

The Oregonian

Real estate-shopping for a homeless camp must be an open process: Editorial Agenda 2014

By The Oregonian Editorial Board

Not everything government does should be a matter of public discussion. Devising emergency evacuation routes, to name one of a thousand tasks in a city bureaucracy, is best handled by experts who know road capacities and topography before a best-effort map is released for public consideration and feedback. Ditto for the next best idea in water billing: Let the experts do what they're paid to do.

But does the same logic apply when situating a homeless camp? No. Yet that's what's going on as a few Portland officials secretly cull through a list of more than 20 candidate sites for relocating the tent camp Right 2 Dream Too, parked on a West Burnside Street lot at the gate to Chinatown.

The situation is remarkable and, likely, unique. R2D2 is a tent camp that formed at the invitation of convicted murderer Michael Wright, aggrieved the city had shut down his adult bookstore. After years of fines were assessed against Wright and his partners for code violations, Commissioner Amanda Fritz took matters into her own hands. Worried a lawsuit could hamstring the city in its efforts to regulate homeless camping, she decided to waive more than \$20,000 in fines and move the campers temporarily to a city-owned site beneath a bridge on-ramp in the Pearl District. And the immediate backlash, by neighbors and developers, produced an astonishing result: the promise of \$846,000 to the city by developers to situate R2D2 elsewhere. Or, to borrow loosely from the title of Mona Simpson's first novel, go anywhere but there.

The anywhere, however, is within several Portland neighborhoods and next-door to businesses and private residences. This circumstance was dictated by R2D2, which had asked that the city find a suitable lot or building to buy or rent within 1.5 miles of the Portland Building – to keep the community within a stone's throw of downtown social services and, where possible, employment. Slightly more than half the sites are. To R2D2's credit, the hefty financial jumpstart positioned the group to demand the kind of respect that would be challenged by eyeing out-of-sight, out-of-mind sites such as that occupied by the homeless at Dignity Village.

But now secrecy enshrouds a process whose outcome could be consequential for many Portlanders. The, generated by the real estate broker Cushman & Wakefield, was pried loose from City Hall after written requests from The Oregonian and Willamette Week.

When The Oregonian's editorial board asked Fritz to discuss the process by which the city would evaluate the many sites, she responded, in an email: "Sorry, I'm not giving any interviews on the next steps for R2D2 at this point. We are evaluating potential sites collaboratively. There is no other information to share, other than that." Asked a day later whether she really meant it, Fritz replied with a riddle: "It's too early to say what the process will be once the list of possibilities has narrowed to viable sites," as if the list were self-narrowing. But a spokesman for Mayor Charlie Hales made legible Fritz's position by saying site selection would become publicly discussible once a best candidate site was put before the City Council for its consideration. And Josh Alpert, a policy adviser to Hales, confirmed that he and Fritz were winnowing the sites down by examining them against several metrics for suitability. None, Alpert said on Tuesday, had yet been eliminated.

The editorial board took a field trip to scout one site, at 1333-1335 NW 20th Ave., between Northwest Overton and Northwest Pettygrove streets, in what has become known as Portland's rising Alphabet District. The warehouse-style structure is indeed for sale, with an assessed value of \$1,136,540 and zoned to allow for up to 100 beds. And it would seem to make a fine shelter, particularly with its proximity to the Portland Streetcar line. But it is structurally contiguous on the south side with the 11-unit Aloha Garden Court, a sleepy, modest one-story apartment complex. And it faces, across the street, a swank

modern six-story complex marketed as 20 Pettygrove, whose leasing agent boasts nearby restaurants, shopping and an upscale lifestyle supported by rents that in some cases top \$2,000 a month.

The site, in the end, may well not pass muster with Fritz and Alpert. But it would make sense for the neighbors to know now that their elected officials are considering the building, whose potential designation as R2D2's next home could bring a howl of protest or warm Portland embrace from them – there's no telling. What is clear now is that Alphabet District residents whose lives could be affected are being kept in the dark in a process run by a commissioner who championed community involvement while running for office but who in this instance apparently views community engagement warily or, at best, inconvenient.

It's time to fully trust Portlanders and open things up. R2D2 has won its considerable credibility by doing just that. City Hall should follow the example.

The Portland Tribune

Winter storms cost city \$740,000

By Jim Redden

The early February winter storms cost the Portland Bureau of Transportation an estimated \$740,000 for response and cleanup, according to figures released Wednesday.

According to the city, crews worked 24 hours a day in 12-hour shifts during the storm and the overtime for that response accounted for the majority of the additional costs, or about \$560,000. Materials and repairs accounted for the remainder.

Most of the cost will be covered by the bureau's \$500,000 winter storm contingency budget. Managers will strive to identify savings and efficiencies within the bureau's operational budget to cover the rest, the city says.

