

The Oregonian

Do road repaving projects in east Portland come with bike lanes too? Portland City Hall Roundup

By Brad Schmidt

Two projects in east Portland will eat up most of the city's modest "road rehabilitation" budget and, in the process, may spur some new bike lanes too.

The Portland City Council on Wednesday is being asked to approve an estimated \$2.2 million to repave a portion of Southeast 122nd Avenue and all of Southeast 130th Avenue between Stark and Division streets.

The city's road rehabilitation budget: \$2.7 million through June.

Next fiscal year, the Portland Bureau of Transportation budget requested by Commissioner Steve Novick calls for less: \$1.2 million. (Novick called to say Wednesday that the \$1.2 million is a portion of the \$2.7 million that won't be spent this year. That means no new money would be set aside for road rehabilitation in the budget next year).

Portland's road maintenance woes are well known.

Last year, the city auditor highlighted that just 60 percent of the city's arterials and collectors received pavement-condition scores of 65 or above. For local streets, the share of streets rated fair or better was just 53 percent.

The city's goals: 80 percent for arterials and collectors, 70 percent for local drives.

Keeping the city's already crumbling streets from getting any worse would cost an estimated \$92.7 million next year, according to new city numbers. (Novick called Wednesday to say that this figure is actually to help the city meet its goals, not prevent further deterioration. He said the city's requested budget misstated the situation).

Novick's requested budget for 2014-15 is seeking \$14.4 million for street preservation work, up by about \$700,000 from the current year and about \$4 million more than the spending levels set under former Mayor Sam Adams.

The 122nd project, from Southeast Market Street to Stark Street, features portions of pavement with scores from 31 to 57. Southeast 122nd is one of east Portland's busiest north-south roads.

The 130th project includes roadway with scores of 20 to 59. It's a quiet, two-lane road that passes by two schools.

"Yes, there are worse roads," Diane Dulken, a transportation spokeswoman, said in an email. "Worse roads require more extensive reconstruction and a much, much higher cost. So for the same available budget, a worse road allows for less lane-miles to be improved."

Both roads will be grinded and repaved with a new three-inch layer of asphalt. The city is also performing the same work, albeit at a smaller scale and cheaper cost, on Southeast Stark Street between 92nd Avenue and Interstate 205 and North Vancouver Avenue between Russell and Monroe streets.

Asked for a formal written description of the two larger projects, Dulken said none exists.

But a new bikeway appears to be in the mix for Southeast 130th, which passes by an elementary school and David Douglas High School.

According to documents headed to the City Council, a meeting was held Friday to "finalize

According to the documents, Wednesday's City Council decision "does not preclude" adding bike lanes or removing street parking.

Southeast 130th is listed as a "Street of Citywide Significance" as a "priority bikeway," although no bike lanes currently exist.

Fred Miller: Former state, PGE executive steadies ship after Jack Graham's firing as top Portland administrator (Q&A)

By Andrew Theen

Fred Miller is no stranger to big bureaucracy.

He worked under four different governors in Salem, and served as the director of multiple departments during his 20-year tenure in state government. So in November, when Mayor Charlie Hales first broached the idea of manning the ship of Portland's 630 employees at the Office of Management & Finance, Miller might have been caught off guard, but he was not unprepared.

The 71-year-old was intrigued, however. "I think I've got a perspective that most people wouldn't have," the former Portland General Electric executive said in an interview with *The Oregonian*. "It's easier for me to get to, 'Here's an idea, and how we should solve it,'" Miller said. "I have no trouble making decisions."

Nearly a decade after Miller retired from PGE, and more than two decades after he left state government, he decided to return to work, albeit on an interim basis.

Hales tapped Miller to replace Jack Graham, the former director of OMF and chief administrative officer, whom Hales fired in November.

Miller and Hales have known each other for decades. Miller pledged to stay on board with the city until Hales finds a permanent replacement.

