

The Oregonian

After claiming Portland got good deal, city now set to save big with new parking meter contract

*By Brad Schmidt
December 17, 2014*

Update: This story has been updated with new information provided by the city on Wednesday.

Portland city leaders insisted they were getting a good deal buying parking meters.

Not good enough, it turns out.

A new contract in the works for Cale-brand parking meters could save the Portland Bureau of Transportation a couple of million dollars if it buys 1,000 new meters in coming years.

That's because Commissioner Steve Novick opened a new competitive process after grudgingly canceling the city's scandal-tainted meter deal last year when it was highlighted in The Oregonian.

Details are still being worked out, but the new meters would cost \$4,995 each, said Jen Clodius, a spokeswoman for Portland's Office of Management & Finance. That's down from the \$7,650 cost the city paid for most of its existing meters.

Upgrades and other factors could increase the price of the new meters, officials said, so it may not end up being a full 35 percent discount. But it will be substantial.

"It does appear that it was a very, very good thing that we did another competitive bid," Novick wrote in an email to The Oregonian.

The new deal is the latest twist in Portland's decade-long drama over Cale's high-tech parking kiosks.

Allegations of impropriety arose in 2004, reached a crescendo when FBI agents raided the office of Portland parking manager Ellis K. McCoy in 2011, and now may be coming to a close with McCoy's scheduled sentencing in May and the new city contract.

The City Council is tentatively set to consider the contract Jan. 7.

The exact terms are unclear because officials declined to release drafts, saying final details are still being ironed out. Officials said the proposed software agreement and the monthly per-meter service charges Portland would remain the same.

Even with upgrades or added service costs, Portland would pay less. For the majority of Portland's 1,300-plus meters, the city has paid \$7,650 per meter, which includes \$500 worth of upgrades for a lock and four-line digital display.

The new \$4,995 price includes both add-on features.

For years, Portland officials maintained they were getting an unbeatable deal for Cale machines.

In 2004, at the urging of McCoy, Portland awarded a contract to Cale Parking Systems USA Inc. for a pilot project in the Lloyd District. The Florida-based distributor of Cale machines eventually won a \$1.6 million competitive contract for more meters. In 2010, McCoy persuaded the City Council to increase the contract with Cale up to \$20 million.

A competitor, Parkeon, complained in April 2010 that the city "could realize substantial savings" if it sought competitive bids because of price drops in the meter industry.

But no one listened.

Even after federal prosecutors in August 2011 charged McCoy with accepting nearly \$165,000 in bribes from two unnamed meter executives, city officials held fast.

"We think we're getting a good deal," Tom Miller, then the Transportation Bureau director, said in 2012.

"Just because your guy was bribed doesn't mean you got a lousy deal," Novick said in August 2013.

Two days after The Oregonian reported Novick's plan to buy more meters from Cale, he backtracked and said Portland would launch competitive bidding. "We shouldn't go on purchasing meters under a contract that's under this cloud," he said.

Cale officials went on a public-relations offensive, emphasizing that the Florida executive implicated in the bribe scandal had been forced out. A new subsidiary, Cale America, would compete for Portland's business, offering the same high-quality machines without the baggage.

City officials still stand by the earlier purchases. The old machines "were a good deal for that time," Clodius, the city spokeswoman, said in an email. "As in all products and services, prices change over time."

Portland quietly posted a public notice Nov. 13 that it intended to contract with Cale America over four other companies.

The contract would allow Portland to buy up to 1,000 meters over five years. Beginning in March, transportation officials plan to install about 300 meters around bustling Northwest 21st and 23rd avenues. They've also talked about installing 100 machines on the Central Eastside.

A Cale official wouldn't comment on the negotiations but said technological advances are a factor in the lower costs.

"We're very pleased to have Portland as our customers," said Edward Olender, president of Cale America. "It proves again, in a competitive bid, we provided a good product to them at a good price."

Given the amount of savings, Novick said it's reasonable to ask what city officials knew about costs and when. He plans to talk with transportation officials "as soon as feasible."

"I certainly did not know that prices were on a fast track downward last year when we were debating whether to proceed under the old contract," he said in his email.

Independent Police Review's report on hip-hop: Read the division's recommendations for the Portland Police Bureau

*By Casey Parks
December 17, 2014*

Portland's Independent Police Review division issued a 27-page report Wednesday analyzing the relationship between police and hip-hop artists. The division spent nine months talking to police, rappers and club promoters.

The report stopped short of saying any person is in the wrong, but the division did issue five recommendations to better the relationship between the two communities.

The Oregonian published a story analyzing the report this morning. Here's a closer look at each of the suggestions.

Recommendation 1: The City should make available to late night entertainment venues and promoters a comprehensive checklist of its expectations.

"The absence of an overarching regulatory structure or guidance for late night entertainment has led to a concern from some community members that implementation is arbitrary, lacking in consistency and contributing to an environment where some establishments can be subject to multiple visits from different regulatory agencies in one night while others can go for years without contact."

Recommendation 2: Portland Police Bureau should develop Standard Operating Procedures that provide guidance to PPB members on how they will conduct bar checks / walk-throughs of late night entertainment venues.

"Unfortunately, we found no written policies or procedures that provided guidance to officers of what PPB's official policy was on the matter. The creation of Standard Operating Procedures could provide a mechanism for PPB to explain to the public as well as to its members of why and how it conducts walk-throughs."

Recommendation 3: PPB should track walk-throughs of late night entertainment venues in a format that would allow it to regularly report such information to the public.

"Currently members of the public do not have much access to a wider context of where, why and how often PPB units conducts walk-throughs of bars, nightclubs and even spaces. PPB's lack of transparency in this regard allows individual incidents to be magnified because concerned members of the public do not have knowledge of the wider context."

Recommendation 4: The city should engage in a long term dialogue with members of the hip-hop community. Dialogue should include all city agencies that have a role in regulating late night activities.

"Sgt. Pete Simpson discussed his belief that better dialogue could resolve some of the issues between police and the hip-hop community: '99 percent of this can be resolved by having a conversation. You're a businessman. You want to make money, right, you want to sell records. You want to rent venues. We have no stake in that. We want you to succeed. We just want it to be done safely.'"

Recommendation 5: The Fire Bureau should provide to the public on a regular basis a report that lists all businesses inspected during its night inspection program.

"There is very little information publicly available about the venues that the fire inspector visits. One tangible way of increasing the public's confidence would be to make publicly available on a regular basis, a list of the locations visited by the fire inspector during the reporting period."

Reporting inflated streetcar ridership dubbed 'unnecessary,' city tells auditor: Portland City Hall Roundup

*By Brad Schmidt
December 17, 2014*

A Portland transportation official told city auditors it was "unnecessary" to highlight Portland Streetcar's inflated ridership numbers in a new report, according to documents obtained under the state's public records law.

City auditors reported Dec. 11 that estimated streetcar ridership last fiscal year was 4.5 million, about 1.1 million fewer rides than the 5.6 million originally reported by Portland Streetcar Inc.

Officials overstated ridership by 19 percent.

TriMet uncovered the mistake in response to questions from auditors. Portland Streetcar provided accurate streetcar ridership to auditors Dec. 3.

In response, auditors revised their draft report to highlight the discrepancies, adding a chart to show the gap between reported and actual ridership.

But when a new version of the audit was shared with the Portland Bureau of Transportation before publication, to ensure its accuracy, the city's streetcar manager, Kathryn Levine, complained.

Levine argued that officials provided the revised figures to ensure that readers of the audit had accurate ridership data. TriMet, she wrote, had "acted with integrity after finding an error" and worked to correct the numbers.

"This late addition of a new section to the audit appears unnecessary, particularly as the information has no impact on the audit recommendations," Levine wrote in a Dec. 5 email obtained by The Oregonian.

"I am disappointed by the text and a graph ... that appears designed to highlight a mistake rather than recognize the agency for taking corrective action."

An auditor responded by telling Levine they had an obligation to highlight the discrepancy.

While auditors originally found some minor problems with ridership numbers, which they planned to note in a methodology section of the audit, the new numbers needed to be called out more clearly, auditors wrote.

The "corrected data recently provided by TriMet resulted in an error effect which we could not ignore," Tenzin Choephel, a senior management auditor, wrote in response. "Nineteen percent is a significant difference for a measure that was already described in the scope of the audit and a fiscal year which was clearly within our audit period."

While the overall audit recommendations didn't change, Choephel concluded, "we consider the ridership error as another example of questionable Portland Streetcar performance results."

Had auditors not publicly called attention to the inflated ridership, would Portland Streetcar or the Bureau of Transportation highlighted the problems?

Dan Bower, executive director for Portland Streetcar, told The Oregonian on Tuesday that he initially scrambled to get correct ridership information to the nonprofit's board of directors and posted online.

"My intention was, and still is, to post an explanation on our website and share that through social media just as we would with any other ridership information," Bower said in an email to The Oregonian.

While Bower didn't complain to auditors about their decision to spotlight the ridership mistakes, he did express displeasure about how the audit would ultimately report on-time performance.

In a Sept. 15 email, also obtained through a public records request, Bower told Choephel that he didn't agree with how the figures were represented graphically.

Portland Streetcar sets an on-time performance target of 98 percent and reported that those goals were being met. But the audit found streetcars are on schedule 82 percent of the time.

Bower suggested that monthly performance should be graphed on a chart from 0 percent to 100 percent, rather than 60 percent to 100 percent, as auditors had done.

Starting that scale at 60 percent "overemphasizes the difference between reported performance and actual," Bower wrote in his Sept. 15 email.

"It's far enough apart that it doesn't need to be further distorted by scale."

Portland Street Fund: More changes coming; Steve Novick considering ditching income tax

*By Andrew Theen
December 17, 2014*

UPDATED: This story was updated with reaction from the Portland Business Alliance

Portland Commissioner Steve Novick said the city is considering more changes to a proposed personal income tax for road repairs and safety projects, including scrapping the "compromise" version of the tax and returning to a controversial option tabled earlier this year.

