

The Oregonian

Uber refuses to pay \$2,000 fine for operating illegally in Eugene: Uber vs. Portland roundup

By Joseph Rose
December 11, 2014

Lawyers in the case of the City of Portland vs. Uber Inc. have yet to settle on a hearing date in U.S. District Court. But City Hall sources tell The Oregonian the two sides could present their arguments before federal Judge Michael H. Simon on, of all days, Christmas Eve.

So any plans to take the UberX ride service to and from holidays parties may need to be scrapped at the last minute. Stay tuned.

In the meantime, the city should probably wait before it starts spending cash from those \$1,500 fines issued last weekend to Uber for operating an illegal taxi service.

If the story unfolding in Eugene is any indication, the San Francisco-based ridesharing startup – no surprise here – disagrees with that city's claim that it needs to secure a license to operate.

Uber has filed an appeal, asking for the dismissal of a \$2,000 fine in Eugene, the Register-Guard reports.

The company's UberX service -- allowing customers to use a smartphone app to conveniently hail and pay contracted drivers using their private cars as de facto cabs -- is now rolling legally and illegally in six Oregon cities and Vancouver.

From the Register-Guard:

Uber began operating in the Eugene-Springfield area on July 23. Oregon Taxi, the area's largest taxi company, then accused Uber of breaking city regulations by not securing a license.

City fined Uber on Nov. 17 after the company didn't apply for a license despite repeated reminders from the city.

"Uber is not a public passenger vehicle company because Uber does not operate one or more public passenger vehicles," the appeal stated.

Uber's lawyer declined comment and referred a reporter to the company. An Uber representative didn't respond to messages seeking comment.

A city hearings officer will consider Uber's appeal at a hearing where the company can provide evidence or testimony to bolster its case.

The hearing hasn't been scheduled yet. It must occur by Dec. 26, unless Uber and the city agree to a later date.

The hearings officer must issue a written decision within 10 days of the hearing.

Laura Hammond, spokeswoman for the city department that manages the licensing program, said Uber's appeal wasn't surprising.

"We're going to keep working on looking at ways we can improve and update the code," she added.

The city is weighing its first policy change to its public passenger vehicle program since 1992. The proposed change would allow smartphone apps to display and charge fares as the code now only allows taxis to charge the posted minimum or fare calculated by the meter. It also opens the door for the city to change its rules to explicitly cover the ride services.

A public hearing on the proposed policy change is scheduled for Jan. 20.

Despite legal challenges, Uber has vowed to continue operating in Portland and Eugene. At this point, both cities are giving drivers only warnings. In Portland, Uber drivers face up to \$2,250 in penalties for the first offense.

Of course, the news about the world's most controversial transportation company doesn't stop there.

Portland Streetcar annual ridership inflated by 19 percent, 1.1 million rides, audit reports

*By Brad Schmidt
December 11, 2014*

Administrators for Portland's renowned streetcar system publicly overstated last year's estimated ridership by 19 percent and falsely claimed that nearly every vehicle arrived on time, according to a city audit released Thursday.

The new findings show that estimated ridership hit 4.5 million from July 2013 through June 2014, 1.1 million less than the 5.6 million rides originally reported by Portland Streetcar Inc.

Auditors also found that Portland's claim of on-time service was flat-out wrong.

City goals call for streetcars to arrive on time 98 percent of the time, and officials stated that was happening. But in reality, streetcars arrived on schedule just 82 percent of the time, according to the audit.

In sum, Portland's streetcar system lacks clear targets and reliable data, and too frequently fails to hit the few benchmarks that do exist, auditors concluded.

"Good management requires good information," said Drummond Kahn, director of Portland's Audit Services. "Data problems or a lack of goal-setting make it difficult for management to judge its successes or failures."

The revised numbers still show that Portland's streetcar system added more than 500,000 riders from the previous fiscal year, while on-time reliability is close to that of bus or light-rail service. But the report dispels a purported ridership spike or near-perfect performance.

"The audit was really helpful," said Diane Dulken, a spokeswoman for the Portland Bureau of Transportation. "It's helping us improve a system that's working."

Thursday's report marks the final audit issued under LaVonne Griffin-Valade, Portland's elected auditor since May 2009. During her tenure, Griffin-Valade launched auditors on a variety of high-profile foul-ups or controversies, spotlighting a \$47 million software system that went over budget, questionable water and sewer spending and poor stewardship of the city's crumbling streets.

In a report this year, auditors found that the bureaucracy behind Portland's \$251 million streetcar system is "convoluted and confusing." Thursday's audit dug deeper, tracking whether the streetcar system was actually meeting targets.

The Portland Bureau of Transportation owns, operates and is financially responsible for a soon-to-be 17-car streetcar system, while TriMet provides the operators. But the city hands over some administrative responsibility to Portland Streetcar, a nonprofit with its own independent governing board and executive director.

The audit found that the Transportation Bureau lacked any benchmarks for safety. It also largely was without targets for running the system in a cost-effective manner. And in cases in which Portland defined benchmarks for reliability, auditors found problems with reporting, information or a lack of success.

Portland's inflated ridership numbers result from faulty estimates provided by TriMet, the audit found. Some ridership numbers were apparently counted twice.

TriMet caught its mistake after auditors questioned discrepancies between local ridership statistics posted online and those contained in a federal transit database. TriMet provided auditors with accurate numbers in recent weeks.

Numbers for fiscal year 2014 were overstated by 11 percent, or about 412,000 rides for the westside line, according to audit work papers. For the eastside line, numbers were inflated by 35 percent, or 677,000 rides. Ridership figures were modestly misreported for the 2013 fiscal year, as well, but other years did not require corrections.

"It's frustrating, but I'm not concerned," Dan Bower, Portland Streetcar's new executive director, wrote in response to written questions. "TriMet has provided solid numbers from the past and as of last week, we have automatic passenger counters on our trains so reliability should improve dramatically."

The audit also highlighted that streetcars don't always arrive on time, defined as up to 90 seconds early or five minutes late. Streetcars arrive on schedule just 82 percent of the time, far less often than the 98 percent that officials reported.

For years, Portland Streetcar relied on staff to manually log service outages or delays, despite the fact that the city purchased a system in 2001 to track reliability.

Bower said the reported on-time statistics didn't match his experience, and he dug into the numbers. In response, Portland Streetcar changed its methodology one month after Bower started, he said, and he called it "odd" that auditors would highlight discrepancies that were already being addressed.

Bower said he now wants a more "realistic goal" for on-time reliability, although none has been established.

"There isn't a transit system in the world that achieves 98% on time performance," Bower wrote.

The audit also found discrepancies with the reported cost-effectiveness of the system.

The Transportation Bureau reported that the streetcar system met its target for cost-effectiveness, at about \$160 per vehicle operating hour. But city officials had no supporting documents to back up that claim, according to the audit.

Statistics submitted by TriMet to the Federal Transit Administration painted a far different picture, however. Portland Streetcar reported hourly vehicle operating costs at \$323, according to 2012 data, the most recent available, compared with \$142 for bus and \$188 for rail.

And the audit also found that Clackamas-based United Streetcar, which built six new streetcars for Portland, "has not met minimum contractual requirements" for performance.

According to the audit, seven of nine vehicle systems examined experienced failures earlier than expected. While friction braking and suspension systems have passed requirements, lighting, electrical and propulsion issues have been among the problems, according to the report.

