jobs plan were more optimistic that this time around, with accountability from the black community and others, that something could change.

"I see this as a wonderful opportunity to improve outcomes checkered history around race that Oregon," said Cat Goughnour, resident of North Portland and equity consultant for Radix Consulting Group, a racial justice activist group.

Bishop Steven Holt, of The International Fellowship Family, is hopeful and confident in this new effort to combat gentrification.

"Someone's got to be willing to step to the plate, put their name on the line," he said. "I'm a native. I've lived in Portland and have seen the displacement. My family's been effected by it. We've seen the broken promises so what are we going to do: complain or get involved? I choose to get involved."

The Mayor hopes the \$20 million investment and jobs plan will be step in the right direction.

"The folks that want this to work have every reason to doubt it," Hales' Communication Director Dana Haynes said.

He added that Hales is optimistic that if the city and the community work together, there is a chance that this development will not result in harm to the local residents.

"It's entirely possible that you can bring up the neighborhood without driving out the existing residents," he said, adding a watchdog group over the city is essential to making that work.

Don't Shoot Portland Protesters Flood Mayor's Office

*By GoLocalPDX News Team
December 10, 2014*

Dozens of people pressed against the doors of Portland Mayor Charlie Hales' office Tuesday, after activists from Don't Shoot Portland invited the "whole city" to a private meeting with the Mayor.

"Why not us! Why not us!" activists chanted outside the mayor's office, as protesters tried to gain entry into meeting.

A group of fifteen protestors, including Teressa Raiford and other leadership of Don't Shoot Portland, were initially invited to meet with mayor, said Hiram Asmuth, one of the protestors left outside the Mayor's office. "We've been continually trying to get him to come out here," Asmuth said. "Obviously he's not interested in meeting with us."

Inside, the gathering between the mayor and a handful of residents was chaotic at times, with several people speaking at once. Things eventually settled down and individual residents spoke with the mayor, airing grievances with the police department, the City of Portland, and gentrification.

The events were streamed live from an activist's video camera.

"What I want is police accountability," said one black woman to the mayor. "I'm accountable at my job. I don't feel like (the police) care about my community. I can't get them to even look at me."

The Mayor addressed a wide range of issues, from housing policies to discrimination in general.

"The laws might be equal now, but there is still discrimination," Hales said. "We are trying to reform the police bureau. We've made some progress. We're not where we need to be. But we've made some progress."

Raiford lead residents into the meeting in shifts.

One black woman almost came to tears as she recalled being stopped by police. She said she wasn't afraid of getting a ticket, but of getting shot.

"I was scared for my life," she said. "I feel more nervous about police officers than I am about criminals in the streets. When I see police, I get a heart attack. I wonder if this is the day another black person is going to be killed."

The meeting was originally set up between Don't Shoot Portland organizer Theresa Raiford, the police and the Mayor. But Monday afternoon Raiford invited 1,000 people to the meeting via Facebook. By Monday afternoon, there were about 30 people who said they would attend.

The Mayor's office was initially surprised by the development when informed by GoLocalPDX, but then said the more the merrier.

"If they want to hold a rally, they are welcome to do so," said Dana Haynes, spokesman for the mayor. "But the Mayor will meet with Ms. Raiford and the other leaders of Don't Shoot Portland."