"This winter's storm brought out the worst in terms of travel and safety impacts and the best in terms of city crews' response, which was to immediately turn to a 24-hour-a-day schedule to clear streets of snow and address the hazards of ice," said PBOT Executive Director of Finance and Business Operations Alissa Maher. "Now our job is to work hard to create savings where possible to cover the additional storm costs."

Bureau managers will have until the end of the fiscal year on June 30, 2014, to identify savings to cover those additional expenses.

Although the storm is over, gravel cleanup continues. The majority of those costs are covered by the bureau's base operations budget and overtime costs have been accounted for in the estimate released today. Crews also treated city streets with deicer on the days leading up to the storm, a service that was covered under the base operating budget.

City may repay ratepayers for cleanup

By Steve Law

Portland sewer customers have shelled out money via their utility bills for 13 years to cover city spending for federal Superfund work on the Willamette — though the sewers had little to do with the toxic sediment contaminating the river.

The city's Superfund expenditures — topping \$52 million — were one of the big-ticket items cited by critics who sued the city in 2011 and accused city commissioners of using water and sewer rates as a “slush fund” for unrelated projects.

Now city officials are promising that sewer ratepayers will be reimbursed once the Superfund cleanup moves forward, and say that was their intention all along.

“There's never been any understanding that it's all going to be on the back of city ratepayers,” says Dean Marriott, director of the Bureau of Environmental Services, the city's sewer and storm drainage utility.

The bureau had the most expertise on matters related to the river, so the City Council asked BES to spearhead the city's Superfund efforts, Marriott says. “But we've not generated any of the contamination of concern that's in the harbor.”

That's welcome news to Kent Craford, a key force behind the 2011 lawsuit and a related May ballot initiative that would wrest the city sewer and water bureaus from City Council control.

“From a money standpoint, this is terrific news for sewer ratepayers,” Craford says. It might result in tens of millions of dollars credited back to sewer customers in future years.

However, Craford wonders why he never heard about this before, during several years spent closely monitoring the city water and sewer utilities, including a spell on the citizens budget committee for BES. Craford also has received many documents from the city about the questionable sewer and water expenditures, procured by his attorney John DiLorenzo.

“It is nowhere to be found, any inference that anybody's going to pick up the tab for Superfund other than sewer ratepayers,” Craford says. “Faced with a \$127 million lawsuit and a likely verdict, they've changed their tune.”

Discussed several times

Craford says the city's promise to make ratepayers whole down the road raises more questions about how the city has operated its utilities and used customers' money. He wonders if it's legal, and says ratepayers must be repaid with interest for fronting the city's Superfund costs all these years.

Marriott, one of the city's longest-serving and most-respected bureau chiefs, denies that the city has changed its position. The Superfund process is long and complicated, and it was always assumed that once the federal Environmental Protection Agency ruled on which city agencies bear responsibility for fouling the river, and the cleanup costs were clear, then the City Council would bill the proper agencies and shift money around, Marriott says.

“I don't know that it was ever presented to council for a vote on it, but it's been something that's been talked about and understood from the very beginning,” Marriott says. “This subject was discussed on more than one occasion.”

Upon request, Marriott provided two City Council resolutions that bear on BES's role in the Superfund effort. The first was adopted in February 2001, two months after the EPA made the polluted Portland Harbor on the Willamette River a Superfund site. That resolution designates BES as the lead agency for the city's work on the Superfund project. However, the resolution makes no mention of how the bureau's efforts should be funded.

Marriott says it was assumed that the bureau would get the money from ratepayers. In each year since, he says, the bureau's Superfund expenditures were listed as a line item approved by city commissioners.

The second resolution was adopted in December 2012, during a flurry of activity as then-Mayor Sam Adams was winding up his term. According to that resolution: “The council anticipates that if the city is ultimately held liable to pay costs and damages under Superfund, that the council will then assess how best to assign those costs to its various agencies, bureaus, or funds, taking into account the bases of liability and the council's authority under the charter.”

Craford points out that the resolution was passed more than a year after the lawsuit was filed questioning the Superfund expenditure as a BES ratepayer obligation.

Internal discussions

A former city finance official, who wishes to remain anonymous, recalls Marriott insisting early on that ratepayers be reimbursed eventually. "It was always a sense that it would not just be BES" ultimately paying for the Superfund, he says. "Dean Marriott was very clear about it."

In internal city discussions, the former finance official says, there were three bureaus discussed that might bear responsibility for Superfund cleanup: BES, because it runs the storm drainage and sewer systems that pumped some contaminants into the river; the Portland Bureau of Transportation, because it oversees city streets that also carried contaminants into the river; and the Fire Bureau, which conducted firefighter training exercises along the river that may have resulted in some discharges of toxic materials into the Willamette. But the city didn't want to "show its hand" about its cleanup responsibilities, the source says, for fear other polluters would try to take advantage and get out of paying their share.