"We have a choice to make," Novick said Wednesday at a City Council meeting.

The commissioner said the Transportation Bureau, which he oversees, is considering returning to a so-called user fee proposal ditched in June after public outcry, or submitting another version of the progressive income tax.

"We have not, at this point, resolved which direction we are going to go," Novick said.

Wednesday's announcement means a final vote on the Portland Street Fund was delayed again. It's now set for Jan. 14. The City Council is considering a rare evening meeting on or around Jan. 7 for public comment.

The development marks the latest twist in the street funding saga that Novick and Mayor Charlie Hales started in February with a series of town halls.

In May, they presented a \$53 million plan that included a fee on businesses based on the number of trips generated to their doors. They pulled that plan in the face of public criticism about a lack of equity for low-income residents and small businesses.

In November, Hales and Novick debuted a new proposal that would raise \$46 million a year through a progressive income tax on residents -- capped at \$900 a year for the wealthiest Portlanders -- and a fee on businesses based on square footage, revenue and employees.

But the same powerful forces that torpedoed the May proposal came out against the new plan. The Portland Business Alliance, saying it couldn't support a progressive income tax, vowed to send the proposal to voters.

Novick said the latest plan was a "compromise" that he hoped some would embrace and others would accept. City officials hoped, Novick said, an income tax would allay PBA concerns and satisfy Portlanders concerned about equity.

Under the new plan, the 45 percent of Portlanders on the low end of the income scale wouldn't pay anything.

But while advocates of low-income residents gave support, the PBA didn't. Novick said Wednesday that the PBA and its allies "would rather burn the city to the ground" than approve anything resembling a progressive income tax.

Sandra McDonough, PBA president and CEO, said she's "puzzled" by the latest news out of City Hall. "We haven't been throwing flames," McDonough said in reaction to Novick's comments, "we've been trying to sit at the table." She said the chamber was never alone in its criticism of the income tax.

The City Council held a public hearing on the new plan and modified it to limit the impact on home-based businesses. Novick said the city is done changing the business portion.

A final plan should be publicly available Dec. 31.

Future of Mount Tabor reservoirs on hold while activists fight on every front

*By Andrew Theen
December 17, 2014*

CORRECTION APPENDED

Few Portland landmarks are more beloved than the three stately reservoirs that grace the flanks of Mount Tabor.

Even on a frigid December afternoon, runners, dog walkers and bird watchers stream past their massive concrete walls and wrought-iron fences.

"It brings a piece of the Cascade Mountains to the city," Amber Ackerson, with her Blue Heeler mix Antwan, said of the migratory birds drawn to the shimmering pools.

But the public's love of the historic reservoirs has led to a roiling dispute.

Portland officials, by complying with a federal order to cover, treat or disconnect the open-air reservoirs from the city's drinking-water system, have come under attack.

A group with the deceptively placid name Friends of the Reservoirs insists that Portland officials bowed to federal demands meekly and prematurely. Members have made it a mission to disrupt city efforts to find new uses for the reservoirs.

So far, with the clock ticking toward a December 2015 deadline to take the reservoirs offline, they're succeeding.

The activists are making their case on Facebook, their friendsofreservoirs.org website and in lengthy comments and accusations submitted to city officials and others.

And in a battle now raging for 12 years, new faces are joining the fight, too.

At a public meeting in November, dozens challenged officials so vociferously that Commissioner Amanda Fritz, who oversees the Parks Bureau, called off a follow-up meeting where she planned to announce recommendations. A land-use application related to disconnecting the reservoirs is in limbo, too.

City officials say activists are only delaying the inevitable. But for now, "it's all just on hold," Fritz said recently.

The answer is no

The city began building the reservoirs in 1894 in what's now 291-acre Mount Tabor Park in Southeast Portland. The tanks are part of an innovative gravity-fed water system that funnels drinking water to some 900,000 Oregonians from the Bull Run watershed in the Mount Hood National Forest east of Portland.

The Bull Run is different from other municipal water sources. The water is unfiltered and far from city pollutants.

In 2006, after years of rule-making, federal officials ordered cities to cover or treat open water supplies for cryptosporidium – a parasite best known for killing at least 69 and sickening more than 400,000 in 1993 in Milwaukee, Wisconsin.

Portland officials say they fought the U.S. Environmental Protection Agency's so-called "LT2" rule for years. They argued that Bull Run water was pure and not as susceptible to cryptosporidium because of its remote location, and that Portland hadn't detected the parasite since 2002.

Officials filed a federal lawsuit and appealed to the EPA and the Oregon Health Authority for an exemption.

Again and again, the answer was no.

The city did win a one-of-a-kind reprieve from having to build a treatment plant at the Bull Run headwaters – even after detecting scant evidence of cryptosporidium two years ago -- as long as continued tests come up clean.

Still, the city had to move forward with plans to replace the reservoirs or risk fines. In 2012, the City Council agreed to build underground tanks at Powell Butte and Kelly Butte. Powell Butte's 50 million-gallon tank is in service, and construction at Kelly Butte is set to be finished next year. Estimated cost of the projects is \$193.4 million.

Fritz is well aware that activists and some neighbors are "very angry" with her and Commissioner Nick Fish, who oversees the city Water Bureau. But the city must comply, she said.

"It doesn't matter how long they yell at us, or how many times they yell at us, that's what happened."

"Flawed from the start"

Floy Jones, one of the founders the Friends of Reservoirs and a longtime critic of the city's LT2 compliance, doesn't buy that.

She and other opponents showed up at a Nov. 19 meeting at Southeast Portland's Warner Pacific College.

The meeting was set to collect feedback on options. But activists came with large signs decrying city compliance, and pages of accusations charging officials with everything from violating bidding rules to ignoring the threat of radon in underground tanks.

Jones railed against the EPA rule, calling it "flawed from the start." She accused city officials of undermining their own effort to win a waiver.

At the meeting's midpoint, activists started chanting, "Don't disconnect! Don't disconnect!"

"Some people have very strong feelings about the reservoir," Fish said later, expressing disappointment, "but we also have to adhere to some basic rules of civility."

He and Fritz later wrote a point-by-point rebuttal, mostly telling the group their information was wrong. They noted that failing to comply would expose the city to fines of as much as \$75,000 a day.

By then, opponents had opened a new front.

Because the reservoirs are listed on the National Register of Historic Places, the city's volunteer Historic Landmarks Commission must sign off on work needed to disconnect the reservoirs. Plans calls for cutting 12 trees and burying hundreds of feet of 48-inch pipe to divert Bull Run water.

Any decision can be appealed back to the full City Council and, beyond that, to the state Land Use Board of Appeals.

Fritz, saying she and Fish need to stay neutral until after that appeal, put recommendations for the reservoirs' future back on the shelf.

The options

Options for the reservoirs are:

1. Keep the reservoirs filled, and periodically flush and clean them at an annual cost of \$90,000 a year.
2. Drain them and let them sit empty.
3. Turn them into something else – most likely at a significant cost. Members of the public have suggested such things as skate parks or giant swimming holes.

So far, the city has no money budgeted for any option.

Fritz said she's leaning toward keeping water in the reservoirs – and said the city could reconnect them to the drinking water system if the EPA drops the LT2 rule after a 2016 review.

"The ship has sailed," she said at the November public meeting, "but more importantly, the ship can come back."

Foes have picked a fight on this front, too, saying they don't trust the Water Bureau with upkeep.

"A responsible city agency would be saying, 'Of course we're going to keep water in them, of course we're going to maintain them,'" said John Laursen, an active member of the Mount Tabor Neighborhood Association.

But Laursen said the city has given the neighborhood no reason to trust that it will follow through. "The Water Bureau should stand up and say, 'We are making a commitment, a binding decision. It's a historic resource; we own it.'"

City officials haven't helped by being evasive about which bureau – Water or Parks – would be responsible for maintenance work and costs. At a meeting this month, Water Bureau engineers said it's up to the City Council.

What's next

The Historic Landmarks Commission this month asked Water Bureau staff for more information. City officials expect a decision in January – and a City Council hearing on an expected appeal in March or April.

Engineers say that would still give the city time to disconnect the reservoirs by the Dec. 31, 2015, deadline.

Fritz said she won't offer recommendations on the reservoirs until after the City Council weighs in.

The next battle could be on the west side.

Portland must replace a 16.4 million gallon reservoir at Washington Park with a covered tank. The other reservoir, Reservoir 4, will be converted into a stormwater overflow site. That project, costing \$76.3 million, is expected to begin in 2016 and wrap up by December 2020.

CORRECTION: A previous version of this story said Portland must replace a \$16.4 million reservoir at Washington Park. That was an error. The reservoir is 16.4 million gallons. The Oregonian regrets the error.

From Bull Run to Mount Tabor: The history of Portland's open reservoirs (timeline)

*By Andrew Theen
December 17, 2014*

Portland's three reservoirs at Mount Tabor will be removed from [service by the end of 2015](#).

That's the plan, at least.

For more than a decade, the twist and turns of what to do with the reservoirs has been a constant theme at City Hall and in the neighborhoods surrounding the park.

1894: Portland's water boom begins, with construction of 12 million-gallon Reservoir 1 and 20 million-gallon Reservoir 2 on Mount Tabor. Reservoirs 3, with 16.4 million gallons, and 4, with 17.6 million gallons, are built in Washington Park in the city's West Hills.

1895: The first water flows from the Bull Run Watershed through miles of pipes to the city.

1909: Parks officials pay \$366,000 for parkland on Mount Tabor.

1911: Reservoir 5, with a capacity of 49 million gallons, and 37 million-gallon Reservoir 6 are built on Mount Tabor

1912: Reservoir 7, a 200,000-gallon underground tank, is built.

1925: The Water Bureau buys land at Powell Butte for an underground reservoir.

1954: Thousands fall ill after giardiasis spreads through Portland's water supply.

1974: Congress approves the Safe Drinking Water Act.

1976: Reservoir 2 is decommissioned. The site now contains the Courtyard Mt. Tabor retirement apartments.