United Streetcar's vehicles, which began entering service in 2013, come with a two-year warranty.

"We need to track this over a longer period of time and identify what issues, if any, are leading to the failures," said Kathryn Levine, who manages some streetcar work for the Transportation Bureau.

Commissioner Steve Novick, who oversees the Transportation Bureau, declined through an aide to comment on the audit.

Portland pioneered the second coming of streetcars in 2001 when it opened a downtown streetcar line under then-city Commissioner Charlie Hales. Mayors from across the country and other federal dignitaries frequently visit Portland to tour the city's system.

Over the years, Portland has expanded its line to the South Waterfront and the Central Eastside. Next year, Portland's eastside connection will complete a full loop when the new Tilikum Crossing opens across the Willamette River.

Asked how the audit might affect perceptions of Portland Streetcar, Dulken, the city spokeswoman, said:

"The audit helps us improve service. The service that people experience every day is what they'll judge us on."

Next Portland police Chief Larry O'Dea to add assistant chief responsible for community engagement

*By Maxine Bernstein
December 12, 2014*

Portland's next police chief Larry O'Dea, who will be sworn in on Jan. 2, plans to add a fourth assistant chief position to oversee the bureau's community engagement efforts.

O'Dea is promoting Cmdr. Kevin Modica, an African-American who is now supervisor of the transit police division, to the new assistant chief's job.

"I can tell you from firsthand knowledge the workload in both the operations branch and the services branch is very heavy and doesn't allow for the necessary time to tackle additional initiatives such as community engagement," O'Dea said.

O'Dea said he wants someone in the bureau's senior leadership team to be responsible for improving the bureau's relationship with the community. He called that role vital.

"We must continue to build community relationships and trust," O'Dea said. "The value of these relationships is unmeasurable and critical as we move forward."

As assistant chief of a new Community Services branch, Modica also will be responsible for the traffic, transit police, youth services, tactical operations and emergency management divisions.

Adding the fourth assistant chief, he said, won't require any additional funds, and is supported by an outside consultant's staffing study of the bureau set to be released early next year, O'Dea said.

O'Dea also announced other command changes that will become effective on Jan. 8.

Cmdr. Bob Day, who now leads Central Precinct, will be promoted to assistant chief of the bureau's operations branch. He'll be responsible for the three precincts, the Rapid Response Teams, and critical incident and crowd control incident commanders.

Assistant Chiefs Donna Henderson, who oversees the investigations division, and Mike Crebs, who supervises the services branch, will remain in those positions.

The changes in the chief's office will result in other command staff moves.

"I made these decisions after thoughtful consideration, and they were based on these individuals' ability to engage the community," O'Dea said.

Cmdr. Sara Westbrook, who now runs East Precinct, will move to Central Precinct.

Westbrook was recently the incident commander during a Ferguson-related protest downtown that drew dozens of complaints from marchers after officers threw flash-bang grenades into the crowd and then corralled a large group of demonstrators on one street corner, threatening arrests.

Cmdr. Mike Leloff, who now leads North Precinct, will move to the Transit Police Division.

Capt. Dave Hendrie, now leading the Tactical Operations Division, will be promoted to East Precinct commander.

Capt. Chris Uehara, who now leads the Youth Services Division, will be promoted to North Precinct commander.

Lt. Tom Hunt will be promoted to captain at Central Precinct.

Lt. Robert King will be promoted to captain at East Precinct.

Lt. Matt Wagenknecht will be promoted to captain of the Tactical Operations Division.

Lt. John Scruggs will be promoted to captain of the Youth Services Division.

Lt. Vince Elmore will be promoted to captain in the Records Division.

In other changes, officers and civilian bureau staff responsible for tracking the reforms mandated by the U.S. Department of Justice will report directly to O'Dea, as will a new bureau equity/diversity manager.

Portland says it can't meet affordable-housing goals for South Waterfront but won't rewrite aspirations

*By Brad Schmidt
December 11, 2014*

The Portland Housing Bureau on Thursday said it cannot meet long-term affordable housing goals in and around the South Waterfront District but will nonetheless maintain those aspirations.

Officials say they can only help subsidize the development of 300 more units for low-income Portlanders in the waterfront neighborhood known for its high-end condo towers.

The addition of 300 more units would more than double the stock of affordable housing. Only one project in the area has been built for low-income residents, the 209-unit Gray's Landing, which included a \$28.7 million investment from the city.

If the Housing Bureau helps subsidize 509 total affordable units, it would fall short of the 582 low-income units originally pledged in 2003.

But in reality, the gap would be far worse.

Those original goals for 582 affordable units were tied to the construction of 3,000 total new units. Those affordable units were supposed to serve individuals or families earning up to 80 percent of the region's median income.

Housing Bureau officials say they don't know how many units have actually been built since then, although a city task force in 2011 pegged the number at 2,576, meaning the first wave of construction is essentially complete.

When city leaders approved the goals in 2003, they acknowledged the area should have even more affordable housing than would be initially built.

They pledged that although only a modest amount would be developed with the first 3,000 total units, far more affordable apartments would be built when a second batch of 3,000 units came online in future years.

That pledge, by then-Commissioner Erik Sten, came with no clear plan or rationale for how such a commitment could be kept.

The city will "build towards reaching those goals in the second 3,000" units, Sten said during the 2003 meeting where City Council adopted its housing strategy.

Now, 11 years later, Housing Bureau officials say they won't be able to meet the initial goals – let alone keep the pledge to increase affordable units along with a second wave of development.

In October, recognizing that the bureau would have about \$40 million to commit toward South Waterfront affordable housing, city officials recommended reducing the 2003 goals.

Housing Bureau officials recommended lowering the goals from 582 to 434 units for people earning up to 80 percent of the region's median.

But after housing advocates challenged the recommendation, the Housing Bureau, led by Commissioner Dan Saltzman, backtracked. The Oregonian on Nov. 25 requested city correspondence about affordable housing goals for the area. That request has yet to be fulfilled.

But in a memo released Thursday, Housing Bureau Director Traci Manning said officials now recommend maintaining the 2003 affordable housing targets.

The Housing Bureau's goal "was and is to clearly communicate to both City Council and the public an estimate of potential housing production" based on available funding, Manning wrote.

The city will tap property tax money from the North Macadam urban renewal district to pay for affordable housing. According to Manning's memo, the city's urban renewal agency "has committed to collaborate" with the Housing Bureau on a mixed-use project "to include affordable housing."

The project would be in the RiverPlace area of the North Macadam district, next to a power substation, at the corner of Southwest Moody Avenue and River Parkway. That's about three-fourths of a mile north of the central South Waterfront district with the high-rise condo towers.

"All citizens of Portland, regardless of income, should live in complete neighborhoods and have access to the opportunities that come with those neighborhoods," Manning wrote in her memo. The Housing Bureau "appreciates the community's affirmation of the importance of these goals and continued partnership in achieving them."

Incoming police chief announces bureau changes

*By Jim Redden
December 11, 2014*

Incoming Portland Police Chief Larry O'Dea announced his organizational changes and new personnel assignments for the Portland Police Bureau on Thursday.

O'Dea will replace Chief Mike Reese on Jan. 2, 2015, and the changes will be effective six days later.

The bureau currently has three branches — Operations, Investigations and Services. Under O'Dea, a fourth branch called Community Services will be added.