Craford says the way the city handled this issue validates his contention that city councilors used money from sewer and water ratepayers as a "cookie jar."

"The sewer ratepayers are footing the bill because the city can make them," he says.

A retired city budget analyst, Katie Bretsch, concurs. "Jane and Joe Ratepayer didn't create this problem, and I think that if they were asked, they'd say the polluters, or their successors, or their for-profit industries generally, should pay," Bretsch says. "I think they'd say their bills are high enough already. The decision to make Jane and Joe pay is purely political."

City may get Superfund money back

Why is Portland so heavily involved in funding the Superfund project while arguing the city did little to cause the contamination in the first place?

Portland is a key player in the Lower Willamette Group, made up of parties identified as potentially responsible for the Superfund cleanup who are willing to step up and play a leadership role. The group also includes the Port of Portland, Northwest Natural and several industrial companies active on the river.

It's typical for local governments to play leadership roles in such Superfund groups, says Barbara Smith, spokeswoman for the Lower Willamette Group.

"They feel this needs to go well; it needs to be done with the best interests of the community," she says.

Being proactive can pay off, Smith says. The Lower Willamette Group, under EPA's oversight, hired the consultants who are testing the river sediment and helping draft potential cleanup scenarios. The EPA will use those reports to ultimately decide which parties must pay for the cleanup and how much.

Conversely, potentially responsible polluters who haven't stepped up may wind up paying more in the long run, she says. "There are many hammers in the law that require potentially responsible parties to participate, and if you don't, it can be worse."

Portland is contributing 25 percent of the Lower Willamette Group's budget, which so far totals nearly \$100 million, says Dean Marriott, director of the Portland Bureau of Environmental Services. The city also is spending money on its own behalf for related Superfund cleanup efforts.

Ultimately, the city expects it will get reimbursed if it contributes more than its share of the costs. That means ultimately city sewer customers could get credited for shouldering the city's contributions to the Superfund project. But it's not yet clear when that will occur and how much it might be, Marriott says.

Study says city top heavy with supervisors

By Peter Korn

A new report says Portland city bureaus have not implemented many of the cost-cutting recommendations from a 2011 study that looked at how many employees were supervised by each manager.

The 20-page report by the Council Budget Subcommittee, "Citywide Span of Control Study," released Wednesday after a Portland Tribune public records request, found that some bureaus were top heavy with more managers than necessary.

The bureaucratic phrase at issue is "span of control." Ideally, city bureaus would have no more higher-salaried supervisors than is necessary to direct lower-salaried employees. But the new report says the Portland Police Bureau in particular, is top heavy with command staff and that between \$500,000 and \$2.5 million could be saved if 22 command-level positions were either changed to sworn officer status or eliminated. The report found that there are 33 police officers receiving supervisor pay who oversee three or fewer officers.

The new report describes a city bureaucracy that has evolved bureau by bureau rather than by design, and that has taken shape by organizational changes that did not take into account optimum efficiency. Some bureaus, according to the report, have supervisor to employee ratios based on managers' decisions to reclassify employees into pay increases as a means of keeping them on board. Others have their supervisor-to-employee ratios dictated by retirements, according to the report.

The report echoes a 2011 study by the Portland city auditor that recommended that each bureau set and try to meet goals for how many employees would be supervised by each manager.

Drummond Kahn, director of Portland's Audit Services, says he is pleased that the new report will keep the 2011 recommendations in public view. But Kahn says he is concerned that recommendations from as far back as 1994 still have not been fully implemented.

"It's good the city is still discussing it, but it means the work still needs to be completed," Kahn says.

Sources Say: Water district fight hitting closer to home for Fish

By Jim Redden

The fight over the proposed Portland Public Water District is getting increasingly personal.

Supporters of the measure on the May 20 primary election ballot have released a poll they claim shows city Commissioner Nick Fish is vulnerable in the same election. The poll, conducted for the ballot measure campaign by Riley Research, shows Fish with just 23 percent of the vote in late February. The largest block is "Undecided" at 59 percent.

None of the other current candidates have significant support, however. The poll shows Sharon Maxwell at 3 percent and Michael Durrow at 1 percent. Another 15 percent chose "Someone else."

Fish is in charge of the two bureaus that would be included in the independently elected district, the Water Bureau and the Bureau of Environmental Services. Like Mayor Charlie Hales, Fish has been outspoken in his opposition of the measure and repeatedly has criticized co-petitioner Kent Craford, who released the poll.

The poll also included questions on Measure 26-156 itself, which Craford did not release, saying they were for internal campaign use. He declined to answer questions about how the poll showed the measure doing.

Money flows on both sides of water district measure

In the meantime, public employee unions and environmental organizations are beginning to pour money into the campaign to defeat the water and sewer district measure, as expected.