1977: Congress passes legislation to protect the Bull Run Watershed.

1981: Fifty million-gallon Powell Butte Reservoir 1 comes online.

1993: At least 69 people -- largely the elderly, AIDS patients and children -- die in Milwaukee, Wisconsin, and more than 400,000 are sickened by a [cryptosporidium](#) outbreak that went undetected for weeks. Federal regulators vow to crack down on water quality, laying the groundwork for the eventual rule forcing cities to cover, replace or treat water at open reservoirs.

1995: The [Portland Water Bureau's Powell Butte](#) master plan calls for a second 50 million-gallon covered tank.

1996: Congress approves the Clear Water Act, an amendment to the Safe Drinking Water Act, and regulators and local officials discuss what to do with the nation's few remaining open reservoirs.

2000: The U.S. Environmental Protection Agency inches closer to banning open reservoirs. This is the "agreement in principle" that led to the agency's Long Term 2 Enhanced Surface Water Treatment Rule (known as LT2).

April 2001: Portland Commissioner Erik Sten creates a citizen panel to study treatment options for Bull Run water. The costliest option, a membrane filtration plant at Bull Run, could total more than \$200 million.

September 2001: The 9/11 terrorist attacks spark concern that public drinking water supplies could be targets.

April 2002: Some Portland politicians stump for water treatment. "This method of storing water has never made sense," Sten says. "We're not spending \$50 million because we're afraid of al-Qaida. We have a stupid system that looks pretty but needs to be upgraded."

July 2002: The citizen panel recommends against treatment and suggests the city ask for a waiver from LT2.

November 2003: Commissioner Dan Saltzman writes the EPA asking for a waiver.

2004: The Mount Tabor and Washington Park reservoirs are placed on the National Register of Historic Places.

August 2004: The citizen Portland Utility Review Board lobbies for more aggressive resistance of LT2. "If you don't ask," Chairman Marty Wilson tells The Oregonian, "you don't get."

February 2005: Then-Mayor Tom Potter joins Saltzman in asking for a waiver. "We were pleased when Commissioner Saltzman made his requests, but it seemed somewhat halfhearted," **activist Floy Jones** says at the time. "What the mayor is talking about doing is what we've been advocating for a long, long time."

March 2006: **The EPA enacts final LT2 rules**, affecting some 14,000 U.S. water systems and at least 180 million people. Portland files a petition with the U.S. Circuit Court opposing LT2, and New York City signs on.

November 2007: The court calls Portland and New York City's arguments "inaccurate, irrelevant or both." Estimates of Portland compliance range from \$125 million to \$350 million.

December 2007: City officials start discussing seeking a variance from building a treatment plant at Bull Run.

April 2009: The EPA requires a timeline for LT2 compliance.

June 2009: Leaders express support for the city's resistance to LT2.

July 2009: The Portland City Council says it will pursue a \$100 million ultraviolet light plant, ending talk of much costlier filtration. "The federal government insists that we solve a problem that doesn't exist and further insists that we pay for this folly," Commissioner Nick Fish says at the time. "This is regulation run amok -- a one-size-fits-all approach."

November 28, 2009: Portland issues its first-ever boil-water alert for the city's west side after finding E. coli in Washington Park's Reservoir 3.

December 2009: Portland expands testing for cryptosporidium. Saltzman says he thinks the reservoirs should be covered. "It's costly, and not a popular position, as I found out," he says.

January 2010: Federal regulators tell the city of Portland that the open reservoirs are not eligible for a variance "The EPA has closed the door, and they have closed it hard," Water Bureau Administrator David Shaff says when asked whether an LT2 waiver would allow the city to keep its reservoirs.

March 2011: Multnomah County Health Officer Gary Oxman says of open reservoirs: "A terrorist hit is unlikely, but there's just not a compelling health reason to leave them open."

May 2011: The Portland City Council approves the first project tied to LT2, building a second underground reservoir at Powell Butte. Commissioner Amanda Fritz is the lone "no" vote, and Saltzman is absent.

June 2011: Portland drains Mount Tabor's Reservoir 5 after a man urinates in it.

January 2012: Portland officials downplay three tests that show evidence of cryptosporidium in the Bull Run watershed and on the Bull Run River, the first positive tests since 2002. No positive tests for the parasite have occurred since.

March 2012: Portland receives a variance, the only one of its kind, from the Oregon Health Authority, that allows it to avoid building a Bull Run treatment plant as long as it frequently tests for cryptosporidium.

September 2012: Portland approves a plan to replace an aging reservoir at Kelly Butte with a 15 million-gallon tank.

June 2013: Portland announces that it will give up fighting the EPA on the reservoirs.

January 2014: Floy Jones and Kent Craford file thousands of signatures to refer a measure to Portland's ballot to remove control of the water and sewer bureaus from the City Council, partly in response to the LT2 saga.

April 2014: Portland drains Reservoir 5 after a second incident involving urination, this time by a teenager.

May 2014: Voters overwhelmingly reject the ballot measure. A few days later, Portland issues a citywide boil-water alert after finding E. coli in Reservoir 5.

November 2014: Commissioners Fish and Fritz hold a public meeting on the reservoirs marked by activists' outbursts.

December 2014: The city's Historic Landmarks Commission rejects a land-use plan for the Mount Tabor reservoirs pending more information. The Water Bureau plan would cut trees and bury pipes to divert Bull Run water from the reservoirs. [Fritz delays her recommendations](#) on the reservoirs until the land-use issue is settled.

Next:

January 2015: When the Landmarks Commission is expected to issue a decision, which can be appealed to the city and state Land Use Board of Appeals.

Spring 2015: When the City Council would hear an appeal on the land-use ruling.

Dec. 31, 2015: The EPA deadline to disconnect the Mount Tabor reservoirs.

2020: The EPA deadline to disconnect Washington Park's reservoirs.

Sources: The Oregonian, Portland Water Bureau, U.S. Environmental Protection Agency, Friends of the Reservoirs

Portland needs Google Fiber: Guest opinion

*By Guest Columnist Alan George
December 17, 2014*

With the end of 2014 nearing, so is Google Fiber's pending announcement declaring if the Portland Metro area will be one of the next recipients of its super fast gigabit Internet service. Some think it's inevitable,

but many also believed that two years ago when Google passed Portland over for Kansas City and Provo, Utah.

That's why the time to act is now. Even if you don't end up as a customer, Google Fiber's presence in Portland could benefit everyone. It will bring residents access to three fast, outdoor WiFi networks. In addition to the number of jobs created by the massive build-out required to supply fiber services, our community will receive more competitive services and prices from all local Internet providers, as well as attract more businesses and entrepreneurs to help bolster our economy.

A recent national study discovered that communities with gigabit broadband enjoyed approximately 1.1 percent higher gross domestic product (GDP) than similar-sized communities with little to no availability of gigabit services.

Kansas City has seen a noticeable increase in startup companies springing up in its community. The expectation for this is strong in Portland, too, especially as Oregon was recently identified as sixth in the nation for self-employment. Since Google Fiber will roll out to residential neighborhoods first, it will immediately help entrepreneurs and startups that often begin at home.

Leaders within the local technology industry are weighing in on the subject. Nigel Kersten, CIO of PuppetLabs, a local software development company, explains some of the anticipated benefits of Google Fiber. "Employees would be able to collaborate far more easily from home with faster Internet service. I see the ability to work productively from home as being critical in supporting a family-friendly workplace and attracting talent to the Portland area."

Not only will Google Fiber help bring more of the technically inclined to Oregon, but some nonprofits, schools and libraries in service areas could receive free gigabit use. Kersten expands on these benefits. "Fast service will support our children in developing entrepreneurial skills. Want to run a popular Minecraft server with 'mods' you wrote yourself? Quickly upload video for an amateur journalism project? Such service will make this more viable."

Google Fiber's pricing will likely reflect that of other cities, with \$70 per month for gigabit service. The low end offering of five megabits could help many people since it's free for seven years with a \$300 construction fee (which can be paid over the first twelve months). Offering Internet connectivity at competitive prices to power users, while also bringing affordable access to lower-income residents, will help bridge the digital divide.

Even if Google selects Portland, some neighborhoods could be skipped if households are slow to sign up — meaning your local nonprofits could lose out on the free gigabit service. Let Google know you're interested, regardless of if you sign up for the service. If you live in Portland, Beaverton, Hillsboro, Tigard, Lake Oswego or Gresham, join us in visiting fiber.google.com/other/ to sign up for updates.

Alan George is president of SEMpdx.

The Portland Tribune

Can fire bureau generate money?

*By Steve Law
December 18, 2014*

Doctors won't do house calls, but what about a firefighter trained as a paramedic?

That's one of many innovative ideas being floated at City Hall as the Portland Fire & Rescue bureau drums up ways to earn money from its emergency medical services.

"I can't believe that in five years the Portland fire bureau will be the only uncompensated player in the medical system," Mayor Charlie Hales said at a Portland City Council work session last week on money-raising ideas for the bureau.

Hales was referring to city firefighters who ferry many residents to hospital emergency rooms after they call 9-1-1; the city gets nothing for the service while private ambulances charge more than \$900.

Hales and others see new possibilities for Portland Fire & Rescue to earn money for its emergency medical services as the fast-evolving health care system seeks ways to cut costs and reduce needless hospital stays. There's also a greater urgency for the fire bureau to raise money now, because it faces the loss of 26 firefighters "laid off" by Hales in the 2013-14 budget. Their jobs were spared when the city

landed a two-year, \$4.5 million federal grant, but the money dries up next December, so Hales must plug some money into his next budget to save those positions.

Fire Chief Erin Janssens presented a laundry list of money-raising ideas last week to the City Council, including plans to transport 9-1-1 callers to clinics instead of hospital ERs, and asking paramedics to visit frail seniors in their homes or even senior care facilities.

One of the most intriguing ideas was to beef up fire bureau paramedic staffing so that American Medical Response could trim its staffing levels. The ambulance company has talked about sharing \$1 million a year of its resulting savings with the fire bureau.

