

## The Oregonian

### Google Fiber says all 34 cities still in the running at checklist deadline; TriMet offers to help

By Mike Rogoway

Google Fiber, looking to expand to as many as 34 more cities across the country, says all are well on their way to completing a checklist the company issued with a deadline of midnight tonight.

Google is considering expanding its high-speed Internet service to nine metro areas across the U.S., including Portland and five suburbs (Gresham, Tigard, Lake Oswego, Beaverton and Hillsboro.) In February, the company asked the cities to respond to a checklist of information about their local utility setup, topography and regulations.

"We've been impressed by the enthusiasm and engagement of every one of these cities, and all of them have, for the most part, completed their checklists," Google Fiber's Jill Szuchmacher wrote in a blog post on the company's website this morning.

Google says there are still "loose ends" to run down, including some significant ones around placing large "fiber huts" on public property to help run the network. Portland estimates the company will want about 15 in the city. Google wants a licensing agreement for the huts as soon as possible.

#### Google Fiber Q&A

What might it cost? Where would it go? Is it useful? Check out The Oregonian's Google Fiber Q&A.

Additionally, Google wants to put 2x2x4-foot utility cabinets on parking strips in neighborhoods in each city. Some cities, including Gresham, already allow some cabinets. Portland does not, though, and city officials are considering rules changes to allow them.

The issue has been contentious in some cities, including San Francisco, where neighbors don't want to see streetscapes disrupted. In Portland there's thus far been no public outcry.

Google says it will spend the rest of the year seeking franchise agreements with each cities (Portland is in the lead on this – the city council votes on a deal for Google on May 7) and working out agreements to use other companies' utility poles for its fiber.

Once it has that done, Google says it will draw up "blueprints" for local networks and make final decisions.

But "don't be surprised (or get too excited!)," the company writes, "if you run into a Google Fiber crew doing work around your town, or see postings for local jobs on our Fiber team; before we formally decide to bring Fiber to your city, we may do some exploratory work and recruiting."

The company reiterated that it expects to make a decision by the end of the year on which cities will get Google Fiber.

Portland posted its response to Google's checklist late Tuesday or early Wednesday, more than a day ahead of schedule. A couple highlights:

On the utility cabinet issue, Portland told Google that "cabinets are allowed," but that restrictions may exist on siting, visual mitigation and the size of the cabinets.

And TriMet, not formally a part of the city of Portland, made a submission to Google anyway.

"TriMet believes that its existing conduit runs and associated facilities could serve as a plug and play environment for a Google Fiber ring (or backbone) and hut sites," the transit agency wrote.

TriMet said it has 80 miles of fiber running under MAX light rail lines, plus park-and-ride sites that could be suitable for Google's fiber huts.

## City of Portland doesn't goose budget with vacant jobs, audit finds

*By Brad Schmidt*

The city of Portland generally does a good job filling its roughly 5,500 positions, with few vacancies and appropriate timelines for new hiring, according to a city audit released Thursday.

The report, from Auditor LaVonne Griffin-Valade's office, recommends that city officials create a policy to minimize staffing vacancies and provide the City Council with reports annually on positions that have been open for at least six months.

Although wonky, the issue of city staffing and vacancies is timely as Mayor Charlie Hales rolls out his proposed spending plan for the upcoming fiscal year. Transparency can become an issue when positions are eliminated, but the posts are vacant even though there's a public perception of looming layoffs.

If positions are budgeted but deliberately held open, the audit notes, city officials have the ability to tap that money to cover other costs.

But auditors found that in each of the past three years, only about 5 percent of citywide jobs on a given day were vacant. Auditors estimated that vacancies typically extended more than six months, not an "inappropriately long" amount of time.

## Commissioner Steve Novick will answer questions about proposed Portland street fee, transportation network in Thursday live chat

*By Andrew Theen*

Commissioner Steve Novick and transportation bureau officials have hit the pavement in recent weeks for a series of town hall meetings.

Novick, Hales and Portland Bureau of Transportation director Leah Treat will once again host a transportation town hall on Thursday night at Woodstock School in Southeast Portland. It's the final scheduled town hall event to discuss potential funding strategies for street maintenance and safety improvements.

But both Novick and Hales have been clear that either an \$8 or \$12 monthly street fee is the likely option. That scenario could raise upwards of \$52 million per year from residents. Novick and Hales also said previously the measure didn't need to go before voters.

Roads, sidewalks, street signals, bridges and other city assets are part of daily life in the city, something that residents depend on to get around.

