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Auditor's report finds citizen advisers should have declared their financial interests



Multnomah County sold four prime downtown blocks to Melvin Mark Development Company for the Morrison Bridgehead Project, and Portland City Council is prepared to raise the maximum building height from 75 to 250 feet, reversing established policy of stepping heights downward toward the river. Source: West Quadrant Plan, portlandoregon.gov/bps/article/528512



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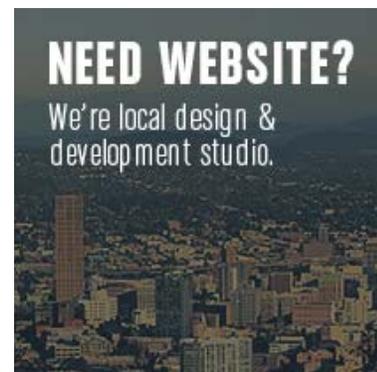
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Portland city officials have not been overly concerned about possible conflicts of interest among citizens who advise them on policy matters.

For that matter, neither has the Portland news media. A July NW Examiner cover story, "Code of the West," on financial connections of stakeholder advisory committee members reviewing a portion of the proposed Comprehensive Plan, has been ignored by local papers and news stations.

This casual attitude toward citizen advisers may be ending as a result of an Oct. 21 report by Ombudsman Margie Sollinger of the City Auditor's Office.



City Commissioner Dan Saltzman is more than pleased with the West Quadrant Plan, as presumably are the Goodmans and Melvin Mark associates, who have supported his campaigns—and sat on the West Quadrant Plan Stakeholders Advisory Committee.

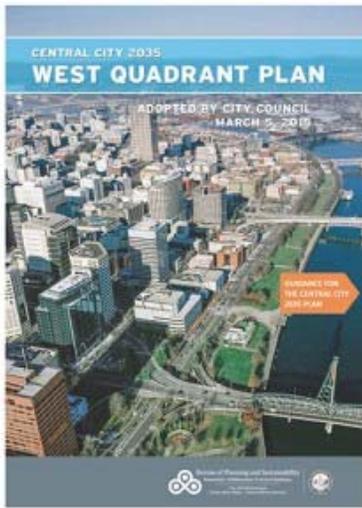
Sollinger supported the essence of an anonymous complaint filed with her office in June. The complaint charged that property owners, builders, developers, architects and others with a financial stake in development filled 24 of the 33 seats on the West Quadrant Stakeholders Advisory Committee.

Furthermore, all but one of the 17 members who voted to increase building height limits and relax development restrictions had real or potential conflicts of interest, the complaint asserted.

Members of the committee were not asked to disclose their property interests at any point in a two-year process during which they met 16 times and produced a plan later approved by City Council.

"I have concluded that the Bureau of Planning and Sustainability did not properly train SAC members about their legal obligations," Sollinger wrote. "I have also concluded that it appears likely that individual SAC members did not comply with their obligations to disclose potential conflicts of interest.

“As a remedy, I have recommended that the Bureau of Planning and Sustainability call for SAC members to publicly disclose any potential conflicts before the Planning and Sustainability Commission or the City Council adopts a final plan in 2016.”



Susan Anderson, director of BPS, promised to cooperate.

“We are taking steps to address the issues raised in this complaint, including educating all members appointed to new and future stakeholder advisory committees about the public ethics laws,” Anderson wrote in a news release. “We will soon be asking all West Quadrant SAC members to complete a disclosure form

to make sure any potential conflicts of interest are disclosed and made part of the City Council record before council votes to adopt the Central City 2035 Plan.”

Mayoral candidate, State Treasurer Ted Wheeler, is taking the matter seriously.

“The public deserves confidence that city decisions aren’t being made with undisclosed interests influencing the process,” Wheeler said in a statement to the NW Examiner. “We need a city government committed at all levels to increased transparency and accountability in governing, and it appears this is an area where they have fallen short.

“I commend the citizen activists who brought this to the auditor’s attention and her push to require transparency from all appointees to advisory committees about potential conflicts of interest. I look forward to reviewing their work.”

Only one member of the current council, Amanda Fritz, accepted the Examiner’s invitation to respond to the auditor’s report.

This issue struck a nerve with Fritz in March, when she scolded her colleagues at the City Council hearing on the West Quadrant Plan. She reacted to increased height limits for targeted properties in and around the Morrison Bridgehead Project.

"I'm disgusted with this entire hearing," Fritz said. "What we are doing is spot zoning to benefit particular developers ... many allied with members of the council."

The most important ramification of the auditor's report, in her mind, is that the council can still revise the West Quadrant Plan next year when the citywide Comprehensive Plan is to be adopted.

"I recommend that the Bureau of Planning and Sustainability contact SAC members and have them disclose any potential conflicts of interest. The bureau should then compile a disclosure document that itemizes the responses," she said.



The properties identified will have their current 75-foot height limits increased to 250 or more feet under the completed West Quadrant Plan.

Fritz also wants to know if any SAC members fail to respond to the disclosure request. She expects that information to be "entered into the public record and presented to the decision-makers when the Central City Plan—of which the West Quadrant Plan is

a part—goes before the Planning and Sustainability Commission in February 2016 and to City Council after that.

"Such action would provide the sort of transparency that Oregon ethics law requires and help to restore public confidence in the integrity of the process," Fritz said.

The commissioner stood alone last March when she condemned the influence of special interests, and the four other members of council are apparently still unmoved. When they were invited to comment on the auditor's report last month, the only one who answered was Dan Saltzman, who did so with a curt "no."

After the March council hearing, Commissioner Saltzman told KOIN 6 News, "I'm not going to be shy or defensive about this at all. I feel great about this; this is what makes this city a great city."

Commissioner Nick Fish told KOIN it was "absolutely not true"

that council is in bed with big developers. "I think that's an insult to all the citizen volunteers who crafted this plan."

Tracy Prince, president of the Goose Hollow Foothills League, believes the ombudsman's recommendations—allowing those with conflicts to participate fully if they reveal their interests—does not go far enough.

"It is very important to remove people who are voting for their financial interests from all city processes (SACs, neighborhood association and coalition boards, Portland Development Commission, etc.). The city's current policy encourages people who have much to gain financially to vote on the very policies that will enrich them. This must end."

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I'm sure its been brought up before, but can't the building be moved to another location? I.e. in two parts -- the front 3-floor section and the rear 1-floor section. Many much larger, heavier moves have been done.

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