Commissioner Dan Saltzman, who oversees the bureau, said the city could spend \$150,000 a year to get back \$1 million a year from AMR, and he seemed eager to do that deal as soon as possible.

Not so fast

But the AMR deal, as with other ideas floated by Janssens, could take several years to put into practice. In some cases, Janssens said, the bureau must use pilot tests to demonstrate "proof of concept," showing that its innovative practices will save money for hospitals, medical insurers and the federal Medicare system. Then, it must convince those entities to share some of the savings with the fire bureau.

Thus, any savings may come too late to spare the 26 firefighters whose jobs are on the line.

"There's no low-hanging, quick-to-pick fruit," said Randy Lauer, the Oregon general manager for American Medical Response.

Other fire bureaus across the nation have been experimenting with new roles for firefighters, particularly their EMS programs, Janssens said after the work session. "But by and large, we're at the leading edge of this type of work."

The pilot test that's the most far along involves diverting 9-1-1 callers from costly ERs to visit their doctor or an urgent-care clinic instead. In the initial pilot, only 30 callers were diverted in this way. But the city now is embarking on an expanded second phase of its Alternative Destination, Alternative Transportation pilot.

"It saves the health care system money," Janssen told city commissioners. The trick will be to get health industry players to reward the city for its role in saving them money.

AMR deal raises eyebrows

The money-sharing deal with AMR, first announced at last week's work session, raised keen interest from Saltzman and others.

Portland Fire & Rescue's part would be to beef up crews at four fire stations that have two crews, only one of which is staffed with trained paramedics.

AMR would get more lenient requirements in two ways. It would be obligated to respond to medical emergencies within 10 minutes instead of eight minutes, and it could employ one paramedic and one emergency medical technician in each ambulance instead of two paramedics.

Multnomah County is the lone local jurisdiction that requires two paramedics in each ambulance; neighboring jurisdictions allow one paramedic and one emergency medical technician.

AMR could reduce the number of ambulances at any one time, and save money because EMTs earn \$20,000 to \$30,000 less than paramedics.

In Clackamas County, when the required ambulance response time was extended from eight minutes to 10 minutes, firefighters learned to get 9-1-1 callers to the hospital sooner, Lauer said. "It doesn't delay getting a trauma patient to the hospital," he said.

But there are other hurdles.

Lauer said it would take an estimated five to eight years to scale back his local ambulance staff via attrition, so he wouldn't have to lay off staff or replace paramedics with lower-paid EMTs.

Janssens said she hopes that could be done sooner, perhaps in one to two years.

The move also would require Multnomah County to renegotiate its ambulance contract with AMR; the current contract lasts through 2018.

Alan Ferschweiler, president of the Portland Firefighters Association, says his union comrades in the Teamsters Union, who represent AMR, aren't likely to favor the idea.

Ferschweiler estimates AMR could save more than \$4 million a year under the deal, so saving \$1 million with the city leaves them sitting pretty.

But he's concerned the deal won't come in time to spare the 26 firefighters.

Home visits?

Janssens also is evaluating ideas to use firefighter paramedics to schedule home visits to seniors or other frail citizens who call 9-1-1 frequently. Staff could receive more training as "community paramedics," she said. That could help keep people from over-reliance on hospitals, Janssens said. Hospitals get lower reimbursements when some patients wind up back in a hospital within 30 days of being discharged, she said, so medical insurers might help pay the costs of the home visits.

City Commissioner Amanda Fritz, an experienced nurse, was skeptical of the idea. Firefighters aren't skilled in medical care, she said, and they can't write prescriptions. "Why are we the right people to do that?" she said.

Dr. Jon Jui, the medical director for Multnomah County's EMS program, seemed keen on the potential there for paramedics.

Firefighter paramedics have some advantages over traditional health care personnel because they are on duty 24/7, have specially equipped vehicles, and understand public safety issues when entering peoples' homes. They also are relatively well-trusted by seniors and other frail citizens. Some could be trained to do minor sutures in the field, thus eliminating the need for someone to go to the hospital.

Jui said hospitals are starting to use telemedicine, and he envisions paramedics using iPads, Facetime or Google Glass to interview patients when they arrive via 9-1-1 calls, and relaying the video to doctors and hospitals.

Jui also would like to establish a nurse triage service at the city's 9-1-1 center, where a trained nurse could handle certain medical calls. That's "very doable" in the next year, Jui told city commissioners.

Reno, Nev., adopted a nurse triage line at its 9-1-1 center, said Commissioner Steve Novick. Since October 2013, Reno has diverted 1,400 people from ERs into other more suitable medical settings, Novick said. He'd like to try the same here — and get health insurers to reimburse the city.

Though none of the ideas presented by Janssens may earn the city money in the next several months, Hales praised the effort. "The pace of technological change can easily exceed that of government," Hales said, alluding to the city playing catch-up with the likes of Airbnb and Uber, the home-sharing and do-it-yourself taxi services.

The city needs to do more "R&D" like the ideas proposed by the fire bureau, Hales said.

Street fee opponents send out first mailer

*By Jim Redden
December 17, 2014*

A group opposed to tax increases has sent out a mailer to Portlanders demanding that the proposed street fee be placed on the ballot for voter approval.

The Taxpayers Association of Oregon mailed out the two-sided mailer on Monday. Director Jason Williams would not specify how many pieces were mailed, except for saying, "A lot."

"Can We Trust the City of Portland with ANOTHER TAX," the flier reads a portion of one side. "WHY DON'T THEY WANT US TO VOTE?" reads part of the other.

Mayor Charlie Hales and Commissioner Steve Novick, who have proposed the fee, say they do not want it put on the ballot.

According to Williams, the mailing was funded by the association's regular contributors because they believe tax increases are hard on working people and small businesses.

"This could put businesses out of business and hurt taxpayers," says Williams.

State campaign records show its contributors include the George Packing Company and Andrew Miller, CEO of the Stimson Lumber Company. The Portland Business Alliance did not contribute to the mailing, according to Sandra McDonough, the organization's President and CEO.

The mailing went out two days before the City Council held its most recent hearing on the street fee proposed by Mayor Charlie Hales and Commissioner Steve Novick. At the Dec. 17 hearing, Hales and Novick said they would reconsider the personal income tax portion.

Until then, the proposal had included the tax for residents and a sliding scale for businesses, governments, and nonprofit organizations.

That pushes the final vote back to Jan. 14, 2015, at the earliest — a week after the earliest a new proposal could be introduced.

The fee — now dubbed the Portland Street Fund — is intended to raise \$46 million a year for maintenance and safety projects, including expenses. Hales and Novick oppose putting it on the ballot for voter approval. The PBA and others have said they will try to refer the proposal to the ballot if the council does not seek a public vote.

Street fee up in the air again

*By Jim Redden
December 17, 2014*

The shape and fate of the proposed Portland street fee is up in the air again after Mayor Charlie Hales and Commissioner Steve Novick said they would reconsider the personal income tax portion on Wednesday.

That pushes the final vote back to Jan. 14, 2015, at the earliest — a week after the earliest a new proposal could be introduced.

Hales and Novick said they would reconsider the tax during the Dec. 17 City Council hearing expected to consider amendments to their current proposal. Until then, it had included the tax for residents and a sliding scale for businesses, governments, and nonprofit organizations.

Novick said the current proposal was intended as a compromise between those who want lower income residents exempted and those who would impose a larger share on upper income earners. According to Novick, that has not headed off opposition from the Portland Business Alliance and others, who say they will refer it to the ballot.

"The PBA and their allies would rather burn the city to the ground than accept it," said Novick, who is charge of the Portland Bureau of Transportation.

Sandra McDonough, President and CEO of the PBA, says her organizations is trying to work with Hales and Novick to find a mutually agreeable funding source for fixing city streets. She says such rhetoric is not helpful in finding a solution.

The current version of the tax would start with individuals who earn \$25,000 a year and couples filing jointly who earn \$35,000 a year. It would be capped at \$75 a month, or \$900 a year for the wealthiest Portlanders.

Novick said options include going back to the original proposal, which included a monthly fee on Portland households, or lifting the cap on monthly charges.

Hales said the council has agreed to support the nonresidential portion of the fee, which is a sliding scale on businesses, governments and nonprofit organizations.

Some of the assessment are being questioned by Southeast Uplift, the neighborhood coalition office representing dozens of neighborhood associations in Southeast Portland, however. They have filed a public documents lawsuit in Multnomah County Circuit Court seeking PBOT working papers they claim show major roads uses would not be charged their fair share.

The fee — now dubbed the Portland Street Fund — is intended to raise \$46 million a year for maintenance and safety projects, including expenses. Hales and Novick oppose putting it on the ballot for voter approval. The PBA and others have said they will try to refer the proposal to the ballot if the council does not seek a public vote.

City Council delays vote on urban renewal shuffle

*By Steve Law
December 16, 2014*

Mayor Charlie Hales has postponed the Portland City Council's first vote on his urban renewal district reshuffling plan scheduled for Wednesday, Dec. 17, to allow more vetting of affordable housing issues in the downtown waterfront.

Hales postponed the hearing by about six weeks, rescheduling it for 2 p.m. Thursday, Jan. 29.

The city is falling short of goals for building affordable housing in the North Macadam Urban Renewal Area, which includes the South Waterfront complex. Affordable housing advocates and City Commissioner Nick Fish, among others, have been urging more of a commitment to build affordable housing in that part of town.

The added time will allow the city and the Portland Development Commission to "provide additional clarity around how we reach our affordable housing goals in the North Macadam urban renewal area," Hales said in a written statement announcing the delay.

Willamette Week

Drivers, Wanted

The city can't back up its tough talk about cracking down on Uber.

*By Aaron Mesh
December 17, 2014*

It's been nearly two weeks since Uber invaded Portland with a ride-sharing service that defies the city's taxi rules.

Portland officials pledged to take Uber to court, levy hefty fines and impound the cars Uber drivers use as unlicensed cabs.