According to O'Dea, the new branch will be responsible for: the Traffic Division; Transit Police Division; Youth Services Division; and Tactical Operations Division. Emergency Management will also be in this branch, under the direction of the Traffic Division. These divisions were previously part of the Operations Branch.

The Operations Branch will contain: the three precincts; Rapid Response Team; Critical Incident Command; and Crowd Control Incident Command.

"The most important reason for this change is to provide the senior leadership team the opportunity to oversee increased community engagement," says O'Dea. "I discussed this priority when I was named Chief in October; it is vital that we increase our efforts in regard to community engagement. We must continue to build community relationships and trust. The value of these relationships is unmeasurable and critical as we move forward."

Adding a fourth branch will not cost any additional money, and is fully supported by the staffing study that will be forthcoming in the first part of the year.

"Just as we moved ahead with Department of Justice (DOJ) recommendations prior to the settlement agreement being finalized, it's important that we adopt this reorganization that the staffing study will be recommending," says O'Dea. "I can tell you from firsthand knowledge the workload in both the Operations Branch and the Services Branch is very heavy and doesn't allow for the necessary time to tackle additional initiatives such as community engagement."

Other changes include: The Department of Justice (DOJ) responsibilities and the new Equity/Diversity Manager will direct reports to O'Dea. The Information Technology Division will move from the Services Branch to the Investigations Branch.

O'Dea also announced the following personnel assignments for the senior leadership team:

- Commander Kevin Modica, currently assigned to the Transit Division, will be promoted to Assistant Chief, Community Services Branch.
- Commander Bob Day, currently assigned to Central Precinct, will be promoted to Assistant Chief, Operations Branch.
- Assistant Chief Donna Henderson will remain as Investigations Branch Assistant Chief.
- Assistant Chief Mike Crebs will remain as Services Branch Assistant Chief.
- Commander Mike Leloff, currently assigned to North Precinct, will move to the Transit Police Division.
- Commander Sara Westbrook, currently assigned to East Precinct, will move to Central Precinct.
- Captain Dave Hendrie, currently assigned to the Tactical Operations Division, will be promoted to Commander of East Precinct.
- Captain Chris Uehara, currently assigned to Youth Services Division, will be promoted to Commander of North Precinct.
- Lt. Tom Hunt, currently assigned to North Precinct, will be promoted to Captain and assigned to Central Precinct.

- Lt. Robert King, currently assigned to East Precinct, will be promoted to Captain and remain at East Precinct.
- Lt. Matt Wagenknecht, currently assigned to Central Precinct, will be promoted to Captain, and assigned to the Tactical Operations Division.
- Lt. John Scruggs, currently assigned to the Chief's Office, will be promoted to Captain and assigned to the Youth Services Division.
- Lt. Vince Elmore, currently assigned to the Records Division, will be promoted to Captain and remain in the Records Division.

"I made these decisions after thoughtful consideration, and they were based on these individuals' ability to engage the community," O'Dea says.

Council considers body cameras for police

*By Jim Redden
December 10, 2014*

The City Council discussed equipping police with body cameras at its Wednesday hearing. The Portland Police Bureau began studying the issues two years ago. The council has identified \$800,000 in funds originally planned for more in-car cameras that could be spent on body cameras.

Mayor Charlie Hales delayed the vote on seeking competitive bids for the cameras until Jan. 7, at the soonest.

Both council members and witnesses said there are many issues that need to be resolved first, including privacy issues of those being recorded by the cameras. Also unresolved is whether everything recorded has to be released under Oregon Public Records laws and how long the recordings should be stored.

Hales promised such issues will be resolved before the cameras are put into use. He said the city is already planning to work with the 2015 Oregon Legislature to clarify state laws governing them.

Hales said police body cameras could help restore public trust in the police because they will record the details of encounters that end in arrests and even violence.

New police chief OK with response to protests

*By KOIN 6 News
December 10, 2014*

Larry O'Dea will take over the Portland Police Bureau at a time when protesters are repeatedly taking to the city streets to demand action over police violence.

O'Dea, 52, said he's been pleased with the police response to the weeks-long protest following the grand jury decisions in Missouri and New York. There have been only a few arrests and officers have been trained to exercise restraint.

"One of the important things we talk about is, even though a lot of these recent events focus on the police, what this is highlighting for our country is really, is how does race impact all of our major institutions," the incoming chief told KOIN 6 News.

"So this isn't really just only about the police. It's about the education system, the entire criminal justice system, the probation system, employment and the disparities that race has in all of these institutions."

The 29-year veteran of the PPB — currently an assistant chief-in-charge of patrol operations — said the officers are often reminded that one of their important functions is to support "free speech and free expression, even if that concern, that anger, that frustration is about us."

When he takes over from Chief Mike Reese on January 2, he plans to hire a diversity officer within the bureau and make more inroads into being part of the community — instead of just policing it.

There will also be changes to the command structure, he said.

For more information, watch KOIN 6 News and visit koin.com.

Audit faults city management of Portland Streetcar

*By Jim Redden
December 11, 2014*

The City Auditor's Office, Commissioner Steve Novick, and Portland Bureau of Transportation Director Leah Treat disagree how to improve the operation of the Portland Streetcar.

The auditor's office released an audit Thursday that faulted PBOT's oversight of the streetcar system and made five recommendations to improve it. In a letter of response, Novick, who oversees PBOT, and Treat agree with two of the recommendations by said the other three had already been accomplished. Bureaus and the commissioners who oversee them usual agree with all recommendations in audits and promise to implement them.

The audit, titled "Portland Streetcar: City transit targets unmet, better performance management needed," said PBOT had not met its stated goals for the streetcar system for the last two years, in part because the data PBOT uses to measure the streetcar system's performance is inadequate. Those goals include: on time performance; frequency of service; vehicle failure; spare vehicles; and sponsorship.

The audit recommend PBOT both improve and expand the data it collects to achieve the goals.

"Specifically, we found that PBOT does not have a measurement structure that encompasses all the City goals for safe, reliable and cost-effective transit services. PBOT has a variety of robust measures and targets for the City's reliability goal, but does not have relevant measures or stated targets for its safety and cost-effectiveness goals. PBOT also did not report some of its performance measures, and there were measures of poor quality," the audit says.

The five recommendations include:

1. Review and revise existing measures to ensure relevant and meaningful alignment with transit goals and desired results.
2. Develop sustainable and transparent processes for complete, timely, accurate and meaningful performance reporting.
3. Use applicable performance results at relevant levels of City decision-making.
4. Identify the City's performance measures and related targets to monitor Portland Streetcar's impact on economic development over time.
5. Conduct the appropriate level of statistical analysis of Portland Streetcar's impact on economic development to better inform any expansion decisions by City Council.

The audit said that for fiscal year 2014, the total Portland Streetcar operations budget was about \$9.75 million. It has 70 staff members —including 51 from TriMet, 16 from PBOT, and three from PSI — who work at the PBOT maintenance facility.

In their response letter, Novick and Treat agreed with the first two recommendations but said the last three are already being achieved. According to the letter, the information required is already being collected and shared with the partners in the streetcar system. They include: the nonprofit Portland Streetcar Inc., which operates the system; TriMet, which provides the drivers and some funding; and the Federal Transit Administration, which has also helped fund the system. According to the letter, the economic development studies recommended in recommendations 4 and 5 are either completed or already underway.

"Portland Transportation will continue to work closely with our partners and stakeholders to provide safe, reliable, and cost-effective streetcar services for the City," the letter says.