The *Oregonian* sat down with Miller last week to talk about why he took the position and what his impressions are of city employees. Some questions and responses were edited for brevity and clarity.

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Q: How was the interim chief administrative officer position pitched to you?

A: "It was only because we violated our travel rule. We (along with wife Karla Wenzel) always traveled over Christmas. The kids went down to Ecuador, and we decided we were staying home. First Christmas in 10 years we haven't gone somewhere. And I happened to be at a dinner, and the Mayor was saying, 'Here's a big problem coming up' as he changed CAO's, and who can do that? And a couple people around the dinner looked around and said, 'Well, Fred.' This is not unlike the job I had at the state."

Q: Who all was at the table?

A: "Bill Wyatt, Dave Yaden, Tom Kelly, John Russell and the Mayor. I thought, well, our daughter is at college and our son was just about 16. We just moved from a bigger house to a smaller house where he can walk across the street to Wilson. The Mayor and Gail (Shibley) came to chat at Starbucks in Hillsdale and I said sure."

Q: Why did you take the position?

A: "I had the time. I don't know if I'd really be retired if I didn't have all the kid duties. Last year I pitched batting practice about three days a week. We live close enough to Wilson to drive down to the batting cages before school and hit. Jackson (son) had about 75 games last year. It just eats up the time. But once I don't have to drive him, I thought, I've got the time. I think there's something important about public

service. This is a job I can do better than lots of people. I was doing, I think, a favor to the Mayor. It's probably good for the city, and I think it has been a good experience for me."

Q: What kind of skills do you need to do this job or be an executive or top administrator at the state level?

A: "I'd go back to state government: You have 120 different departments and the governor only appoints about 20 directors. Most people think he's [the governor] the CEO, but you don't have CEO's that don't appoint subordinates. So it's a complicated system. But I can deal with the ambiguity. And I'm a good manager. I came in here, and I figured I could handle the ambiguities of this job. You might say my title is CAO, but I know better than that. I mean, we've got commissioners who have bureaus, and I'm not going to walk in and say to a director of a large bureau or the chief of police, 'Hey, this is what you ought to do.' But I might have an idea that several of the bureaus can benefit from. There is some common interest in lots of areas. I don't flaunt power. Ideas should make sense. So, it was a pretty easy transition. I was surprised at how soon this became comfortable."

Q: What differences have you noticed, working at the state and PGE then at the city?

A: "There are meetings that sort of run your life. My assistant gave me my list of meetings. Those are my regular meetings (holds up spreadsheet showing about 40). Some of those are weekly, some are bi-weekly, some are monthly. There's structure. You learn who's doing what or what your responsibility is in the meeting. But then I step back and say, 'what kind of special things might the City do to make it a better city?'

And there are all kinds of cross-bureau issues. We're doing something related to risk management. We're looking at surplus land to see if we can convert land to use for deferred maintenance. There are issues that cross all bureau boundaries that need attention. So you pick up these special projects that seem interesting or productive. Then, some assignments come from the Mayor's office. When I leave, if these things are moving forward, I will have made a good contribution."

Q: What do you want to accomplish?

A: "We need to move ahead on the list of things I just mentioned. Beyond that, the wheels have to keep turning. There are decisions to make – we have a budget to prepare for our areas. I didn't come in to make lots of personnel changes, rather we're waiting for recommendations from a study of OMF."

On another front, we need to focus on customer service. PGE, two years ago was the number one electric utility in customer service, nationally. Last year, Northwest Natural was the number one natural gas utility, nationally. And my comment to employees here is that our competitors for providing public service are number one in the nation. If you think about it, there are transparent boundaries between government and utilities. I mean we're serving the same public. We're competing, with being successful, with two really good performers. I like that. That represents a challenge. How can we get there?"

Q: Customer service is a big thing to you?

A: "That's how we earn our stripes. I thought the city did a really good job responding to the snow storm. That helps us. (Chief) Mike Reese mentioned the other day, people that deal with the police, give them something close to 80 percent approval. Now, not everybody deals with the police, but it's something positive."