City Commissioner Steve Novick, who oversees transportation, told *The Oregonian* he intended to "throw the book" at Uber.

It turns out the book lacks the heft of *Infinite Jest*. It's more like Golden Books' *The Poky Little Puppy*.

The city has yet to tow a single Uber car or fine a single driver.

"It would be really helpful," says Frank Dufay, the city's private for-hire transportation manager, "even if we just towed a few—two, one—just to show we're serious about this."

But officials have struggled to identify drivers—they've been able to do so in only three cases—and discovered they may lack the legal authority to put Uber cars on a hook and impound them.

Portland officials fined the San Francisco company \$67,750 in its first 10 days in town, as first reported on *wweek.com*. It's not clear the city can make those fines stick, however, given that Uber claims it merely matches drivers with riders—and as a result the company itself isn't breaking any rules.

"It has been difficult," acknowledges Novick policy adviser Bryan Hockaday. "We will start fining drivers this week, without any more warnings."

Uber, the 5-year-old startup now valued at \$40 billion, has been trying for nearly two years to bring Portland its service, which lets drivers turn their cars into taxis that customers summon with a tap of their smartphones.

The city turned away Uber in 2013, and has said the company doesn't live up to the long-held standards for taxis in Portland by not guaranteeing commercial insurance for its drivers, rides for disabled customers and a set schedule of fares. (Uber's "surge pricing" charges customers more during peak hours.)

Novick and other city officials have said they would consider changing some rules to accommodate Uber.

But Uber decided not to wait and launched in Portland on Dec. 5.

City officials have run what amount to stings—summoning Uber drivers and levying fines when they arrive. The city has sent eight fines to Uber. Fines started at \$1,500, but have since gone up to \$10,000 for each violation. City officials have sent warnings to the three drivers they have identified.

"It's hard," Dufay says of efforts to identify drivers. "When they tell you the car's coming, all you've got is the driver's first name and the license plate."

Towing Uber drivers' cars worked as a deterrent in Nevada, where state officials fighting Uber impounded nearly 50 vehicles this fall until a judge's order blocked the company.

But Portland deputy city attorney David Woboril has advised Novick's office that towing vehicles used for Uber could violate drivers' constitutional rights.

A 2005 decision by the 9th U.S. Circuit Court of Appeals found that the Oregon city of Cornelius violated the rights of a woman who had her car impounded for driving without a license. The court ruled that police could only impound cars if the vehicle posed "a threat to public safety."

"Since that case, nobody has been able to tow based on driver's behavior—the car itself must pose a threat to safety," Woboril says. "It radically changed the landscape. Portland was towing cars right and left before that."

Uber has pledged to keep operating in Portland, and to pay any fines its drivers face.

"In the event that a driver was fined or their car was impounded," Uber general manager Brooke Steger tells WW, "we would stand behind that driver 100 percent."

Street Fee Opponents Begin Campaigning, But City Council is Still Undecided on Its Tax Plan

*By Aaron Mesh
December 17, 2014*

Portland City Council still doesn't know what its "street fee" is going to look like. But that hasn't stopped opponents from launching their political campaign against it.

A mailer arriving at Portland homes this week demands a public vote on Mayor Charlie Hales and Commissioner Steve Novick's tax proposal. The return address on the mailer is for the Tigard-based Taxpayers Association of Oregon, a conservative group that regularly fights against tax increases. "Have you heard about the new city of Portland income tax?" the mailer asks. "Mayor Charlie Hales and Commissioner Steve Novick have decided that a harmful new income tax is the best way to pay for road maintenance. Why don't they want us to vote?"

But Novick and Hales are far from decided.

Novick said in a City Council hearing this afternoon that commissioners are considering abandoning an income tax and returning to their proposal from June: a tiered fee on households.

Novick said the decision is between a "real income tax or back to user fee." That means the current proposal for an income tax, which has been a deal-breaker for the Portland Business Alliance, is off the table.

"The Portland Business Alliance and its allies would rather burn the city to the ground" than support an income tax, Novick said in the council hearing.

He indicated City Hall would have to decide whether to ditch the tax or make it even more weighted toward the rich. Novick's remarks were first reported by The Portland Mercury.

Hales' office has confirmed to WW that the residential fee remains up for debate.

"Basically, we're doing shuttle diplomacy right now between the second and third floor," says Hales spokesman Dana Haynes. "You're heard the mayor say it before: 'Do this, do nothing or do something else.' We have taken the 'Do something else' thing pretty seriously."

UPDATE, 5:42 pm: Portland Business Alliance President Sandra McDonough says the business lobby is having "productive conversations" with Hales, and says Novick's remark "leaves me scratching my head."

"It's true that we have opposed a new personal income tax imposed in the city of Portland without a public vote," McDonough says. "With 77 percent of Portlanders agreeing they should vote on a new city income tax, moving forward without a vote would, in our view, be incendiary, but the Alliance would not be lighting the match."

Lobbying Group Including Airbnb Pushes Back on Portland's Plan to Toughen Short-Term Rental Rules

*By Aaron Mesh
December 17, 2014*

Airbnb is marshaling other home-sharing sites to fight Portland City Hall plans to crack down on unlicensed hosts.

City Council is scheduled to vote Dec. 18 on an ordinance that would fine online rental marketplaces \$500 each time a host advertises a rental without posting a city permit number.

Airbnb, HomeAway, TripAdvisor and FlipKey—working through a Washington, D.C.-based lobbying group called the Short Term Rental Advocacy Center—say they don't want to be held responsible for providing clients' tax information.

They call it “a violation of the privacy of the platforms' end users.”

In a letter to City Council, the lobbying group centers its ire mainly on a Revenue Bureau proposal to force short-term rental companies to collect taxes and report transactions to the city.

"The city already has tools at its disposal to ensure compliance," the letter says. "Implementing a system that seeks to deputize short-term rental platforms as a policing mechanism is clearly just an abdication of responsibility by the city of Portland."

Airbnb on its own has already spent \$47,614 lobbying City Council this year.

WW reported in November that only 4 percent of Airbnb rentals had bothered to apply for licenses (and undergo inspections) since the city required them in August.

Bureau of Development Services inspector Mike Liefeld says the city has now received 105 license applications—or 6.5 percent of those operating in the city.

City Auditor's Office Releases Its Investigation Into Portland Police's Treatment of Hip-Hop Shows

*By Matthew Singer
December 17, 2014*

The city's Independent Police Review has released its investigation of the Portland Police Bureau's handling of local hip-hop shows—and finds that city regulators, police officers and state liquor officials don't have a "unified policy" in dealing with concerts.

The review was sparked by a March incident where Portland-based rapper Illmaculate stormed out of his own show at the Blue Monk in protest of heavy police presence. The report says tensions between police and hip-hop artists have been amplified by a "lack of transparency" by the city about how venue inspections are conducted. "One way to move the conversation beyond conflicting narratives of whether police are present at hip-hop events more often than other types of music events," the review says, "is for there to [be] better documentation by PPB of the walk-throughs it does conduct."

Interviews were conducted with over 30 local hip-hop artists (including Cool Nutz, Glenn Waco, Illmaculate and Rasheed Jamal), promoters, police officers and other city officials. The report details the Blue Monk incident, as well as similar instances of police scrutiny that occurred at Kelly's Olympian and PDX Pop Now. Though it does not conclude that rap shows are targeted more than other concerts, the review writes that "[t]he belief in the hip-hop community that ... events perceived to have a significant percentage of black patrons are subject to closer scrutiny ... than other types of music events is one that should greatly concern City officials."

Five general recommendations are made to increase transparency in regard to venue inspections:

- A checklist of the City's expectations for "late night entertainment venues" should be readily available to promoters and club owners. The review cites an online "nightlife handbook" authored by Seattle's Office of Film and Music as a possible model.
- Police should develop a standard operating procedure for how it conducts walk-throughs. There are "no written policies or procedures" for how officers determine whether a situation at a club requires a walk-through or not.

- Walk-throughs should be tracked and made available to the public. There is a concern, the report finds, that not all inspections are reported back to dispatch.
- The City should maintain an extended dialogue with members of the hip-hop community.
- Fire Bureau inspections should also be tracked and made public, "[a]s there is very little information publicly available about the venues that the fire inspector visits," leading to the widely held perception "that hip-hop shows are subject to more fire inspections than other types of music events."

The full report can be read [here](#).

The Mercury

Police Watchdog Says Widespread "Belief" Cops Target Hip-Hop Shows, Black Patrons "Should Greatly Concern City Officials"

*By Denis C. Theriault
December 17, 2014*

A long-awaited report by the city's Independent Police Review faults hazy or non-existent protocols and incomplete record-keeping for its inability to definitively prove—or disprove—a widespread "belief in the hip-hop community" that Portland cops heap disparate scrutiny on "hip-hop shows or other events perceived to have a significant portion of black patrons."

But despite that lack of hard data—blamed matter-of-factly on a "lack of transparency"—the review is unsparingly critical in parts. It gives credence to what's become a deeply held perception in the black community, especially in light of "historically strained relationships" with the police bureau. And it strongly urges city officials, no matter officers' actual intentions, to take those concerns to heart.

Even the perception of bias in Portland "should greatly concern city officials," the review says in the midst of a list of recommendations—including calls to start a more thorough dialog with hip-hop artists and to begin collecting and sharing the kind of empirical data that might put any worries about profiling to rest. "Such a belief, if allowed to persist," the review continues, "will continue to do lasting damage to the community's perception of its city government and will undermine the trust and openness that city leaders have publicly embraced."

The unusual policy review was launched last winter, following outcry over a heavy-handed (now infamous) police visit to a show at the (now-closed) Blue Monk. The heavily publicized show, featuring Luck-One (Hanif Collins), Illmaculate (Gregory Poe), and Mikey Vegaz (Eddie Bynum Jr.), came to an abrupt end March 1 after gang officers, concerned about Vegaz, showed up for a few minutes—leading to concerns about the Blue Monk's capacity that night, a cavalcade of cops outside (at least 14!) after a few fans didn't like being told they couldn't re-enter, and a virtual "mic drop" by Illmaculate, who stopped his set out of disgust and later vowed never to play in Portland again.