Thursday's audit is the second of a two-part series on Portland Streetcar. The first described the complex management structure for the streetcar system and laid the groundwork for the second one.

"Performance measures are built off of data and are used to inform Council, management, and the public about service results. We found that Portland Streetcar's data and measures are problematic. While many partners are involved in Portland Streetcar, our audit determined that it is a public transit function that does not yet have the performance management system in place to track progress toward the City's stated goals," Thursday's audit said.

The audit can be read at www.portlandonline.com/auditor/index.cfm?c=64479&a=512017.

Southwest Corridor planners push back federal study

*By Geoff Pursinger
December 11, 2014*

Plans to build a new transit line from Portland to Tualatin are being pushed back a year-and-a-half for further study.

At its meeting on Monday, the Southwest Corridor Plan Steering Committee — a group of mayors, county commissioners and representatives from TriMet, Metro and the Oregon Department of Transportation — voted to push back a federally mandated study of the project for more than a year so that it can narrow its focus to a single idea.

The decision comes after residents in Tigard and Tualatin passed ballot initiatives earlier this year banning the cities from moving forward on projects without a public vote. King City voters passed a similar measure in 2012.

The Southwest Corridor Plan has been in the works for years. The Metro-led project calls for a series of transportation upgrades to the area in the next several years, including a plan to bring either a MAX light-rail line or Eugene-style rapid bus service to Portland, Tigard and Tualatin.

The committee was supposed to move ahead in June with an Environmental Impact Study — an intense, years-long look at how the line would impact everything from wildlife to the local economy — but pushed the decision in order to decide on which plan to move forward with: light rail or rapid bus service.

"It will save us significant local dollars by only studying the choice that we heard the people want to put in place," said Malu Wilkinson, principal regional planner at Metro. "It's a very costly process. There used to be federal funding for it, but there isn't anymore."

Narrowing down options

Commissioners agreed to take 18 months to look at transportation needs in each of the cities — Tigard, Tualatin, Sherwood, Durham, King City, Portland, Lake Oswego and Beaverton — to help it make a decision whether to study either light rail or rapid bus.

To do that, the project is switching gears.

The Southwest Corridor project is larger than a new transit line. The project calls for improvements across the cities, adding bike and walking paths, widening roads and improving the entire transit infrastructure.

Cities submitted a list of road and highway improvement projects early in the process, that it hoped to accomplish as part of the Southwest Corridor Plan.

Those plans were never funded, Wilkinson told The Times on Monday, and the committee has spent the past year focused almost entirely on the high-capacity transit side of the project.

"We have been more focused on narrowing down where it might go, rather than what it might be," Wilkinson said.

Over the next year-and-a-half, planners will see which of those road and highway projects can be funded and look at which high-capacity transit plan will work in the context of its transportation needs.

"Anyone who lives and works in the Southwest Corridor knows that one solution is not the answer," Wilkinson said. "It will take multiple solutions to begin addressing the challenges within our community."

The project essentially re-orders the entire Southwest Corridor project, putting a priority on fixing local transportation issues ahead of choosing between light rail or rapid bus service.

The committee will decide next spring on either light rail or rapid bus and move forward with planning its alignment, as well as its road, highway, bicycle and pedestrian improvements.

Then, and only then, will they begin the years-long environmental impact assessment.

“For a majority of the time (we have been studying this project), we weren’t even talking about high-capacity transit,” said Craig Dirksen, Metro councilor and former Tigard mayor. “We were talking about the transportation system as a whole. We identified a list of projects ... before we ever talked about high-capacity transit. The question now is how do we move forward and do those things, like road and highway improvements and enhance our local transit — things that need to be done first — before we can anticipate a high-capacity transit line.”

'We want to hear from people'

The Southwest Corridor project will undergo a major public relations campaign to spread the word to citizens about the project.

The project needs the public on board, since Tigard, Tualatin and King City will have to gain voter approval before the biggest portion of the project — a MAX light-rail or rapid-bus line — can ever see the light of day.

Planners will also do a corridor-wide assessment for how transportation investments might impact travel time, congestion and other factors across the region.

“How can you vote on a project if you don’t know what it is?” Wilkinson said. “We want to hear from people who live there, work there, the institutions and employers about how they get around and invest in the areas that make a difference to everybody. And use those places to focus the conversation on different transportation investments and high-capacity transit choices in each area.”

This isn’t the first time the steering committee has pushed back making a decision on which plan to study.

Last year, the committee decided not to choose between the two options, instead saying it would move ahead with both options simultaneously and decide later what the best transit option would be.

“Part of the reason for that was because the choice between which mode best served the needs of the people wasn’t ready to be made,” Wilkinson said. “We have really designed the next 18 months to get us to be ready to make that choice.”

Not everyone is pleased about the extension. Tim Esau, the chief petitioner for the Tigard ballot measure blocking the project, said planners were “grasping at straws” to keep the project alive following Tigard, Tualatin and King City’s ballot measures restricting the committee's power.

“It boggles my mind that they spent two-plus years planning and taking public comment, and now they need another 18 months to figure out what to submit?” he said. “How much will that cost us? That extra time that they spent trying to shove a rail system in could have been spent adding a third lane onto Highway 217 that actually serves some people. It seems so disingenuous for them to go on about ‘addressing the traffic needs of the future’ when they even can’t address traffic needs of today.”

The steering committee's next meeting is set for February.

Street fee vote delayed again - now it's Jan. 7, 2015

*By Jim Redden
December 10, 2014*

The City Council postponed the final vote on the proposed street fee again at its Wednesday hearing. Now the final vote is set for Jan. 7 of next year, two weeks after the previous date for the final vote, which had been Dec. 17.

Instead of holding a final vote next Wednesday, the council could consider even more amendments to the proposal, Mayor Charlie Hales announced at the beginning of the Dec. 10 hearing. Even if no more amendments are ready next Wednesday, the final vote will still be postponed, Hales said.

The Dec. 10 was held to accept an amendment to exempt home based businesses that gross less than \$50,000 a year from the non-residential portion of the fee. Non-home based businesses that gross less than \$50,000 would only be charged \$3 a year.

"No matter how you dress this up, it is still a pig," perennial witness Joe Walsh testified. "This is not ready for prime time."

The proposal by Hales and Commissioner Steve Novick includes a progressive personal income tax as the residential portion and a sliding scale for businesses, governments and nonprofit. It is intended to raise \$46 million a year for maintenance and safety projects. The amendment accepted Wednesday would reduce the residential portion an estimated \$2.2 million a year.

Hales and Novick are insisting the council not refer it to the ballot, and they are looking for a third vote that agrees. Opponents are screening professional signature collection firms to launch a referral drive.

If the council approves the proposal without referring it to the ballot, opponents would have 30 days to collect signatures from 20,897 registered Portland voters for each ordinance — a total of 41,794 valid signatures. If enough valid signatures are verified by election officials, the proposal will not take effect unless it is approved by the voters.

Willamette Week

Mayor Charlie Hales is Probably Not Going Undercover as a Homeless Man

"That was a topic discussed. And nothing more."

*By Aaron Mesh
December 12, 2014*

Portland Mayor Charlie Hales met for nearly three hours Tuesday with protesters against police violence. His office then released a written list of the "action items" Hales could start tackling as he continues to meet monthly with protesters for the next six months.

One of those action items stood out like a sore thumb: "Go undercover as a homeless person, 'Undercover Boss' style."