According to the most recent campaign filings, AFSCME Local 189 has contributed \$10,000 to the Stop the Bull Run Takeover PAC. Other contributions include \$10,000 from the Audubon Society of Portland, \$2,000 from Depave and \$200 from Urban Greenspaces Institute. The Audubon Society, Depave and the Urban Greenspaces Institute have all received money from BES for various projects.

The campaign in support of the measure, Portlanders for Water Reform, are primarily funded by large corporate water users. Major contributions include \$5,000 from Hilton Worldwide, \$5,000 from the Siltronic Corp., \$40,000 from the Portland Bottling Co. and \$25,000 from American Property Management.

Putting their money where their vote is

Contributions are starting to mount in the campaign against the Tigard measure to oppose a new high-capacity transit line.

The Stop Congestion - Vote No Committee now reports receiving more than \$15,000 to fight the measure on the March 11 special election ballot. Major new contributions include \$500 from the Pile Drivers Union, \$3,000 from LTK Engineering Services, and \$500 from PGE.

Supporters of Measure 34-210 report raising more than \$8,000, with most of it — \$6,000 — coming from lumber company owner Andrew Miller. He also is a major supporter of the conservative Oregon Transformation PAC, which spent \$1,600 to place arguments supporting the measure in the Voters' Pamphlet.

Willamette Week

Universal Health Care Advocates Will Protest New Name of Timbers' Stadium

By Nigel Jaquiss

Health Care for All Oregon, an advocacy group seeking universal health care, does not like Providence Health and Services spending money to put its name on the former Jeld-Wen Field.

That naming rights deal, announced earlier this month, changed the name of the stadium that is the home of the Portland Timbers and Thorns and Portland State Vikings football teams from Jeld-Wen Field to Providence Park. None of the entities involved, including the City of Portland, which owns the stadium, has been willing to disclose the financial terms of Providence's deal.

On Saturday, Health Care for All Oregon, a coalition of 60 organizations, is holding a rally to protest Providence's expenditure. The Timbers play the Philadelphia Union in their home regular season opener at 7:30 pm that day.

Here's the message the health care group sent out today:

Don't forget the rally on Saturday, March 8, to denounce Providence's flagrant misuse of our health care dollars to rename the Timbers' stadium! Let's meet at 5:30 p.m. on the corner of SW 18th and Morrison, in front of the Timbers' Stadium in Portland.

A representative of Health Care for All Oregon was not available for comment.

The Mercury

Ring of Fiber

Portland Might Get Google Fiber! Here's Everything You Need to Know

By Denis C. Theriault

WELCOME TO THE 21ST CENTURY, PORTLAND! Sorry our internet sucks.

It shouldn't suck this much. Considering that it was California where the internet took its first, slow steps, America could have been the first to provide its citizens with what's increasingly considered a fundamental right: fast, cheap access to the internet.

Instead, we have the opposite. Americans' expensive internet connections are slower than those in the Czech Republic. Slower than those in Hong Kong, Japan, Latvia, and the Netherlands. Slower than South Korea, Sweden, and Switzerland. The global economy has become ruthlessly competitive; if our internet stays the way it is, we'll soon be left behind.

But there's hope, at least for our city.

Last month, Portland—along with eight other metropolitan areas, including Atlanta, Raleigh, and San Jose—won a coveted spot on a shortlist of cities, all of which might get Google Fiber. If Google deigns to bestow its blisteringly fast fiber-optic network upon Portland and its suburbs, we could have faster speeds, more provider choices, and cheaper bills in just a few years. A network like Google's wouldn't just let Portland keep up with the rest of the world—it would also, for a while, give us a much-needed advantage.

In theory, an improved internet infrastructure would help Portland in countless ways: streamlining education, both on campuses and in homes. Supercharging job growth, particularly in the tech sector. Enabling more telecommuting and reducing pollution. Revolutionizing health care. Finally eliminating all lag from cheapadultwebcam.com!

It's an exciting proposition. Because if Google Fiber comes to Portland—and if we can avoid some of the pitfalls seen elsewhere—our internet won't suck anymore.

For most of us, that is.

THE BENEFITS OF FIBER

It's tempting to think of the internet as the "cloud"—an ethereal, intangible thing that magically binds together everyone we know, along with our messages, memories, books, pictures, movies, and pirated episodes of True Detective. But the real internet is a lot less futuristic. The real internet is wires and pipes and tubes.

"I have confirmed with my own eyes that the internet is many things, in many places," pop-science writer Andrew Blum says in the prologue to *Tubes: A Journey to the Center of the Internet*. "But one thing it most certainly is, nearly everywhere, is, in fact, a series of tubes. There are tubes beneath the ocean that connect London and New York. Tubes that connect Google and Facebook. There are buildings filled with tubes, and hundreds of thousands of miles of roads and railroad tracks, beside which lie buried tubes. Everything you do online travels through a tube. Inside those tubes (by and large) are glass fibers. Inside those fibers is light. Encoded in that light, is, increasingly, us."