And now, months later, the report lands in the midst of a burgeoning protest movement over police accountability—sparked by the police killings of black men and boys in Missouri and Cleveland and Staten Island—that's seen young black Portlanders take the streets to raise awareness about fractured community ties in Portland, too.

One of those protest leaders, rapper Glenn Waco (Loren Ware), is featured prominently in the 26 pages (pdf) released early this morning by the IPR, alongside Illmaculate, Rasheed Jamal, and Portland legend Cool Nutz (Terrance Scott). The report takes pains to give the artists a credible voice in the ensuing discussion. It also praises their engagement and their knowledge of black history in Oregon—mixing in the artists' stories with a probing audit of the city's and state's regulatory bodies, some quick-hit history lessons, frank talk from gang officers, and a fascinating snapshot of Portland's evolving cultural landscape.

"At the heart of the debate about hip-hop's future in Portland is the looming question of whether a music form heavily indebted to African American culture can thrive or even exist in the United States' whitest major city," the report says early on, just under a section heading titled "Gentrification."

A few paragraphs beyond that line, Waco is quoted for several sentences talking about changes in Northeast Portland, neighborhoods that had been overwhelmingly African American during the second

half of the 20th century, now rapidly giving way to wealthier white residents in the past decade and a half. The citation gives a sense of the wider context in play around concerns of profiling.

"It looks totally different from 15 years ago or 20 years ago whatever. And you walk through Killingsworth and you just see—well it's not there anymore. It's like totally gone. But it used to just look like decay ... This new face of what Killingsworth is about to look like, and in a sense it's like memories are fading away. A neighborhood's identity is dying, you know? In the sense of just buildings that stood there for years and year and years or houses that are kind of monuments in and of themselves is being just torn down in the place of little coffee shops and small restaurants and stuff ... That's what strains at people's hearts, you know, and that's what people see and that's on people psyches too ..."

And then a bit later, Waco returns with another gut-punch quote, after the report mentions artists' concerns that "the current view of Portland as a quirky playground for transplanted young college graduates leaves them out of the equation."

"Well it's like Portland has its motto of Keep Portland Weird. Like so what are you saying? We could have naked bike rides but hip-hop is too weird for Portland. Like c'mon bro, we're making music. Like it's a stereotype of gangster rap and they don't want gangsters hanging out here. Okay. What would you rather have Mr. Police Officer? Would you have a person performing music and selling albums or would you have them out in the street peddling crack ..."

The report concludes early on that the city's hip-hop scene, despite a resurgence led by performers like Illmaculate and others, is still "uniquely vulnerable"—in part because of those tectonic shifts in Portland's identity and its black communities but also because of how those changes interact with what it calls a "fragmented" and reactive "regulatory environment."

Changes in black neighborhoods, coupled with development that's priced out scrappier venues all over town, have narrowed the list of places interested in hosting hip-hop shows. That means acts have to scramble to book shows, settling on smaller venues prone to having capacity and fire safety woes that might draw the eye of police and other officials.

Worse, some of those clubs and bars rely on promoters to pack in fans, letting them handle security and rolling the dice that they might get away with exceeding whatever capacity limits might be set by the fire marshal. When promoters louse up by selling too many tickets or not keeping an eye on liquor sales or safety, the report says the promoters often skate by and leave the clubs to pay the consequences. That means, for some clubs, not doing business with hip-hop promoters the next time someone wants to pitch a show. And even when clubs might be willing, they institute policies like a ban on "baggy" clothing or certain colors—but maybe only enforce those policies against people of color.

The report spends much of its midsection trying to untangle and explain the complicated dance between the fire marshal, the Oregon Liquor Control Commission, the city's Office of Neighborhood Involvement, and the Portland Police Bureau—all of which, the report says, work both separately and together to try to keep concerts and bar shows safe, legit, and trouble-free.

But it never loses sight of the fact that cops, for better or worse, are often the face of that multi-tentacled machine. And because of historical tension between the black community and police, several artists and promoters told the IPR they don't think police "understand hip-hop culture or black people."

The biggest complaint? Cops, as the artists see it, who conflate skin color with gang ties, "failing to recognize the interconnectedness of Portland's small black community."

Though dispatch records and other documents aren't kept in sufficient detail to definitively say this—or not—artists and promoters remain unshakably convinced cops give more scrutiny to clubs seen as predominantly African American or friendly to hip-hop. In the absence of that data, the report nonetheless offers a telling anecdote showing that perception is hardly unrealistic.

In an interview with IPR, organizers of the PDX Pop Now! festival—professionals who consider themselves familiar with police protocols for large musical events—noticed an "abnormal" and "time-consuming" level of police contact after adding a handful of hip-hop shows to this year's lineup.

"Our staff and our performers noticed that hip-hop attracted the majority of our police visits," the organizers said, "even though it was only performed by four acts out of over 40 total performances."

Cool Nutz—in an interview well before groups like Don't Shoot Portland began joining national protests over police shootings and tension with minority communities—was prescient when describing the way that perception feels.

"You have to understand people's natural perception, especially in a hip-hop environment ... especially with all the stuff that's happening in society. When you have the Trayvon Martin stuff and you have the stuff of Kendra James and you have different things happening where young African Americans get killed by police or brutality or when you're in—if you're in Northeast Portland or you work in Northeast Portland, then you might get pulled over for how you look, then your mindset at a hip-hop show is are, are they here to be cool or are they here to mess with me."

One officer, bureau spokesman Sergeant Pete Simpson, met with IPR and addressed those concerns on the record. Simpson, the report notes, formerly served on the bureau's "entertainment detail"—a group of cops who start their night shifts out in Old Town and get to know bouncers and security workers and club owners while keeping an eye on potential problems.

Simpson said he's heard complaints that cops "don't like hip-hop or don't like hip-hop music, and so they're going to shut us down." But also insisted "there's no truth to that," even as he allowed the difficulty in dislodging the impression.

He blamed promoters and club owners involved with hip-hop for falling down on things like security and not over-stuffing venues—and joined other officers interviewed by IPR in mentioning a handful of cases, which happened to involve clubs known for African American customers, that have seen shootings.

A few pages later in the report, another former member of the detail, Sergeant Rich Steinbronn, didn't dispute what could be seen as cops reveling in the potentially intimidating message their visits to clubs might send.

"We would let the crowd see uniform patrol officers," he said. "It takes away some of that anonymity. People are watching."

But in the case of the notorious Blue Monk show, out on SE 34th and Belmont, it wasn't the entertainment detail that started what became a cascade of chaos.

It was the city's gang enforcement team, which professes "no police interest in music or particular genres of music," just guns and gun crimes—going so far as to tell IPR that it doesn't think its targets would even care to "be engaged in creative community endeavors."

And yet, for all those protestations, the unit also says it remains intently focused on what the report calls "social gatherings organized by gang-affiliated individuals." One anonymous cop was quoted as calling those events "very dangerous."

And because the gang team is also focused on gun crimes, and because the gang team believes most gun crimes in Portland are perpetrated by a relative handful of well-known African American gang members, that means the gang team—by its own admission in the report—is primarily concerned with policing African Americans.

The unit's complicated. It's proud of its work, some of which, oddly enough, involves building genuine relationships with the young men the unit targets. But it's also been called out in city reports for having some of the most racially disparate rates of traffic stops and searches.

Sometimes the gang team says it hears that a performer in town has gang ties or a "gang background," and so they'll "show up" at a performance to check things out. Sometimes, they admit, they "often prepare for issues that wind up not being issues."

"We know the difference between black people and gangsters," a sergeant insists in the report.

Again, because of the gang team's admitted focus on gun crimes and African American gangs, those visits are predominantly aimed at events that draw black Portlanders. Those cops cite shootings at places like Seeznin's and outside a party, frequented by gang affiliates, on the Portland Spirit.

But those are just a few cases. Waco, like a lot of artists, told IPR interviewers that he sees intimidation and stigma in that style of policing writ large, during all the shows when that's not the case. The times when cops are preparing for "issues that wind up not being issues."

"It's not only because they are police officers in a uniform, it's just like there's nothing going on. There's nothing illegal going on. Nobody called them. They just show up and it's just like why are you here? And the police presence to people, like, it doesn't bring a reactive response like they're foaming at the mouth to do something to police, but it just instills fear like why are they here? They're looking for a reason to shut this down right now. Here we go again. It's just that stigma that comes with it."

Some of what happened at the Blue Monk, IPR contends, might have been avoided if the city had a clear policy in place for how club visits should play out and how cops are supposed to work together with other agencies. Same with artists and promoters.

There was confusion, after the show was stopped and for some time after, about why police showed up and what they wanted. Initially, it was seen as a capacity issue. The Blue Monk had let in several more people than the 85 it was allowed, according to a fire inspector.

But fire inspectors came after cops working the entertainment detail had come into the club—roaming far from Old Town—and noticed a potential problem. Those cops had been alerted by gang cops earlier in the day that Vegaz was on the bill—and the gang cops said they were worried because Vegaz, a few months before, had been at a studio that was shot up in what looked like a gang attack. (Vegaz, for the record, felt profiled and denied gang involvement in an interview with the Oregonian—while saying that he and most young black men in North or Northeast probably all knew at least someone involved in the life.)

A few gang cops also visited the show, acting on a concern they might conceivably have shared with either the club or the promoter earlier in the day instead of during a show that had already started.

The fire inspector made a convincing case about show being over-capacity. That message was lost on concert-goers, however, who saw a move to limit access into the Blue Monk's basement as a consolation prize for cops who couldn't find a more serious reason to shut the club down.

Some of those patrons, who wondered why they couldn't see a show they'd paid for, were understandably upset. Some cursed at the officers. Which is when the cops called for backup—with dispatch records showing at least 14 cops rolling in hard, some with lights on, turning a weird inspection spat into something that made national news.