Previous stories have produced scores of comments and questions ranging from gas tax questions to studded tire bans and bicycle highways.

What do you want to know?

Leave your questions for Novick in the comment section, and he will start answering questions on Thursday at noon.

Disclaimer: Keep the comments civil, and keep the questions direct and succinct. That helps all of us get a better grasp on what people want to know.

## **Mayor Charlie Hales will discuss his 2014-15 budget priorities Thursday afternoon: Portland City Hall Roundup**

*By Andrew Theen*

Portland Mayor Charlie Hales will reveal his spending plan for the 2014-15 fiscal year on Thursday afternoon, a hint at where the mayor would like to spend the roughly \$9 million in discretionary general fund dollars up for grabs this year.

The general fund pays for police, parks, and other key city services.

Last week, Hales' spokesman Dana Haynes alerted city hall reporters that the financial outlook for one-time and ongoing spending was rosier than previous estimates. City Council has roughly \$9 million to play with, but an estimated \$34 million in requests from city bureaus to choose from.

In his first year in office, Hales faced a \$21.5 million budget shortfall. "This is a tough budget for a tough year," he said that year in a news release. "People will be laid off. Popular programs will be eliminated."

The 2014-15 year is a different story, with Hales terming it a "stabilization budget."

Hales' proposals aren't necessarily set in stone. A formal proposed budget will be released on May 13. The City Council will convene as the city's Budget Committee on May 28 to approve the proposed budget.

Thursday's budget briefing is scheduled for 1 p.m.

## **Portland finally inks labor deal with DCTU, largest group of union employees**

*By Brad Schmidt*

After more than a year of tense and tumultuous negotiations, the Portland City Council unanimously approved a new labor contract Wednesday with the city's largest group of union employees.

The agreement with the District Council of Trade Unions and its roughly 1,600 employees ends the most difficult labor negotiations in recent city history.

"It's the product of a lot of hard work and compromise by both sides," said Anna Kanwit, Portland's director of human resources.

The contract is retroactive to July 1 and runs through June 2017. Excluding cost-of-living adjustments, the new version of the contract is expected to cost the city about \$131,000 more than the previous iteration.

"It's a great day," said Rob Wheaton, who negotiated on behalf of the coalition of seven unions, which includes AFSCME Local 189 and Laborers' Local 483.

Commissioner Steve Novick praised employees for accepting a 0.9 percent cost of living adjustment, half the standard for the current fiscal year, which he called a "permanent wage reduction." In years ahead, employees will receive full cost-of-living pay hikes.

Commissioner Dan Saltzman offered the most critical view of the new deal, saying he wasn't pleased the city backed off efforts to tighten overtime earning. Portland's longest-tenured city commissioner said employees should earn overtime pay only if they actually work more than 40 hours in a given week, but not if some of those hours include sick leave.

"I think that's going to come back to haunt us," he said.

The DCTU agreement is the sixth and final contract negotiated by city leaders in recent months. Negotiations began in February 2013. Officials for both sides thought they struck a deal in January, only to see union members vote against it.

"Perseverance paid off at last," Mayor Charlie Hales said.

# NE Portland sidewalk injury leads to \$63,500 lawsuit: Questions answered

*By Aimee Green*

A story about a \$63,500 lawsuit filed by a Portland man who claims he injured his shoulder when his wheelchair struck a 3-inch raised section of sidewalk has stirred lots of reader questions.

We'll try to answer some of them.

But first, a quick summary of the story, which was posted Friday on OregonLive.com and attracted more than 100 comments: Robert P. Simon claims that he was out getting some summer air on June 25, 2013, when his wheelchair hit a raised section of sidewalk near Northeast 45th Avenue and Hancock Street. He was thrown to the ground.

He's suing the property owner, J.G. Portland LLC, because Portland city code places the responsibility of repairing sidewalks -- and any potential liability -- on the people or corporations that own the land abutting the sidewalks.

Simon's attorney, Blake V. Robinson, says J.G. Portland ignored a 2006 letter from the city warning that it needed to repair its sidewalk.

The city sends out about 2,400 letters each year warning property owners that it's time to fix the sidewalks bordering their homes or businesses, says Dylan Rivera, spokesman for the Portland Bureau of Transportation.

Rivera helped us dig up answers to some commonly asked questions about sidewalks. We also were able to find some answers through our own research:

Who owns the sidewalks?

The city does.

Why does the city place the responsibility of maintaining sidewalks on property owners?