Those glass fibers are the core of fiber-optic cables, and the lasers that course through the glass move data at nearly the speed of light. With fiber, data can be uploaded and downloaded at one gigabit per second. That's 100 times faster than Portland's typical broadband. Page loads and video streaming would be instantaneous; downloading an HD movie would take less than one minute. And the potential for new high-speed applications is all but unlimited.

A good amount of the tubes used by internet providers are already filled with fiber; it's where the fiber stops, usually right before your door, that the data within slows to a crawl. What Google Fiber and similar networks do is string that fiber directly into homes.

But before fiber can reach your house, new infrastructure must be created: a ring of fiber that encompasses the whole city. Once that's in place, the fiber is pulled from the ring into the city and collected in routing "huts." Then it's strung into telecom cabinets, those freestanding metal boxes scattered throughout the city, the contents of which you've probably never stopped to consider. From the telecom cabinets, fiber is buried or bundled along existing utility lines—until, finally, it's strung into individual homes.

It's an ambitious and expensive undertaking—the Portland Office for Community Technology estimates Google's expense for outfitting Portland will be \$300 million—which explains why no other company has stepped up. Not that they haven't thought of it. In 2011, Portland officials making strategic plans for broadband improvements received little support from Portland's biggest internet providers.

Asked to comment on Portland's strategic planning, both Comcast and CenturyLink questioned the city's goal of fiber-to-the-home connections, suggesting the market wouldn't support it.

CenturyLink uses fiber right up until it gets to neighborhoods, then switches to cheaper, slower copper wiring to connect to houses. Why add a bunch of new fiber, CenturyLink wrote in a letter, when Portland has a perfectly good "existing copper distribution network"?

That same letter actually answered the question.

Because the best download speed CenturyLink could theoretically muster in 2011 was 100 megabits per second—a 10th of what Google Fiber promises.

FUTURE DREAMS

Our internet didn't need to suck. But thanks to shortsighted deregulation—and the Federal Communications Commission's slow-witted refusal to recognize the internet as a public utility—corporations have been allowed to determine the speed and cost of internet in the US.

Those corporations have done so based on what's most profitable. In the case of America's largest internet provider, Comcast, that means a 95 percent profit margin on their sluggish service. (Good luck not getting angry about that the next time you pay your bill.)

"They're not expanding and they're not enhancing their service," Susan Crawford, former technology policy assistant to President Barack Obama and the author of *Captive Audience: The Telecom Industry and Monopoly Power in the New Gilded Age*, said last year in an interview with *Time*. "They've done their investment, now they're just harvesting. Shareholders are doing well. The rest of the country, not so great."

We could be doing great. Ironically, a tech giant like Google stomping into town could actually make Portland's internet less Orwellian. Fiber would deal a huge blow to the monopolistic Comcast—who, along with Portland's other internet providers, would likely have to lower prices and ramp up speeds in order to compete.

That would hardly be the end of the city's benefits, according to a report prepared last month by the Portland Office for Community Technology.

"The Case for Fiber in Portland: The Benefits Gigabit Networking Offers the Community" begins by noting that "fiber—like access to roads and waterways—is a key tool for economic development," then lays out 31 pages of "substantial educational, environmental, and health benefits."

The perks tagged by the report are wide ranging and maybe even fanciful: a prediction for "a significant number of construction and operations jobs," an influx "of new population and workers, particularly in high-tech, bandwidth-intensive fields," a better framework to allow more people to telecommute and "support workforce participation for seniors and the disabled," and vastly expanded applications for education and telehealth.

The report is a starry-eyed, rosy-cheeked prophet of good things to come—provided we have fiber linking every home.

If only it were that simple.

NOT SO FAST

Here's the bad news: Even if Portland gets the nod from Google, fiber still might not be a reality for a lot of Portlanders.

If Google throws its fiber lasso around the Portland metro area, neighborhoods must express sufficient interest in order to get connected. In other cities where Google has been installing fiber, at least five to 10 percent of households in each designated "fiberhood" had to sign up.

And that doesn't count apartments: Unless apartment owners are willing to pay connection fees for each of their units, only single-family homes will be allowed to mainline the sweet digital rush Google is peddling.

For some of Portland's households and neighborhoods, committing to gigabit service will be prohibitively expensive—and deepen the city's long-lamented digital divide, in which lower-income residents don't have the same access to the internet as well-off residents.

Based on subscription rates in other cities (\$70 a month for internet, \$120 a month for internet and cable TV), Google's gigabit service in Portland would cost about the same as Comcast's far-slower offerings. But unlike Comcast, Google also offers a "free" service. Customers pay only an installation fee, and they get free internet for at least seven years, with speeds comparable to basic broadband.