By then, Illmaculate, last on the bill, took the stage to say he was refusing to perform (later he equated the police response with a "murder scene")—and the night was beyond salvaging.

IPR asked him if 72 hours might be a more reasonable window for cops, worried about gang ties at a show, to air any concerns with promoters, club owners, and artists. Illmaculate said "yes, definitely."

"If we're never given clear reasons, you know, and the story changes every interview or whatever the case is, then we're not being given the tools we need to be able to correct it in the future, to be able to have this positive outlet, you know?"

In all, IPR issued five recommendations meant to address some of the larger challenges in knitting together Portland's larger regulatory ecosystem—but also meant to reassure black Portlanders that cops really don't, like they claim, care about "particular genres of music."

First on the list was coming up with a checklist of expectations for late-night businesses, followed by crafting a specific police policy providing guidance for cops charged doing walk-throughs of clubs. Next, however, were calls for the cops and fire inspectors to begin tracking their walk-throughs and visits, and reporting those results to the public.

In an attempt to document those concerns [about profiling], IPR searched dispatch records for police presence at hip-hop concerts held over a three month period during the summer of 2014. The overall results were inconclusive due to a concern that sometimes officers did not notify dispatch if they were at an event and a lack of documentation of what led to police presence at events where they did appear.

One way to move the conversation beyond conflicting narratives of whether police are present at hip hop event more often than other types of music events, is for there to be better documentation by PPB on the walk-throughs it does conduct. Currently members of the public do not have much access to a wider context of where, why, and how often PPB units conduct walk-throughs of bars, nightclubs, and event spaces. PPB's lack of transparency in this regard, allows individual incidents to be magnified because concerned members of the public do not have knowledge of the wider context. PPB should track the walk-throughs it conducts at venues in a format that would allow it to regularly report such information to the public.

IPR also insists cops bring artists and promoters into regular meetings with state and city regulators and bar owners.

"If everybody's on the same page," IPR Director Constantin Severe told me in an interview, "it helps a lot in lowering the temperature and preventing things from spilling out."

Fill Out an Application If You Want to Help Oversee Federal Police Reform in Portland

*By Denis C. Theriault
December 16, 2014*

Portland's police reform agreement with the US Department of Justice cleared some major hurdles this year—finally winning approval from a federal judge (even if the city's challenging a key part of his order) and then, this fall, gaining a compliance officer/community liaison.

But the most important piece of the reform deal had still been left undone: the seating of a 15-person advisory panel whose members are supposed to serve as the city's conscience over all the years the agreement's in effect—working with the compliance officer, issuing recommendations to police officials, and serving as a conduit for community concerns.

That's changing as of this month.

Last week, city officials sent notice they're accepting applications for what's officially known as the "Community Oversight Advisory Board" (COAB), the linchpin of an agreement that prescribes training, policy, and oversight changes in response to findings that Portland cops engaged in a pattern or practice of using excessive force against people with mental illness.

The announcement came after Commissioner Amanda Fritz, city hall's point person on the COAB selection process, worked with advocates to refine how members would be selected.

The panel's 15 citizen spots (five cops also will sit on the board, but as advisory members) can be filled by anyone who lives, works, or studies in Portland, so long as they have no conflicts of interest with the city, real or perceived.

Five of the members will be chosen by a new selection committee, five more will then be appointed by the Portland Commission on Disability and Portland Human Rights Commission (both will be looking for people with mental illness/mental health), and the city council will then choose the final five citizens.

Here are some guidelines:

How will COAB members be appointed?

- ▶ A COAB Selection Committee—with representatives from a diverse set of community organizations—will appoint five members from the pool of applicants submitting this application.
- ▶ The Portland Commission on Disability (PCoD) and the Portland Human Rights Commission (HRC) will each appoint a Commission member, and jointly appoint three additional community members who have mental health expertise. PCoD and HRC seek applicants who are Qualified Mental Health Professionals ("QMHP") or persons with 10 years' lived experience caring for their own or others' mental illness. PCoD and HRC will consider people who fill out this application when making their appointments, but are not limited to choosing from the pool of applicants.
- ▶ Portland's five City Commissioners will each appoint one member. Commissioners may also consider people who fill out this application, but are not limited to choosing from the pool of applicants. What are the responsibilities of each COAB member?

Here are some of the questions applicants will have answer:

2. The COAB's work will focus on issues of mental illness, equity for people experiencing psychiatric disabilities and/or in mental health crisis, issues faced by people of color and ethnic minorities, police use of force and police accountability.

Please describe your familiarity, interest, and/or experience with any or all of these issues.

3. The COAB is assigned many specific tasks in the DOJ settlement agreement, and must routinely meet deadlines. This will require teamwork and collaboration amongst members. Please describe your approach to working in a team, including ability to problem solve, and respectfully work through conflicting opinions. What experience do you have volunteering with City or community boards? What makes an effective committee?

It's a serious commitment—and it's not a stretch to suggest the success of the reform deal hinges partly on who applies for the COAB and who winds up selected.

Which means if you're interested and/or think you're well-suited for the work, you should really get moving. Applications are due by January 9!

Having It Out A Court Fight Is Looming over Portland's Camping Ban—Again

*By Dirk VanderHart
December 17, 2014*

JOSHUA CASTILLO got off on a technicality.

The 29-year-old homeless Portlander was acquitted earlier this month, after insisting on a trial for charges stemming from his encampment beneath a Southeast Portland overpass.

Prosecutors argued Castillo's makeshift shelter was a violation of Portland's laws against "erecting structures." And that the fact Castillo had set up the shelter after cops had told him, the week before, that such conduct was illegal made him guilty of "interfering with a peace officer" (IPO), a misdemeanor charge police and prosecutors have used to add heft to cases against campers this year ["Can't Sleep Here," News, July 30].

But the officers who cited Castillo had made a mistake, Multnomah County Circuit Judge Cheryl Albrecht found. They hadn't explicitly documented whether Castillo's shelter had been up for more than two hours, as required under the structures law.

"While it may be reasonable to infer that he could have been there for more than two hours," Albrecht said at the December 8 trial, "I would have to speculate."

Since the state couldn't prove beyond a reasonable doubt Castillo had done anything wrong, the charges went away.

It was, all things considered, a relatively mundane finding on relatively minor charges. Yet the ruling held great interest for a segment of Portland's publicly funded defense attorneys—who have found themselves representing more and more clients like Castillo this year.

Those public defenders are raring for a fight over Portland's enforcement of its anti-camping laws. And round one is scheduled for next year.

In a wide-ranging motion filed earlier this month, attorneys from the county's largest public defense firm are seeking to dismantle Portland's camping ban by arguing it violates both the Oregon and US Constitutions. The Multnomah County District Attorney's office is taking the matter seriously, requesting six weeks to respond to those arguments. And the case will be decided by a judge with a track record of curbing the city's enforcement excesses: Circuit Court Judge Stephen Bushong, who ruled Portland's "sit-lie" law unconstitutional in 2009.

The oft-debated camping ban is, in short, about to get a test.

"It's something a lot of us in the public defense community have been thinking about, just how to go about attacking that," says Sara Mulroy, one of the public defenders who filed the motion. Mulroy and other attorneys have been disturbed, she says, to see homeless clients slapped with arrests and misdemeanors because they don't have a place to stay.

"I'm seeing this with my poorest, most vulnerable, voiceless sorts of clients," Mulroy says. "This [motion] is a starting point."

The setting for the upcoming fight is the case of Alexandra Barrett, a 25-year-old homeless Portlander who's amassed 17 citations for camping-related offenses since May. (The Mercury previously wrote about Barrett after a Portland police officer arrested her for spitting on the sidewalk ["You Can Be Arrested for Spitting," News, October 8].)

Again and again, Barrett has been arrested and charged not only for camping on public property (mostly Chapman Square, downtown), but also for interfering with a peace officer after she'd been warned not to camp. It's a case similar to others that have been filed against the homeless this year, except in one key area: Barrett wants to fight the charges.

"That doesn't always happen with these kinds of cases," Mulroy says.

So the firm Metropolitan Public Defender Services, which has assigned a volunteer attorney to work on camping enforcement cases full time, is using Barrett's case as an opportunity.

The motion to dismiss the charges against Barrett, filed December 4, goes beyond the specifics of her case, arguing that Portland's law is fundamentally unfair to all homeless Portlanders.

"For people who are homeless, who carry all their possessions, and who do not have shelter to go to every night, whenever they set up a sleeping bag to bed down in the confines of Portland, they are in violation of the ordinance," the motion says. "Because the ordinance criminalizes conduct that is necessary for homeless individuals to simply live, it criminalizes status and is unconstitutional."

The city's current enforcement stratagem for homeless encampments—enshrined in something called the "Neighborhood Livability Improvement Project"—looks like this: Police officers, upon finding homeless campers, warn them what they're doing is illegal, and give them a booklet detailing available social services. Then, if they're spotted camping again, cops can make an arrest for "interfering."

But the motion points out that handing out a booklet isn't enough. There are more homeless people in Portland than available shelter beds, so knowing about a service isn't always enough to get people off the streets immediately.

"Simply directing Ms. Barrett to a shelter is not an answer," the document states.

The argument might seem like a long shot. It's not the first attack launched on Portland's camping ban, after all—and past challenges to the law have fallen short of the sweeping changes attorneys hoped for.

But it turns out there's also precedent for this line of reasoning. In 2000, Multnomah County Judge Stephen Gallagher considered the case of two men charged for sleeping in their camper on a residential street. In a strongly worded ruling, Gallagher found Portland's camping ban was unconstitutional for the exact reasons being offered in Barrett's case.

"There are a great number of alternatives regarding housing, job training, mental health services, etc., that should be put in place to both minimize the effect of homelessness, and eliminate homelessness altogether," Gallagher wrote, "before our city resorts to arresting individuals for sleeping and eating in the only locations available to them."

What did the city do in light of the judge's rebuke? Not much.