We need to find ways we touch the public that make them feel good rather than have the story of, 'Why did this take so long? I didn't get an answer.' That's something I'm not going to solve, but we can move forward."

Q: What is the culture of city government?

A: "Culture is very important. But I don't think there is a City culture. There surely is a Police culture, a Fire culture, a Parks culture and others. We need to look for themes common to all of the cultures. We need to do a better job of orienting new employees. All of us can focus more on customer service. We have the need for strong management in common."

Q: You mentioned the OMF study. How aware of it are you and what do you expect to come of it?

A: "I'm very aware. The consultant (Moss Adams) spent a month interviewing people and finding out what's working and what needs more work. They will move to structured recommendations such as how my (CAO) job is defined. And there's always the discussion of whether we need a Chief Financial Officer. Their report should be done in April."

Q: Do you think there should be an independent CFO?

A: "My inclination is no. But the consultant may recommend it. I'm sure the Mayor would be willing to do that if it's the best idea. You almost have to define that term. It's a more complicated question. Right now we have the Controller, the Treasurer, and the Revenue Bureau as separate functions. My sense is most people looking at that would say there's some way to combine those functions. But that doesn't say CFO. And especially if budget is outside [the independent Budget Office]. The first question is, should you combine the financial functions and then what kind of job is it? And, with budget on the outside, I'm not sure that's a CFO job. Someone might argue that. That's a possibility."

Q: Overall, do you get a sense of how the city is running? I know that's a big question.

A: "Somebody asked me recently what I think of the city. I said I'm working with some of the best people I ever worked with. Really, really some top talent – and I like that. Everyone notices and comments on silos and they exist. But it's not that they can't be dealt with."

There are things to improve, but I'm more impressed than unimpressed. I still think there are too many public frustrations, there are too many examples where someone says, 'I had to wait three days to get a call' or, 'I got different answers from different people.' We've got to do that better, but this is a big place."

Q: Have you thought about making your mark?

A: "I'm not trying to build a resume. I don't want to walk out with medals and say wasn't that great. But I do want it better than when I came in. I look forward to coming to work. I'm dealing with lots of people and issues and get involved with all kinds of challenges."

The Portland Tribune

City releases list of possible homeless camp sites

By Kohr Harlan

Chris Hooker lives in a nice new house just off MLK on NE Sacramento, and the Right 2 Dream Too homeless camp has identified the lot right across the street as a place they'd like to move the camp to.

"This is nothing but clean living here, and I'm speaking for the neighborhood, also," he told KOIN 6 News. "The neighborhood, they're not going for it. I don't think it'd be a good idea to bring that much traffic and that much homeless stuff around here."

This is one of 22 locations considered for the Right 2 Dream Too camp, reported by the Willamette Week after they got the list through a Freedom of Information Act request. Finding a new spot for the homeless camp may not be as easy a process as it sounds.

On Feb. 19, Portland city leaders OK'd a plan to give nearly \$900,000 of private money to help move the Right 2 Dream Too camp currently on Burnside. That night, Commissioner Amanda Fritz said the camp will be prohibited from being in a residential area in its next spot.

The City of Portland will manage the money on behalf of the homeless camp, which will be used to find a new location.

Bringing homeless campers so close to an established neighborhood is a risky proposition, Chris Hooker said, and pointed out the camp would be right next door to a drug and alcohol recovery program.

Another possible new camp: a commercial space indoor for lease at Northwest 18th Avenue and Johnson Street. It's a reasonably priced warehouse space Right 2 Dream Too would have to lease.

Two men inside an architecture firm across the street told KOIN 6 News they hadn't heard of the plan, but they are used to homeless people sleeping under the I-405 bridge three blocks away and eating at a church up the street.

Leaders will fine-tune storm, disaster response

By Jim Redden

John E. "Bud" Rice thinks Portland did a pretty good job responding to the early February winter storms.