That installation fee varies—Google charges \$300 in Kansas City, but only \$30 in Provo, Utah, where it saved money by purchasing an existing fiber network. Google hasn't said what it will charge in Austin, Texas, or in any of the new cities it's considering, including Portland. (If pricing follows other Fiber cities, the installation fee can be spread out over 12 months.)

There's also this curious fact: Despite all the buzzing in Portland City Hall about Google Fiber spurring economic development, no established businesses will be allowed to tap into this first wave of fiber. Home-based enterprises and startups are more than welcome. But Google says it's still working on a service for traditional small businesses. It also says businesses are more likely than homes to have high-speed internet already.

(Google's also begun a program to connect public institutions like schools and government buildings to its fiber network. That would be a bigger deal here, except Portland already has a publicly owned fiber network that links schools, courthouses, government offices, and libraries.)

Dana Haynes, Mayor Charlie Hales' spokesman, said Hales was aware that businesses would be exempt when he and some hand-selected tech execs offered soaring rhetoric in February about how fiber will make Portland's businesses more competitive.

"If you're talking about trying to encourage businesses to move here," Haynes explains, "fiber to the home is one of those things they'll think about. Absolutely. That's pro-business."

SECOND TIME'S THE CHARM

Portland's been here before. Sort of.

Back in 2010, city staffers spent months perfecting a colorful—albeit extremely technical—argument for why Portland, and no one else, deserved to be Google's first fiber guinea pig. The whole thing got so perfectly "Portland" that Hopworks Urban Brewery was even brought in to craft a "Gigabit IPA."

Google chose Kansas City instead. Dusty, unopened bottles of Gigabit IPA can still be found in city hall.

The beer was mentioned on February 19, when Hales announced Google's renewed interest. But the truth is, Google came back for more meaningful reasons.

For one thing, Portland refused to take no for an answer. Mary Beth Henry, the city's telecom czar, never missed a chance to prod the company at conferences and events over the past few years.

Just as importantly, the city kept pushing to craft a nationally noted plan for broadband that put in writing its firm devotion to home-strung fiber. Work on the plan began under Commissioner Amanda Fritz's office and finished under Commissioner Dan Saltzman.

"It definitely played a part in this," Brendan Finn, Saltzman's chief of staff, said of the plan.

This time the work will be spread across the region.

Portland's been tapped alongside Gresham, Beaverton, Lake Oswego, Tigard, and Hillsboro. Henry says discussions in Portland about "potential mutual development interests" with Google started "last summer."

But word about this new fiber flirtation didn't spread regionally until Google—with nondisclosure agreements in hand—came calling two or three months ago, says Beaverton Mayor Denny Doyle. "Then they got serious a month ago and went ahead and did their thing."

That "thing"—Google's announcement—was the starting gun for a frantic government race. Google has given the nine metro areas on its list just 10 weeks—until May 1—to turn over reams of infrastructure data that Google will use to make an expansion decision by the end of the year: Which power lines are underground? Where are your power poles? Have fiber conduits already been laid? Are they accessible? What about sewer lines? Roadwork?

The answers to those questions, according to the planning documents Google is providing, might even influence whether the company adds municipal wifi.

Cities with fiber in place may be able to offer up some of that capacity, reducing costs and making their candidacy all the more attractive. Ditto for places with lots of accessible utility poles.

Haynes, Hales' spokesman, says that work has already started. Portland held an all-bureau meeting on Tuesday, February 25, and handed out a loooong to-do list. Beaverton Mayor Doyle says a regional work group will coordinate the same across the various cities.

Sources tell the Mercury that logistical discussions might conceivably spread to talk of incentives. But incentives are tricky: Google makes a point of noting that it's neither asked for, nor received, special treatment, and cities can't offer things like waivers or subsidies unless they also offer them to Google's competitors.

"Believe me, there will be people watching that carefully," Doyle says.

More likely? Cities will find a way to help lower-income property owners pay for the installation of fiber connections. That not only would help convince Google that the expense of constructing a network here is worthwhile—but it would also shrink the digital divide.

"That levels the playing field," says Doyle.

DATA OF FUTURE PAST

Portland has long had dreams of egalitarian internet access—back in 2006, the city paired with an ambitious Silicon Valley startup, MetroFi, and pledged that by 2008, 95 percent of the city would have free wifi.

But MetroFi's service, which relied on antennas installed throughout the city, suffered from pathetic performance. Faced with increasing money shortages, the plan was dead by 2007—and with it, Portland's hopes for free, equal-opportunity internet access.