Could this actually happen? It would be a risky venture, particularly since Hales' dealings with the homeless have been notably fraught—including police sweeps of people living on sidewalks and under bridges.

Mayoral spokesman Dana Haynes says Undercover Hales is not a likely scenario.

"The list was a compilation of the topics discussed," Haynes says. "That was a topic discussed. And nothing more."

But Haynes did leave the window cracked open for the possibility.

"However, if we did take the 'undercover mayor' idea seriously, we probably wouldn't tell you," Haynes adds. "Because then it would be somewhat less 'undercover' than intended."

A matter not placed on Hales' list of action items after a nearly two-hour meeting with more than 50 protesters: ending the "48-hour rule" that allows cops to keep silent for two days after a shooting.

The Mercury

Hall Monitor

Yes. Let's Ditch the 48-Hour Rule.

*By Denis C. Theriault
December 10, 2014*

IT WAS HEALTHY to finally hear Portland city commissioners publicly, and stridently, question one of the most vexing elements in the police bureau's contract with its rank-and-file union: a generous rule giving cops who are under investigation two full days to get their stories straight before answering to internal affairs.

The commissioners' questions came in the middle of an uncomfortable December 3 hearing all about a consultant's latest report on how the Portland Police Bureau learns (or doesn't) from police shootings ["The Unexamined Life," News, Nov 26]. One of the consultant's most pointed recommendations—issued for the second time since 2012—was doing away with the 48-hour rule.

That protection is prized by the Portland Police Association (PPA), which worries that traumatized cops in deadly force cases might wind up the targets of politicized witch-hunts.

And the police bureau has tolerated it out of convenience. Because shootings are also investigated by detectives and prosecutors, the bureau shies away from ordering internal affairs statements to hedge against the chance those statements might leak over into the brewing criminal case. (Never mind that plenty of other agencies have figured out how not to let that contamination happen.)

But more convincingly, critics see the rule as a way for cops to concoct favorable accounts of troubling incidents—increasing the perception, fair or not, that the city's police discipline system is tilted against accountability and transparency.

"This 48-hour rule needs to be flushed out," Commissioner Dan Saltzman said sensibly before voting to accept the report on December 3. "I'd like to see that addressed head-on in our next contract negotiations."

Earlier in the hearing, Commissioner Nick Fish had engaged the bureau's detectives commander, George Burke, and its assistant chief of investigations, Donna Henderson, in a lawyerly exchange neither seemed to eager to join. Fish had heard Henderson lament that the clause was a problem—and put his finger on a telling disconnect.

"What's the bureau's view of the value of that clause?" Fish asked. "You can't have things in a contract unless two parties agree to it."

"I don't know what happened in those negotiations," Henderson answered.

That was before Burke tried blaming the Portland Bureau of Human Resources (BHR) and its labor negotiation team—never mind that several senior officers, including assistant chiefs, typically sit at the bargaining table shoulder to shoulder with BHR.

But as important as the discussion was, it comes far too late to make an immediate difference.

The city approved a four-year contract with the Portland Police Association last December that left the 48-hour clause intact—despite hearing criticisms from consultants and advocates for years, and despite a new police commissioner, Charlie Hales, who campaigned in 2012 on a promise to do away with it.

Moreover, the framing of the council's discussion on the 48-hour rule—focused on deadly force incidents—misses a larger point.

A close reading of the PPA's contract, section 61.2.1.3, makes clear that the 48-hour rule doesn't just apply to serious matters like shootings and in-custody deaths.

It applies each and every time a cop's facing punishment—over allegations of excessive force or improper use of a Taser or dishonesty or harassment—incidents that almost certainly wouldn't leave a cop too traumatized to remember what happened and when.

It also doesn't just apply to cops directly accused of misconduct. Cops who merely witnessed potential misconduct are afforded the same grace period under the contract.

In some ways—because shootings are so rare and because those other allegations are relatively more common—those investigations are perhaps more important to the credibility of the bureau.

But right now, whenever cops are accused of kicking someone one too many times... or zapping someone one too many times... or using racial slurs... on and on, those cops will have two days to get their stories straight.

New Police Chief, Promising a More Diverse Command Staff, Promotes Senior Black Officer

*By Denis C. Theriault
December 11, 2014*

Larry O'Dea, Portland's incoming police chief, has kept one of the quietly significant promises he made during his introductory press conference last month.

In a reshuffling meant to add some diversity to the chief's inner circle, the bureau announced today that O'Dea has created a fourth assistant chief post and will fill it with one of the bureau's most senior African American officers, Transit Division Commander Kevin Modica.

Modica, who'd been tapped by retiring Chief Mike Reese to lead community discussion ahead of the Ferguson grand jury verdict last month, will head up the bureau's brand new Community Services branch. O'Dea will hand it some of the divisions that glutted the bureau's Operations branch, which he'd run for years: Traffic, Transit, Youth Services, and—significantly—Tactical Operations.

Those divisions are notable because they control many of the bureau's specialty units, including the gang enforcement team. The gang team has had some of the most racially disparate stops and search data, according to numbers provided by the bureau earlier this year. Modica had been part of the tactical operations team earlier in his career, telling the public, after the shooting death of Keaton Otis in 2010, that he didn't think gang cops were profiling people based on what they looked like.

O'Dea says giving "Community Services" its own branch will give the bureau more opportunities to work on equity initiatives and outreach in mending ties with community members. That outreach is another of O'Dea's top goals. The bureau says the reorganization won't cost any additional money and will comport with a staffing study the bureau commissioned this year; its results are expected next year.

"Just as we moved ahead with Department of Justice (DOJ) recommendations prior to the settlement agreement being finalized, it's important that we adopt this reorganization that the staffing study will be recommending," O'Dea said in a prepared statement. "I can tell you from firsthand knowledge the workload in both the Operations Branch and the Services Branch is very heavy and doesn't allow for the necessary time to tackle additional initiatives such as community engagement."

O'Dea's also made clear that a new hire for the bureau, an equity and diversity manager, will report directly to the chief. O'Dea has told the Mercury that person—a candidate is going through background checks before being formally introduced—will start next year and have a free hand to intercede anywhere in the bureau they see fit.

Longtime Central Precinct Commander Bob Day, formerly in charge of the bureau's training division, will take over for O'Dea as assistant chief of Operations. Day will oversee the bureau's three precincts and its riot squads. O'Dea is retaining the bureau's two other current assistant chiefs: Donna Henderson, who's in charge of detectives and the drugs and vice squad, among other units; and Mike Crebs, who's in charge of training, internal affairs, and budget matters.

Other names moving around? Former spokesman Lieutenant Robert King will be promoted to the captain's job in East Precinct, under new Commander Dave Hendrie. Current East Commander Sara Westbrook will take over Day's post in Central—giving her a similar career trajectory to former chief Rosie Sizer and Reese. North Precinct Commander Mike Leloff, meanwhile, will take over for Modica in Transit. He'll be followed in North by current youth services Captain Chris Uehara.

For those keeping track, two of O'Dea's assistant chiefs are either a woman or a person of color—along with two of his three precinct commanders.

Read the bureau's full statement after the cut.