Of course, Rice is 90 and remembers when the city only had three or four snow plows. A retired city maintenance supervisor, he used to drive one of them whenever more than a couple of inches of snow fell in town. Until then, city officials figured Portlanders could get around OK with chains on their cars.

"People were pretty self-reliant back then," says Rice, who started working for the city as an equipment operator for what was then the Street Cleaning Bureau in 1947.

The city's plowing priorities were equally limited back then.

"We did the bridges first, then the streets to the hospitals, then the hills," says Rice, who remembers his truck didn't have any heat, and he had to stop and physically shovel sand out of the back as he drove his routes.

Portland's storm response is a lot larger now. The Portland Bureau of Transportation — which absorbed the street cleaning bureau many years ago — has more than 50 vehicles that can be fitted with plows. Workers now concentrate on 518 miles of priority streets, including major arterials that support some of TriMet's busiest bus lines.

And more agencies respond to storms now, too. This year the Portland Police Bureau and Portland Fire & Rescue searched for vulnerable homeless people living on the streets and brought them to shelters.

Some things haven't changed, though. The city still does not plow residential streets, a decision Rice supports.

"If you plow a residential street, you create a berm of snow along both sides that traps cars and blocks driveways. People don't like that," Rice says.

And Portland still does not use salt to melt snow and ice. Rice still remembers when former Public Works Commissioner William Bowes banned it in the 1950s. At the time, Bowes, who served on the council from 1939 to 1969, was worried about the damage salt does to cars. Today, city leaders are more worried about its harm to the environment.

Preparing for the Big One

Despite the problems caused by the early February storms, city Commissioner Steve Novick says he is much more worried about what will happen when a major earthquake hits the region. Portland is in the Cascadia Subduction Zone, an active earthquake area that historically has seen big quakes about every 400 years. Oregon's last major earthquake occurred in January of 1700.

Speaking before the Portland Business Alliance on Feb. 19, Novick listed the potential major problems that could occur, including completely impassible roads and bridges, the loss of Bull Run water to the west side of the city, and the collapse of the large fuel storage tanks along the Willamette River in Linton.

“What I really worry about is having no fuel to get around and drive the economy, in addition to the environmental damage,” Novick said.

Novick was appearing on a panel on emergency preparedness at the PBA's monthly breakfast forum. Appearing with him was Eric Corliss, interim chief executive officer of the Oregon Trail Chapter of the American Red Cross, who seconded Novick's concerns. Corliss said such an earthquake could be the first genuine catastrophe in America in modern times, dwarfing Hurricane Katrina, which left most of the roads in and out of the Gulf Coast area intact.

“You won't be able to travel north or south, or east or west,” Corliss said about one potential result of a Cascadia Subduction Zone earthquake.

Also speaking were Bill Nicholson, senior vice president for customer service, transmission & distribution for Portland General Electric, and Patrick Sabe, operations director of New Seasons. They all stressed the need for individuals, families and businesses to prepare for such an earthquake. Corliss said personal preparedness is the best defense against any natural or manmade disaster.

Novick also urged the attendees to make sure their homes and businesses are earthquake-proofed. He said between 50,000 and 100,000 Portland homes could be damaged or destroyed by an earthquake because they are not bolted to their foundations — a project that costs an average of \$4,000.

To encourage more homeowners to act, Novick announced a pilot project to provide seismic and energy upgrades to around 30 homes in the Portland area on Thursday. He appeared at a news conference at a home to be upgraded with Oregon U.S. Rep. Earl Blumenauer, Novick and Clean Energy Works Chief Executive Officer Derek Smith.

The project is being funded by a \$100,000 grant from the Federal Emergency Management Agency, which awarded it to the Oregon Office of Emergency Management and the city of Portland's Bureau of Emergency Management.

Homeowners in the pilot project will receive funds to cover approximately 75 percent of the cost of the seismic upgrades. The goal is to test the feasibility of including seismic upgrade services as part of the overall home upgrade program services provided through Clean Energy Works in the future.