While we weren't able to find an answer to this question directly from the city, it's fair to say repairing all those sidewalks would blow the city budget -- and likely raise taxes.

Are property owners responsible for raking leaves as well as removing snow from the sidewalks bordering their homes and businesses?

Yes. City code has required property owners to keep sidewalks in good repair for more than a century. Residents also must keep their sidewalks clear of slippery leaves (since 1972) and ice and snow (since 2002).

The city is responsible for some sidewalks, such as those in front of city properties (city hall, in parks, etc.). Is there a city law that protects the city for being sued for injuries sustained on a patch of city sidewalk that's not in good repair?

Nope. The city can be held liable, just as private property owners can.

Can property owners demolish the sidewalks in front of their properties and lay gravel? Why not?

"No," Rivera wrote in an email to The Oregonian. "There are standards in city code that require them to replace a damaged sidewalk with a like improvement.

"We try to work with people and help them understand their options. There are cases where people will say they have special conditions. Most often, people say they have a tree that is pushing the sidewalk up. They'll ask about alternative materials. It still has to be passable for pedestrians and the disabled.

"If you want to do part of the work yourself, we can give you some suggestions for what you might want to try to do."

There's a sidewalk in bad repair that I wish the property owner would fix. Who can I call?

“People can call 503-823-1700 to report a problem with a sidewalk in the Portland city limits,” Rivera says. “When we receive a complaint, we go out to the location and inspect. Then we draw up a plan for what it will take to meet city requirements. Or we decide that it’s fine and doesn’t need repair.”

OK, OK. I know I should fix my sidewalk. But what’s the rush?

Besides lawsuits filed by injured people such as Simon -- who says he fell from his wheelchair and injured his arm -- people actually have died after tripping on derelict sidewalks.

In 2007, 84-year-old Rosemary Vodehnal was walking through her neighborhood a few blocks south of Cleveland High School when she tripped on a bump in the sidewalk.

The roots of a pear tree had pushed up the concrete. She died two weeks later.

That spurred an \$825,000 wrongful-death suit against the homeowners who were responsible for that stretch of sidewalk. The case settled, but the terms of the settlement weren’t available for this story.

Didn’t answer your question? This city web page contains a lot of useful information:

<https://www.portlandoregon.gov/transportation/article/301362>

## The Mercury

### First Look at Mayor's Budget: New Urban Renewal Cash, Big Money for Housing, No Money for Firefighters

*By Denis C. Theriault*

Mayor Charlie Hales has unveiled his preferred draft of Portland's next operating budget this morning—counting on urban renewal clawbacks to further stretch a \$9.3 million surplus up to \$11.3 million and help him shower millions on the priorities he laid out last year, including homelessness and the city's ability to withstand a major earthquake.

(Hales and a slew of city staffers and bureau directors have promised to fill a room in city hall this afternoon and hash through the documents (pdf). We'll have another report later on, with added context and reaction from city commissioners.)

Homelessness and housing, in fact, appear to be the biggest winner. Hales has called for placing \$1 million in into the housing bureau's housing investment fund as well as putting another \$1 million into programs meant to ease bottlenecks in linking people on the streets with services. In all, he's called for \$2.25 million in new money—a significant sum, but still less than the housing bureau expected.

The mayor's also answered a call from Commissioner Steve Novick, agreeing to spend \$1.2 million on bringing the city's westside disaster operations center up to snuff. Without it, city trucks on the westside of the river won't have access to fuel in the event a major earthquake makes bridges and roads impassable.

And a handful of smaller projects also have been put in the queue for cash: the VOZ day worker's center, the city's Black Male Achievement Program, TriMet passes for students, a deputy chief of staff for the sometimes-overbooked mayor's office, the East Portland Action Plan, and a controversial study of traffic impacts in Southwest Portland.

But for all the good news, this budget may not be any less hard-fought and difficult than last year's, when the mayor and council had to close a \$21.5 million spending gap. Bureaus and commissioners put in \$32 million for requests, more than three times the \$9 million they were told was available for new and onetime spending. That was contrary to Hales' request that bureau's seek stabilization budgets without major addbacks, in itself a luxury after years of cuts.

Expect firestorms and some haggling over a handful of decisions Hales' didn't make.

Among the most consequential? He's not recommended giving the fire bureau the \$2.6 million it says it needs to keep from laying off 26 firefighters (and maybe closing a station) when a federal grant keeping those positions on the books expires after next year.