**INCOMING CHIEF O'DEA ANNOUNCES ORGANIZATIONAL AND COMMAND CHANGES
(PHOTO)**

News Release from Portland Police Bureau
Posted on FlashAlert: December 11th, 2014 2:06 PM
Downloadable file: Cmdr Day
Downloadable file: Cmdr Modica

Incoming Chief Larry O'Dea announced today organizational changes and personnel assignments for the Portland Police Bureau. Assistant Chief O'Dea will be appointed Chief of Police on January 2, 2015; these changes will be effective, January 8, 2015.

The Bureau currently has three branches: Operations, Investigations and Services. Under Chief O'Dea, the Bureau will add a fourth branch called Community Services. This branch will be responsible for: the Traffic Division; Transit Police Division; Youth Services Division; and Tactical Operations Division. Emergency Management will also be in this branch, under the direction of the Traffic Division. These divisions were previously part of the Operations Branch.

The Operations Branch will contain: the three precincts; Rapid Response Team; Critical Incident Command; and Crowd Control Incident Command.

"The most important reason for this change is to provide the senior leadership team the opportunity to oversee increased community engagement," said Chief O'Dea. "I discussed this priority when I was named Chief in October; it is vital that we increase our efforts in regard to community engagement. We must continue to build community relationships and trust. The value of these relationships is unmeasurable and critical as we move forward."

Adding a fourth branch will not cost any additional money and is fully supported by the staffing study that will be forthcoming in the first part of the year.

"Just as we moved ahead with Department of Justice (DOJ) recommendations prior to the settlement agreement being finalized, it's important that we adopt this reorganization that the staffing study will be recommending," said Chief O'Dea. "I can tell you from firsthand knowledge the workload in both the Operations Branch and the Services Branch is very heavy and doesn't allow for the necessary time to tackle additional initiatives such as community engagement."

Other changes include: The Department of Justice (DOJ) responsibilities and the new Equity/Diversity Manager will be direct reports to Chief O'Dea. The Information Technology Division will move from the Services Branch to the Investigations Branch.

Chief O'Dea also announced personnel assignments for the senior leadership team.

"I made these decisions after thoughtful consideration, and they were based on these individuals' ability to engage the community," Chief O'Dea said.

Commander Kevin Modica, currently assigned to the Transit Division, will be promoted to Assistant Chief, Community Services Branch.

Commander Bob Day, currently assigned to Central Precinct, will be promoted to Assistant Chief, Operations Branch.

Assistant Chief Donna Henderson will remain as Investigations Branch Assistant Chief.

Assistant Chief Mike Crebs will remain as Services Branch Assistant Chief.

Commander Mike Leloff, currently assigned to North Precinct, will move to the Transit Police Division.

Commander Sara Westbrook, currently assigned to East Precinct, will move to Central Precinct.

Captain Dave Hendrie, currently assigned to the Tactical Operations Division, will be promoted to Commander of East Precinct.

Captain Chris Uehara, currently assigned to Youth Services Division, will be promoted to Commander of North Precinct.

Lt. Tom Hunt, currently assigned to North Precinct, will be promoted to Captain and assigned to Central Precinct.

Lt. Robert King, currently assigned to East Precinct, will be promoted to Captain and remain at East Precinct.

Lt. Matt Wagenknecht, currently assigned to Central Precinct, will be promoted to Captain, and assigned to the Tactical Operations Division.

Lt. John Scruggs, currently assigned to the Chief's Office, will be promoted to Captain and assigned to the Youth Services Division.

Lt. Vince Elmore, currently assigned to the Records Division, will be promoted to Captain and remain in the Records Division.

Council Holds Long Talk on Police Body Cameras—But Won't Vote to Seek Bids Until January

*By Denis C. Theriault
December 10, 2014*

Mayor Charlie Hales is putting his pursuit of body-mounted cameras for Portland police officers on pause until January—after a lengthy public hearing this afternoon where city commissioners joined advocates in raising questions about how the cameras will be regulated, whether state privacy laws might change, and how any footage might be used.

That decision means a final vote to seek bids from camera-system vendors—a step well short of actually signing a contract to purchase and deploy cameras—won't come until January 7 at the earliest. Hales made the decision just after 2 pm—following a lunch break that came after nearly two hours of discussion on an item that was only scheduled to take up 30 minutes.

"It isn't a threshold decision of 'yes, we're buying it,'" Hales said earlier in the discussion. "It's the right thing to do, to find out what the equipment costs and who would supply what, while we're having the community conversation on policy and the legislative conversation on privacy."

That distinction wasn't persuasive for some who spoke, however. And it might have been blurred by some by the inclusion, in city documents on the council agenda, of cost figures for the new camera systems. Upfront costs, the cops estimate, could reach \$1 million, with ongoing costs hitting \$750,000 a year. (The bureau has \$830,000 or so set aside to offset upfront costs.)

Commissioner Dan Saltzman was worked up enough to press Hales for a "commitment" that no money would be allocated until all policy issues are satisfactorily resolved. Commissioner Amanda Fritz also wanted assurances that a "public process" would be set up to handle concerns.

"You have my commitment," Hales promised. "And you have right to vote on a contract when there is one."

The questions raised are complicated—and there are several of them.

Will cops record all the time? (Unknown—although the bureau seems to be leaning toward more recording than less.) What about when interviewing sexual assault victims or minors or when visiting hospitals? (A policy to-be-determined would likely rule those uses out.) Can officers face discipline if they "edit on the fly," turning the cameras on and off without consequence? (Unknown.) Accountability advocate JoAnn Hardesty cited a recent review of five cities' use of cameras that found cameras not recording in 60 percent of use of force incidents.

How long will footage linger? (Unknown.) Can it be used as evidence in court? (Yes.) Will it be used in police misconduct complaints? (Yes... that's a lot of the point.) What if the footage is leaked? (The bureau says footage can be "locked down" so only certain officers can view it—with audits available showing who watched the footage and when.)

And then there are questions for the Legislature, which must tweak Oregon's eavesdropping laws to offer an exemption for body-mounted cameras. A similar exemption had previously been made for the bureau's car-mounted cameras. The city's also going to ask the Legislature to address camera footage in the state's public record laws to keep the footage from being shared as widely as 911 audio currently is.

Saltzman, in particular, seemed worried the council wouldn't get everything it wanted from the Legislature, imbuing the Oregon Newspapers Association with the lobbying might to possibly thwart the city's goal.

"It does seem we're putting the cart before the horse," Saltzman said. "I can envision very horrendous footage of officers involved in shootings and officers being shot. And is that stuff going to be public? We don't even know if we'll have the privacy protections that all of us agree should be in place?"

"We're putting out" a request for bids, replied Lieutenant John Scruggs, the bureau's point person for the cameras. "We're not asking to buy. We can say we're not initiating a contract absent those provisions."

Scruggs also pointed out that the bureau can craft policies for privacy that go beyond what the Legislature might enact, while also suggesting the bureau would like to hold "public forums."

"We can be more restrictive," he said. "And I'm guessing our policy probably would be."

The American Civil Liberties Union of Oregon is tentatively interested in seeing body cameras handed out to officers, but not formally in support yet, submitting written remarks (pdf) that make clear the group is making a bit of an exception for a new surveillance program.

While the ACLU generally takes a dim view of the proliferation of surveillance in our society, we also believe that body cameras may be different. With—and only with—policies that protect privacy, body cameras have the potential to be useful tools to hold police accountable for misconduct, the improper use of force and other abuses of power.