While MetroFi tried—and failed—to get money from both the city and from Portlanders willing to buy "premium" subscriptions, Google's plan is more straightforward: Google makes money when people do things online, and gigabit internet means more people doing more things online. Thanks in large part to ads on Google's unavoidable suite of services—from google.com's search pages to Gmail, YouTube, Maps, and more—Google made \$57.86 billion in 2013.

And given fiber's efficacy as a digital delivery system, it's worth noting that Google's been heading into selling digital content. Google Play, for example, offers TV, movies, music, books, magazines, and games. There's a reason why, when Fiber customers in Kansas City and Provo purchase the company's gigabit internet and TV package, Google throws in one of their Nexus 7 tablets: One more screen is one more way for people to buy content.

In addition to laying the groundwork to make money from ads and content, Google also claims to be kick starting the "future of the internet," laying down fiber so its own engineers won't feel "constrained" when dreaming up the company's next suite of projects.

A spokeswoman for Google, Jenna Wandres, compared the arrival of fiber to the transition between dial-up speeds and broadband, conjuring up a grim scene from the not-too-distant past: low-resolution pictures loading line by line.

"Look at the innovation that came from that jump," Wandres says.

Wandres also asserts that the fiber Google is providing will be "future proof." Even gigabit service, one day, will seem quaint and slow—but the tubes themselves will remain just as nimble.

"Once the network is in place, once you put the fiber strings in the ground," she says, "as technology develops you can change the equipment on the network to push higher speeds."

Welcoming in a giant company like Google is a far cry from the idealistic days of MetroFi. And long term, there's the possibility that Portlanders might trade one monopoly for another.

Other risks are on the horizon: Could Google's attractive "free" internet option disappear after seven years? What if Google decides to start playing favorites with the content it delivers? (When asked about the latter, Wandres replied, "We have no plans to.")

Some communities have avoided risks like these by installing fiber themselves. Despite panicked complaints and desperate lawsuits from phone and cable companies, Lafayette, Louisiana, installed its own fiber-to-the-home service. The results were impressive: "From 2007 to mid-2011, people living in Lafayette saved \$5.7 million on telecommunications services," Susan Crawford wrote for Bloomberg View.

In the Columbia River Gorge, the Dalles did something similar. Sick of being ignored by telecoms, the town installed its own 17-mile fiber loop. Shortly after its completion in 2003, the \$1.8 million loop reinvigorated that often-forgotten part of the Northwest: Google now has a data center in the Dalles, and set up free public wifi in the Dalles' downtown.

Portland also thought about building its own, significantly more expensive fiber network—and even considered entering the field as its own service provider... before deciding to entice others to build instead.

"We took that big, diving look into a municipal network," says Finn, Saltzman's chief of staff and a leading broadband policy voice in city hall. "It was too much risk for government to take."

WAITING FOR GIGABIT

None of this is perfect.

By now, in an ideal Portland, the city would already have a fiber network—one that functioned as a public utility rather than a commercial enterprise.

But given economic realities, a once-in-a-generation infrastructure enhancement like Google Fiber still marks a huge opportunity. If Google chooses us at the end of the year, Portland will have to ensure all of its residents will benefit. The promise of the internet, after all, is that it links together everyone—not just those who can afford it.

And if, for whatever reason, Google declines to bring fiber to Portland?

Then it'll be time for the city to figure out another way to make it happen. Before we get left behind.

Hall Monitor The Very Clever Federal Judge

By Denis C. Theriault

THE QUESTION before Michael Simon, the US District Court judge weighing Portland's controversial police reform settlement with the US Department of Justice, seems pretty simple.

If Simon decides the proposed reforms are "fair, reasonable, and adequate"—that they justly address a federal finding that our cops have engaged in a pattern or practice of using excessive force against people with mental illness—he will let the agreement officially take effect.

But if Simon agrees with the dozens of citizens and advocates who packed his courtroom last month, and decides the settlement falls short? He will be compelled to reject it wholesale.

Simon is the first to admit he's not allowed, technically, to order specific changes. So a rejection could force the city and the feds, and the city's rank-and-file police union back to the negotiating table. Or not. A trial could loom—and real, needed change could be even further delayed.

But nothing about this saga has ever been as simple as it seems.

Simon, at least in this case, has made a habit of creatively exploring the outer limits of his judicial leverage. And he appears to be doing that again—actively charting a middle course meant to improve the deal, by weaving in changes, without destroying the tenuous bonhomie between the parties that led to a deal in the first place.

He gave his first hints during last month's day-and-a-half-long "fairness hearing." Simon listened intently to all the harsh testimony—complaints about cops overseeing cops and the lack of agency in Portland's current civilian-oversight system.

Then, after reminding the feds, the city, and the police union that he could easily plunge them all into legal purgatory for several more months, Simon graciously and cheerily offered an out: the chance to submit amendments.

They all said no, politely. They want this over with.