Funds limited for disaster response

The early February storms were the worst to hit Portland since the ones in January 2004 and December 2008. All three brought most of the city to a halt, raising questions about what else — if anything — could be done to fight them. The issue is potentially serious because some climate change models predict Portland could be hit with more frequent and more severe winter storms in the future.

City officials already have said they are not willing to buy additional equipment to clear any more streets, however. During the storm, both Commissioners Nick Fish and Novick said there is no money to buy equipment that will only be used every few years.

Beyond that, city officials have offered a few ideas about what they might do differently in the future. For example, Fish says the city needs to use social media better to get the word out to more people. He also thinks the city needs to stress that people should frequent locally owned businesses if they are stuck in their neighborhoods.

Other ideas could emerge in the future, however. Representatives from the various city agencies that responded to the storm will get together in coming weeks to discuss how it went.

And the cost of the response is still being tallied. The transportation bureau has a \$500,000 contingency fund for responding to storms and other unexpected problems, including landslides. The bureau also can help fund its responses with savings accrued throughout the year in other parts of its budget.

The Mercury

In Other News

By Dennis C. Theriault

DAN SALTZMAN actually said his opposition to a land deal giving homeless rest area Right 2 Dream Too nearly \$850,000 to move somewhere besides a city-owned lot in the Pearl District had hardened since he first blocked a vote on February 12. But instead of delaying the transaction any more than he already had—a non-unanimous council vote would have held up the necessary contracts until mid-March—the city commissioner left the city council chambers instead of voting no during a re-vote on February 19, so the deal could be sealed immediately. DCT

The Secret Weapon

A Tough New Police Policy Targets the Homeless. Why Doesn't Anyone Know About It?

By Dirk VanderHart

JUST LOOKING at crime statistics, last year was among Portland's safest in decades. But according to the Portland Police Bureau, life in the Rose City felt as precarious as ever.

"I heard more complaints last year from everyday citizens feeling they were intimidated, they were afraid, they felt they were going to be the victim of crime," Assistant Police Chief Larry O'Dea said in a presentation to local leaders and justice officials in early February.

Cops largely blame the homeless. And this summer, they say, things will be different.

At the presentation, O'Dea and Chief Mike Reese unveiled "Prosper Portland," a set of proposals designed to curb visible homelessness and unappealing activity that make downtown feel unsafe. And they reiterated a familiar gripe: Ever since a judge threw out Portland's controversial "sit-lie" ordinance almost five years ago, the bureau doesn't have the tools to effectively clean up downtown.

"Our ordinance is challenging for us," Reese said at the meeting. "Our current sidewalks ordinance allows much of what you see to occur."

What Reese didn't mention—and what some high-level officials didn't realize until the Mercury let them know—was that he has a new weapon in place: a tough policy that addresses exactly the type of nuisances many Portlanders take issue with.

By targeting low-level offenders for arrest and ramped-up prosecution, cops and prosecutors say they can persuade troublemakers to clean up their act—or at least take it to another city.

"There's enough of a consequence that, all of a sudden, Portland's not just this completely defenseless community," says Chuck Sparks, a chief deputy in the Multnomah County District Attorney's Office.

But like sit-lie, this Chronic Offender Pilot Project (COPP) has spurred concerns it's overbroad and may violate civil liberties. The policy also might impact the Multnomah County Jail, which only recently seems to have gotten ahold of persistent overcrowding issues.

Some advocates worry the program could bury already disadvantaged people even deeper, saddling them with debt and a criminal background or arrest warrant.

"It might solve a short-term problem, but it doesn't do anything for the long-term," says Monica Goracke, an attorney at the Oregon Law Center. "That kind of leadership needs to come from the city."