Scruggs, when he was briefing commissioners before the public spoke, made clear something else without being asked. Cameras aren't a panacea for restoring faith in the police bureau for those who've lost it, or never even had it in the first place. They're just one more tool, providing an unfiltered account of an interaction—assuming they're used correctly and transparently. (Discipline and civilian oversight and good investigations being some other things that would help restore faith for activists.)

"This is one way to help close the gap in community trust," he said.

Hardesty, in her remarks, made the same point, but much more strongly. She said a group calling itself Right to the City Coalition had prepared a long list of community demands for policies meant to guide how cameras would be used. The demands call for having an independent agency serve as custodian of the footage, deciding how it's used and making the footage public. (The list also includes some general accountability demands, like doing away with the 48-hour rule and dropping the city's appeal of a federal judge's order for annual court updates of the city's federal police reform deal.)

"It can't be just a police thing," Hardesty says. "They get to decide when to use it. They get to decide when to disclose it. They get to decide if anything's wrong."

A Two-Front War

Uber's Portland Invasion Comes Just Before City's Scheduled Duel with Airbnb

*By Denis C. Theriault
December 10, 2014*

PORTLAND'S BREWING BATTLE against the hubris of the so-called "sharing" economy—in which companies like Uber and Airbnb cash in by helping purportedly plain folks give rides or rent out empty bedrooms—had long been a low-key, diplomatic affair.

Ride-sharing enfant terrible Uber had surrounded the city with a ring of service in the suburbs, licking its chops—while city officials vainly tried to hold them off with promises to rework the city's Byzantine taxi rules so the service could move in legally.

Meanwhile, officials had taken a softer touch with Airbnb, which set up a large office in Portland's Old Town. The short-term rental hub spent months this year working with Mayor Charlie Hales' office and planners on code changes meant to legitimize its hundreds of gray-market listings. Airbnb also managed to avoid any meaningful consequences if its hosts ignored the new rules by refusing to obtain permits ["Scare 'Em Straight!" News, Oct 29].

But the time for talking has apparently ended. And Portland's suddenly found itself in what might be an expensive two-front war.

The Oregonian broke what became national news a bit before 5 pm on Friday, December 5: Uber would be bringing its controversial service to town that very night—without permission and without apology.

Then, just as unapologetically on Monday, December 8, Portland officials led by Hales and Transportation Commissioner Steve Novick announced they'd filed not only a lawsuit against Uber (a company valued at \$40 billion)—but also an order that it cease and desist its operations in Portland.

"Our main concern is public health and safety," Hales said in a statement that accompanied news of the city's legal filings. "Beyond that, though, is the issue of fairness. Taxicab companies follow rules on public health and safety. So do hotels and restaurants and construction companies and scores of other service providers. Because everyone agrees: Good regulations make for a safer community. Uber disagrees, so we're seeking a court injunction."

Meanwhile, on Wednesday, December 10, city council might finally pick a fight with Airbnb and other short-term rental sites over what's become a proliferation of unpermitted listings—and potentially unpaid tax revenue.

An ordinance pushed hardest by Commissioner Nick Fish, backed by the city's revenue division, demands that listings sites do things like turn over hosts' addresses and contact information to the city. The ordinance also threatens fines for sites like Airbnb if they post Portland-based listings without also including a permit number.

Both Fish and the city's revenue director, Thomas Lannom, previewed their interest in those changes during a council hearing last month. Right now, the only way the city might know if an Airbnb host isn't following rules is if someone complains.

"Without your service," Fish told a spokesperson for Airbnb during a slightly awkward exchange, "many of the hosts cannot advertise. You regulate hosts' activity. You screen people. You encourage ratings. And you collect a fee for it.

"You may be in the best position to help us enforce a reasonable requirement that people get a permit."

An Airbnb spokesperson, asked whether the company might challenge any of the proposed restrictions, issued a genial statement that raised privacy concerns and urged city leaders to try living with the current rules before making changes.

"The city spent more than a year developing innovative home-sharing legislation, and we encourage policymakers to give it a chance to work. We are committed to working together with local leaders to increase education and strengthen the legislation, but Portland deserves a deliberate process and rules that protect Portlanders' privacy."

The Airbnb fight, however, is taking a backseat—pun totally intended—to the newly flared conflict over Uber.

Uber has responded to the city's legal fusillade with an online petition framing its service as a 21st century libertarian replacement for Portland's antiquated, union-dominated taxi market. Just before the company's launch, 40 business leaders sent a letter to city council demanding a red carpet.

"Uber has received a tremendously warm welcome from riders and drivers in and around Portland," reads a bland statement sent to the Mercury late Monday—touting the incredible statistic that some 7,000 people had signed their petition in four hours. "We appreciate the way residents have welcomed Uber into the Rose City.... And we remain hopeful that the city will listen to Portlanders who want safe, reliable, hassle-free ride options now."

Uber is famed for capturing the fancy of wealthy enclaves like San Francisco and Manhattan. Would-be passengers—all of whom must have smartphones and bank or credit card numbers—use the company's app to book rides with waiting drivers. Portland's getting the company's lower-class UberX service, in which vetted drivers use their personal cars to pick up passengers.

The service, at first blush, oozes efficiency—which is an interesting selling point in Portland, in light of a study earlier this year that found taxi service lagging far behind demand during peak weekend hours.

But Uber's also been beset by criticism. Novick has pointed out that Uber drivers, unlike regulated cabbies, may not have to accommodate passengers with wheelchairs. The service also cuts out anyone who might not have a credit card or smartphone.

Uber says it does background checks, but in the midst of its rollout in Portland, news broke in India that a driver had been accused of raping a female passenger. Its prices also surge during peak hours, which

can sometimes surprise passengers—and defies a tightly controlled taxi market like Portland's. Uber's drivers are contractors.

And the company has battled PR issues—like when it bragged, online, about keeping a dossier on who rides where. Or when one of its senior executives suggested (in remarks he thought were off the record) digging up dirt on reporters who'd been dogging the company over its missteps.

This isn't the first time Uber's barged into a market in which riders seemed ready even if regulators weren't. In some cities, Uber's been willing to dip into its reserves to pay for drivers' fines.

But an injunction order, like the one sought by Portland, forced the company to suspend operations in Nevada last month.

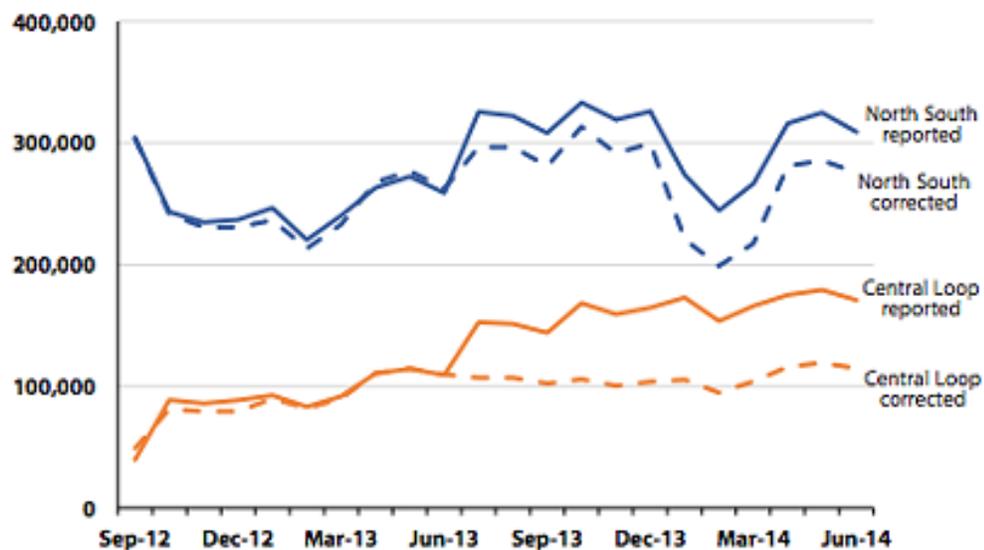
"This is not about whether we should have a thoughtful conversation about changing taxi regulations—we're up for that," Novick told the New York Times over the weekend. "This is about one company thinking it is above the law."