But Simon isn't taking no for an answer. On Friday, February 28, he entered a compelling document into the court file—13 incredibly persnickety questions about the proposed reforms and Portland's current police oversight system.

"In light of some of the comments raised during the fairness hearing," Simon wrote in what might be his most difficult question, "do the parties believe that the Independent Police Review Division and the Citizen Review Committee provide a fair, reasonable, and adequate process by which citizens can make complaints against Portland police officers and have confidence that complaints will be adequately investigated and resolved?"

Beyond that, Simon's asking about an already out-of-date provision promising new mental health treatment centers by mid-2013 ["An Empty Mandate," News, Feb 19].

And, if Simon does decide to say yes, he's looking for some creative ways to increase his oversight.

It's another way of pressing the point that at least a few amendments might be helpful. Also, it's another way of making sure the wider community—if Simon gives it his blessing—says yes, too.

"He's asking them, 'Are you sure?'" says Dan Handelman of Portland Copwatch. "We really want to see those changes made. But it's nice he's going to at least force them to respond."

In Other News

By Mercury staff

IBRAHIM MUBARAK, a co-founder of Right 2 Dream Too and Dignity Village, pleaded not guilty on Friday, February 28, after he was arrested while confronting cops rousting homeless campers beneath the Burnside Bridge and charged with interfering with a police officer and criminal trespass.

Mubarak had joined several advocates from Right 2 Survive on a mission to observe how police and security guards had been treating the groups of homeless people who'd been setting up near the Skidmore Fountain MAX station in recent weeks. He was the only one arrested, after refusing to give his name and demanding a police officer ask him "nicely" to get on the sidewalk.

While his case is pending, Mubarak has been ordered by Judge John Wittmayer to keep out of the private parking lot behind the MAX tracks, stuck on and near land owned by the city, the University of Oregon, and Mercy Corps.

Mubarak, a Muslim, also says he's considering a complaint after officers, after he was arrested, insisted on using his birth name, Keith Jackson, instead of, as he says they put it, "what Ali Baba" named him.

URBAN RENEWAL in Portland could be in for a substantial face-lift, according to a draft proposal released late last month by the Portland Development Commission (PDC). High on the list is a plan to deal an early death to the city's so-called Education Urban Renewal Area—a zone around Portland State approved in 2012 at the urging of then-Mayor Sam Adams. The Mercury was first to report on that strong possibility.

The draft plan, first reported by the Portland Tribune, also ponders a significant expansion of urban renewal zones in the Central Eastside (to capture light-rail development) and around North Macadam (to beef up the waterfront and make up for the loss of the PSU zone). And it would cleave off a portion of the bustling River District URA, the main engine behind the modern Pearl. The idea is to put some of that valuable property back on the main tax rolls—giving the city, Multnomah County, and Portland Public Schools millions more in tax revenue to play with—while leaving enough in the urban renewal till for projects in Old Town/Chinatown.

The final plan must be adopted by the Portland City Council.

The Portland Business Journal

Providence naming rights pricetag: Portland insists it has no clue

By Elizabeth Hayes

Even though the city of Portland owns the Timbers' stadium, it apparently is not privvy to the dollar amount that Providence Health & Services is paying for naming rights to the park.

"The city does not have in its possession a non-redacted version of the Peregrine-Providence Park Naming Agreement. Under the Stadium Operating Agreement, Peregrine is not required to give the city a non-redacted version," Kelly M. Ball, principal management analyst with the Office of Management and Finance for the city said in an email.

Peregrine Sports LLC entered into a 15-year agreement last month with Providence, which renamed Jeld-Wen Field as Providence Park. Peregrine operates the stadium for the Portland Timbers Major League Soccer team.

The Business Journal has asked the city for a non-redacted version of the agreement and also appealed the matter to the office of Multnomah County District Attorney Rod Underhill.

But Underhill's office doesn't have jurisdiction "unless the public body custodian acknowledges possession of the record but denies disclosure based on a statutory exemption," Travis Sewell, senior deputy district attorney, said in an email.

"At this point, the petition will be considered denied because the city does not have possession of the requested material," Sewell said.

The city's stance is a shift from three years ago. In an April 1, 2011 letter to Peregrine, attorney Dina Alexander, then representing the city and with the firm Ball Janik, wrote a letter to Peregrine concerning the city's Stadium Operating Agreement and naming rights.

Alexander wrote: "Finally, in accordance with Section 9.2 of the Operating Agreement and because the city may be required to assume Naming Rights obligations, the city requires that Peregrine deliver non-redacted versions of the Agreements to the city for its review and records."

Deputy City Attorney Mark Moline said in an email today that the city "reconsidered its position." He said that with the termination of the Jeld-Wen Naming Rights Agreement, that agreement automatically terminates and the city would not assume naming rights obligations. The clause is in the Providence agreement as well, he said.