Here's how it works: Until last year, prosecutors say, crimes of littering, public intoxication, and public urination carried little consequence. Offenders were given a court date, and, if they didn't show up, nothing meaningful happened. Their offenses were reduced to violations, so judges didn't even enter a warrant that would flag them for arrest.

COPP wields a heavier hammer. Now, instead of citing people for these nuisance crimes, cops can simply issue a warning and place the offender on a list. If an officer catches the same person, say, littering again a day or week or month later, that person will be charged with "interfering with a peace officer," a class A misdemeanor, along with the original nuisance offense.

And if that person, once released, doesn't show up for court? An arrest warrant is issued.

The policy—currently limited to downtown and the Lloyd District—"should serve to make Portland less attractive to people who want to come here and openly violate the law and degrade community livability," reads an internal procedure statement obtained by the Mercury, plainly referring to the "travelers" who descend on Portland in the sunny months.

COPP began toward the end of last summer, a season that saw sweeps of homeless camps and included a high-profile—if singular—incident in which a teenager used a skateboard to attack an elderly shopkeeper.

The new program has been used sparingly, but that's set to change. COPP has already been extended once, and officials say they'll keep it going past its current April 1 expiration date and into the city's busy tourism months.

When the program started "we handpicked officers who we thought had the temperament," says Commander Bob Day, who oversees the police bureau's central precinct. "If we continue this we'll be educating more and training more."

According to the district attorney's office, just 20 people had been cited under COPP as of February 21. Of those cases, three resulted in conviction, three were dismissed, four are open, and 10 have active warrants for arrest. (The DA's office declined to share the list).

Paradoxically, cops and prosecutors see the warrants—each one adding a fugitive to the county's rolls—as potential victories.

"People with warrants just tend to find their way to the police," says Jim Hayden, a senior deputy district attorney. "If these people are still hanging out downtown, why aren't they being picked up?"

The answer, officials hope, is that they've skipped town. Both Hayden and Sparks theorized that word can spread quickly among bands of travelers. Whether by Facebook, Twitter, or old-fashioned word of mouth, they think the news is out: Portland's going to throw you in jail.

Many justice officials and advocates say they haven't heard of COPP. But facets of the program raised questions and concerns nonetheless.

For instance, its interpretation of the state's law on "interfering with a peace officer," which makes it a class A misdemeanor to refuse a cop's "lawful order."

"[Interfering] is the most overbroad statute in the world, and you can use it against anyone at any time," says public defender Chris O'Connor. "Why don't they just send out a public text alert and say, 'Everybody obey the law today'? Then you can arrest people for jaywalking."

Use of the statute also raises a red flag for Becky Straus, legislative director for the American Civil Liberties Union of Oregon.

"If the City of Portland's police bureau is interpreting that statute in a way that's so overbroad that it's infringing on people's rights, we'd be concerned about that," she says.

And what about the policy's effect on the county jail system, which has been so overcrowded in recent years it had to release record amounts of inmates?

That problem has subsided, with no emergency releases since November, according to the Multnomah County Sheriff's Office. But increased arrests and arrest warrants for minor crimes could change that picture. The sheriff's office said it had not heard of COPP, and couldn't comment.

Goracke, the Oregon Law Center attorney, said in some ways COPP sounds like an improvement over the "sit-lie" ordinance, which famously outlawed sitting on the sidewalk, in many cases.

"I can't say I think it's a terrible idea to go after those problematic behaviors," she says. But she notes that the policy has the potential to create real problems for homeless people already facing long odds.

"That's not a small offense," she says of the interference charge. "When they do take whatever steps it takes to end their homelessness, they have this record and all these fines racked up against them."

The argument's not lost on Day, who says he's leery that police officers are often treated as the "tip of the spear" when homelessness is concerned. The commander says he has no illusions the city can arrest its way out of these problems, and that officers will be "judicious" in how they use the policy this year.

But, he also notes: "There needs to be accountability. If they're going to drink and urinate in the streets of Portland and they decide that's inconvenient and they want to go to Santa Barbara, I'm fine with that."