New Portland Streetcar Audit Questions Punctuality, Frequency, Ridership

By Denis C. Theriault
December 11, 2014

The city auditor's office popped the Portland Bureau of Transportation with a stinging right-hand jab back in April, releasing a report that questioned PBOT's management of, and spending on, the Portland Streetcar. This morning, the auditor's office finally followed that bracing right with a solid left hook.

Figure 5 Monthly Portland Streetcar ridership reported compared to corrected estimates (unaudited)



Source: Portland Streetcar Inc. ridership reported and corrected estimates based on quarterly TriMet data.

In its long-promised followup to its first streetcar audit, the auditor's office's found PBOT has been overstating or falling short on some of the bedrock performance measures of the city's expanding streetcar system—namely that streetcars arrive late more often than the city says, that streetcars in some cases run almost half as frequently as the city demands, and that ridership is slightly lower than what the city says.

The audit says PBOT was "unaware" of its responsibility to report ridership updates to the city council starting after 2004—part of a promise that officials would increase streetcar ridership in exchange for

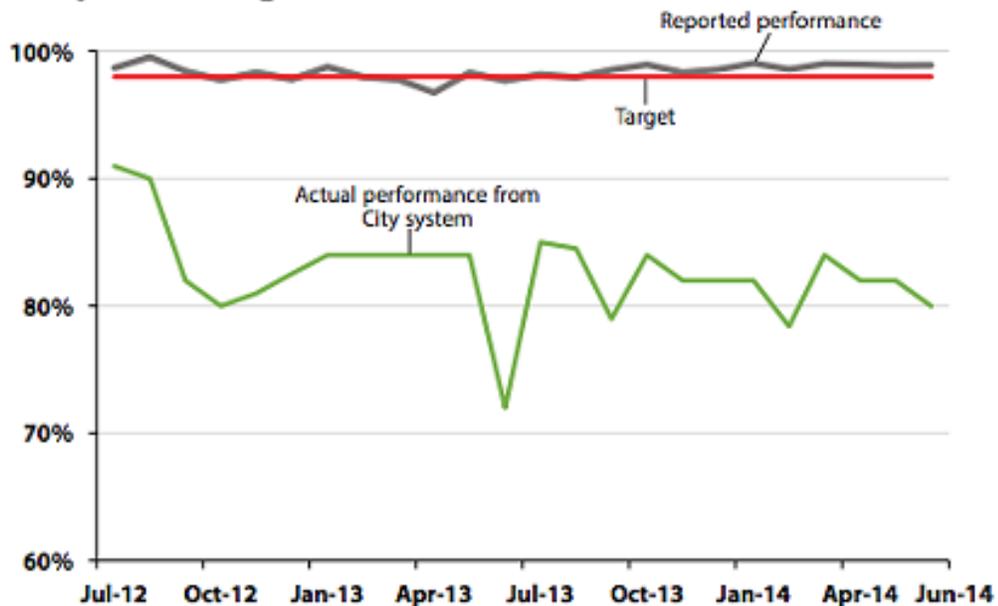
\$300,000 in parking revenues that could fund other transportation needs. (Overall, the streetcar costs PBOT \$4 million a year, about 5 percent of its budget.)

The audit also takes aim at the streetcar as an engine for economic development, arguing hardly any "causal" data has been produced linking the streetcar with growth that wouldn't have happened otherwise.

Taken together, the audit's findings make for an ill-timed deluge of bad headlines about PBOT right when it's trying to win council approval for a \$43.8 million "Portland Street Fund" that would raise new revenue for maintenance and safety improvements. The auditor's office hit PBOT with a similarly scathing two-parter nearly two years ago, releasing one audit on PBOT's budget (which is set by city council, let's not forget) and another on its proportionally reduced spending on paving—which has become a talking point in the street fee fight.

"We found PBOT did not systematically report on and manage to the city's three stated goals for safe, reliable and cost-effective transit services," the new streetcar audit says. Here's one of the three most interesting charts, showing the difference in reported ridership vs. real ridership. The audit questions the effectiveness of having people do fare surveys that lack teeth vs. real enforcement.

Figure 6 On time performance of Portland Streetcar system compared to target



Source: Audit Services Division comparison of performance reports and City information system against performance target.

The next chart points out that the city's reported stats on the streetcar's on-time performance dramatically exaggerate real performance, as measured with trip tracker data. The audit also points out that current policy on punctuality means a streetcar can show up five minutes late and still be considered "on time."

Finally, the audit notes that the system's goal of 10-minute frequencies, important for a slow system like a streetcar, was never ever met according to data current as of the middle of this year.

The Portland Observer

Housing Crisis

Faith leaders tackle gentrification with Mayor and Housing Bureau

By Olivia Olivia
December 10, 2014

More and more black families are having trouble keeping homes they already own and families that dream of buying a home are finding it almost impossible to find places within the city limits that fit their budgets.

The dual messages were delivered to housing officials by a community of interfaith leaders from the African-American community who met with Mayor Charlie Hales and the Housing Bureau on Thursday to discuss the increasing scarcity of affordable housing in the city.

The meeting was officiated by Bishop Steven Holt of the International Fellowship Family, an interfaith community that seeks to address social justice issues. Hales and his staff attended, along with members of the Housing Bureau.

The issue of how to make the city more viable for black families was the peak discussion of the night.

Karl Dinkelspiel of the Housing Bureau spoke to the group about what possibilities were available. In specific, he addressed the \$20 million in Tax Increment Financing that Hales and Housing Commissioner Dan Saltzman have proposed be set aside to support affordable housing after last year's failed attempt to build a Trader Joe's in northeast Portland.

The development at Northeast Martin Luther King Jr. Boulevard and Alberta Street was backed by the Portland Development Commission, but ran into opposition by a public with memories of a long and often painful history of displacement that has followed many of Portland's past urban renewal efforts, the impacts of which have been felt most deeply among African American property owners, renters, and businesses. To many in the community, the proposed development in the heart of a historically black neighborhood was perceived as an attack.

Thursday night was a chance for community leaders to hear the results from past efforts to bring affordable housing to the city and to speak on the desires of the African-American community.

Common themes were the high price of housing, closing costs, a lack of appropriately sized homes at affordable prices, tight lending practices, high interest rates and anti-black discrimination in lending in general.

Many faith leaders expressed that their congregation members were losing homes because they could not afford to repair them, along with the rising costs of owning property due to property taxes. The cry of the night was that it was nearly impossible for black families to pass on wealth and property to the next generation, because it was so difficult to keep homes.

Hales did acknowledge that gentrification and racism have been rampant in the city but also admitted that he had no easy solution, even with the money for housing initiatives, and that this was reason for the meeting, to discuss ideas and set priorities.