"I know everyone was really excited about it at the time," says Monica Goracke, an attorney with the Oregon Law Center who frequently represents homeless defendants. "And pretty much right away it was clear that the city decided not to do anything."

The city doesn't technically have to follow the guidance of one judge on the circuit court level. An appeals court would have more weight, but Gallagher's ruling was never scrutinized at that level.

"This is just one decision of one judge," former City Attorney Jim Van Dyke, then a deputy city attorney, told the Oregonian at the time. "We've had other decisions of other judges upholding that ordinance."

If Bushong, like Gallagher, agrees the camping ban is problematic, it's possible the result could be similar. But the city has also chosen to be responsive to such rulings in the past.

When Bushong ruled sit-lie was unconstitutional in 2009, Portland officials immediately took action to end its enforcement. That move, some say, was informed by the politics of the time.

"Of course we're taking it seriously," says Chuck Sparks, a chief deputy in the district attorney's office. But he notes: "One judicial ruling does not control everything in the jurisdiction."

Hall Monitor

A Wakeup Call on Housing

By Denis C. Theriault
December 17, 2014

THE FINAL WEEKS of 2014 loomed as a marathon of consequential votes for Portland City Hall: Airbnb and short-term rental enforcement, the Portland Street Fund, the city's future with the FBI's Joint Terrorism Task Force, police body cameras, and major changes to some of the city's urban renewal districts.

But over the past several days, final decisions on most of those items have been pushed into January. That's in part because of amendments and unanswered questions, but also the reality that time, always precious, is particularly scarce because of holiday vacations.

Now comes word that the last item on city hall's list—urban renewal revisions—also will be pushed back, to January 29. But this delay, unlike the others, is more than another casualty of a compressed calendar.

It's partly about Portland's soul.

Because when the urban renewal changes re-emerge next month, they'll be newly focused on a related subject that some advocates thought had been given short shrift: housing. And they'll likely come with amendments that emphasize the city's deep, ongoing, and growing struggle to provide affordable units for Portland's needy.

Up until last month, the city's housing bureau had seen the proposed expansion of an urban renewal area around South Waterfront as an opportunity to soften years-old affordable housing goals it was struggling to meet—rather than push forward with renewed urgency. ["Redefining Success. Downward?" Hall Monitor, Nov 12]. That zone's boundaries are expanding to snap up part of Portland State University—making up for the early death of an urban renewal district drawn around the school in 2012.

But a memo detailing what the bureau saw as a realistic realignment of its resources (a memo that's since been abandoned) shocked some of the city's longtime advocates into action. They pressed and pressed, and then, in an email sent Saturday, December 13, Hales' office said the mayor had been persuaded to slow things down.

"The mayor believes there's an opportunity to improve," wrote Jillian Detweiler, Hales' urban renewal policy adviser. "We will take additional time to do that."

Sources have singled out one advocate in particular for starting the conversation. Debbie Aiona of the League of Women Voters served on the city's Urban Renewal Areas Advisory Committee and was reportedly instrumental in starting a general conversation on housing needs, which led to the housing bureau's memo, which led, in turn, to wider pressure on city hall not to retreat on housing policy.

Eventually Aiona was joined by well-respected housing leaders like Susan Emmons of Northwest Pilot Project, former city housing commissioner Gretchen Kafoury, and Margaret Bax, a retired city official who, years ago, helped write housing plans for each of the city's urban renewal districts.

And that's not all.

The city's restive Planning and Sustainability Commission (PSC) also chimed in. Its chair, André Baugh, says the panel hinted that one of the city's main mechanisms for financing affordable housing—setting aside 30 percent of the tax bounty generated within urban renewal areas—is plainly not enough to keep pace with the demand.

But maybe most consequentially, the delay also sprang from a shift in the city's political math.

Because his family has business concerns in North Macadam, the city's housing commissioner, Dan Saltzman, told his colleagues he'd skip voting on the changes planned for the district—never mind that his office was part of crafting those changes.

Losing Saltzman meant Hales had no choice but to court either Nick Fish or Amanda Fritz, or both, to see his agenda pass. That willingness to do business is not surprising. Hales has long promised to reduce urban renewal's footprint so he could pour more property taxes into the city's general fund. Pulling that off would become a major talking point ahead of a potential re-election bid.

So far, sources say Fish and Fritz are seizing the opportunity, and working up amendments.

Those changes could include a council mandate for a specific project. Advocates like Bax are intrigued by the idea of putting an affordable housing development atop a grocery store. That's potentially in store for South Waterfront's vacant "Parcel 3," which sits next to a PGE substation and requires environmental cleanup.

Bax, however, questions whether that plan would even be approved because of those issues. She says she does support the concept at a site like South Waterfront's vacant "Block 33" at SW Macadam and Gaines. Years ago, Oregon Health and Science University had planned to put a parking garage on that land, and the city paid millions for the right to put apartments over the garage. When plans for the parking garage fell through, so did plans for the housing.

"Block 33 is a terrific location," says Bax, "and it would be an excellent concept to have low-income housing over a neighborhood grocery store."

PSC has expressed interest in crafting guidelines on what to do when urban renewal areas do better than expected. Right now, bonus revenue is parceled out just like budgeted revenue: 30 percent of the extra cash goes toward affordable housing, while the rest goes to everything else.

Baugh, PSC's chair, wonders why the city can't spend all or most of that unanticipated revenue on affordable housing—to help the city make some gains toward its housing goals.

"If housing is important, and it's a priority, and we know we're not meeting the goal," says Baugh, "you've got to change the formula. How do we increase the funding? That's the major issue."

Hales' office, according to Detweiler's email, has promised to huddle over a calendar with city housing officials and then meet, during the next few weeks, with some of the advocates who pressed them on housing.

Bax, among the advocates named by Hales' office, said she welcomed the idea—and that she's grateful city hall's discussion around South Waterfront has shifted. The housing conversation, under Saltzman, has increasingly emphasized "workforce" housing, arguably at the expense of difficult-to-fund housing for those who are the most poor.

"I am thrilled the city is focusing now on how to meet the goals. They want to do the right thing," says Bax. "If we put our heads together, I'm absolutely confident we can do it. With rents and housing costs on the rise, people at the lowest income levels are just literally falling out on the streets. And none of us wants to see homeless families in our community."

Novick, Hales Scrapping "Compromise" Version of Street Fund Income Tax

*By Denis C. Theriault
December 17, 2014*

Commissioner Steve Novick and Mayor Charlie Hales just announced they're scrapping half of their \$43.8 million Portland Street Fund—a "compromise" residential income tax that was tweaked and tortured to win support from skeptics including the Portland Business Alliance but only earned, instead, deep opprobrium.

Instead of the tax they unveiled November 10, which had a cap of just \$900 a year no matter how much someone earned and relied on awkward brackets instead of percentages, Novick and Hales now say they're looking to choose between a return to a user fee first proposed in the spring and a truly progressive income tax like the kind sought by street fund allies among transportation and poverty justice advocacy groups.

The income tax, as well as a refusal to send the package out for a public vote, earned the ire of the PBA and has petroleum lobbyist Paul Romain promising to refer the package to voters.

"The Portland Business Alliance and its allies would rather burn the city to the ground rather than adopt anything remotely resembling an income tax," a slightly bitter Novick said during a brief hearing in city hall this afternoon.

The hope is to air a new proposal by the end of the year, with a rare night hearing planned for either January 7 or 8. The \$20.8 million business fee would join the revised income tax at that point. A final vote on both elements would follow January 14.

"We have not at this point resolved which of those directions we're going to go," Novick said.

A vote had already been tentatively pushed to January 7 earlier this month. The council last week added amendments exempting micro- and home-based businesses and formally added those amendments to the package right before Novick and Hales signaled they'd be changing course.

The timing of next month's hearing could be in flux up until tomorrow, however. The council's also considering a nighttime hearing on its involvement in the federal Joint Terrorism Task Force, something that could be pushed into February. Several major initiatives, like Airbnb restrictions, urban renewal changes, and police body cameras, have also been delayed from this month into January.

The call for a night meeting came from Commissioner Amanda Fritz and was enthusiastically seconded by Commissioner Nick Fish and then Novick.

Before closing his remarks, Novick one-upped a past reference to Casablanca—part of a spat he'd had with Fish over the street fund months before. This time, it was a nod to The Maltese Falcon and Sidney Greenstreet's portrayal of Kasper Gutman.

If he has to go to Istanbul for ~~an income tax~~ a rare statue, then so be it.

The Daily Journal of Commerce

\$67 million reservoir project on track

*By Inka Bajandas
December 17, 2014*

Portland Water Bureau officials this week submitted the first of two land use review applications for a \$67 million project to build a new underground reservoir in place of Washington Park's existing open-air reservoirs.

With this application, officials are seeking Portland City Council's OK to demolish the historic Weir Building and remove portions of two reservoir basins to make way for the proposed Washington Park Reservoir Improvements Project.

Next month, the Portland Bureau of Development Services will issue a notice of public hearing and open a 71-day public comment period for that portion of the project. The public hearing date has not been set yet, Water Bureau spokeswoman Jaymee Cuti said via email.

Project plans call for a fountain consisting of a series of tiered pools and a nature area atop a planned 15-million-gallon underground drinking water reservoir in the footprint of one of the existing reservoirs. Washington Park's other reservoir would be decommissioned and a lowland habitat area and reflecting pool would replace it.

Water Bureau officials plan to next spring submit a second land use review application for construction of the new covered reservoir, reflecting pools, lowland habitat area and walkways as well as rehabilitation of historic structures nearby.

Before building permits can be issued, land use review applications must gain city approval. This includes a historic resource review by the Historic Landmarks Commission and a conditional use and environmental review through the city hearings officer.

Water Bureau officials announced last year that they plan to proceed with the project after receiving a mandate from the Oregon Health Authority to follow a federal regulation that outlaws the use of uncovered reservoirs to store finished drinking water. The rule is intended to reduce the risk of exposure to contaminants.

Hoffman Construction crews are scheduled to start work on the project on July 1, 2016 and wrap up in late 2020.