Hales also has seemingly snubbed the arts community, denying money to the Regional Arts & Culture Council—a group that had been a darling of his predecessor's administration. And he's not included money for a Chief Financial Officer position or articulated how much the city should spend on reconfiguring its Office of Management and Finance. He's also looking to cut off Last Thursday, as we first reported was in the offing.

And he maybe has picked a fight with the Portland Business Alliance, recommending the city stop spending nearly \$1 million a year to prop up the Downtown Marketing Initiative. The PBA and city agreed years ago that the city would spend extra money to make up for potentially lost business over increased parking rates in city-owned garages downtown.

The mayor even suggested denying a major request from the police bureau, which he oversees, for a restored night shift in its traffic division—while at the same time putting up big money for social services and anti-sex-trafficking programs overseen by the bureau.

Street-sweeping—as in who pays for it—has long been a battle between the Bureau of Environmental Services and the Bureau of Transportation. This year, BES casually offered to nix \$425,000 it pays into the street cleaning kitty, as part of a raft of cuts mandated by Commissioner Nick Fish. The mayor's accepted \$180,000 of those cuts.

Is it ironic or fitting that the City Budget Office won't get \$1 million it requested to replace its budget software?

The three-year-old Office of Equity and Human Rights has warned city council in the last year it's had difficulty getting widespread buy in for its chief mission—"promote equity and reduce disparities within City government"—in all the city's bureaus. Hales denied the office's request for a new staffer that would "enhance equity services."

Hales wants two more lobbyists to the city's Office of Government Relations, one more than was requested. It's probably not a coincidence that the city's signaled some ambitious policy goals it wants to achieve in Salem—including a revival of the controversial Sit-Lie law, and winning the ability for Portland to adjust its own minimum wage.

The mayor swatted aside 3.5 out of a requested 4.5 new positions at the Office of Neighborhood Involvement. The one job Hales approved? A staffer to help implement the East Portland Action Plan.

## **PRESS RELEASE**

**THURSDAY, MAY 1, 2014**

### **MAYOR CHARLIE HALES' PROPOSED BUDGET FOR 2014-15: FROM DAMAGE CONTROL TO GOOD GOVERNANCE**

**PORTLAND, OR** – Portland Mayor Charlie Hales releases his proposed budget for 2014-15 today. This is the city's first "stabilization" budget after years of cuts, and reflects the Mayor's values, including long-range fiscal planning, transparency and other good-governance policies.

Having eradicated last year's massive shortfall, and having set aside funds to pay off city debt in fall 2013, this year the Mayor's proposed budget includes initiatives aimed at three investment priorities: homelessness and hunger; emergency preparedness; and complete neighborhoods. Investments also address critical needs regarding equity, youth services and the environment.

The budget introduces key performance indicators, designed so that city residents can measure the impact of funding decisions.

Last year, the city faced an historic, \$21.5 million shortfall. The city had to cut 142 full-time equivalent positions in 2013-14, including cuts to the city's largest bureaus such as Police and Parks. Having made the cuts, the city went on to retain its AAA bond rating, and in the fall the

Council set aside funding to pay down millions of dollars in city debt, freeing up additional funds for years to come without having to go to voters for new taxes.

This year, the city has slightly more than \$9 million in discretionary funds to allocate, including \$4.6 million in ongoing funds, and \$4.7 million in one-time funds.

“We’re in a much stronger position this year. But \$9 million represents only a little more than 2 percent of the city’s budget,” Hales said. “Jobs are on the rise in Portland. Our economy is growing stronger. Our livability is the envy of the nation. But we can’t be satisfied. My budget drives all of these positive trends even further.”

The Mayor also has created \$1.5 million in additional revenues from revamping urban renewal areas, plus \$500,000 of contingency savings from Fiscal Year 2013-14. In total, the Fiscal Year 2014-15 budget will include \$11.3 million in discretionary resources above current service level, about 2.7 percent of the budget.

### **THREE PRIORITIES**

Of the discretionary funds available, the Mayor proposes:

- \$2.25 million for homelessness – including \$1 million for more outreach, referral and permanent housing for those now homeless and programs for youth homelessness. An additional \$1 million would go for the Housing Investment Fund, which leverages federal and other money to build more units of affordable housing.
- \$1.27 million for emergency preparedness – including funds for improving the community emergency notification system and regional disaster preparedness. The budget calls for \$1.2 million for the Jerome Sears Facility, to further develop the city-owned asset into a West Side emergency operations facility.
- \$1.98 million to help make neighborhoods complete – including new and ongoing funding for the Schools Uniting Neighborhoods, or SUN, program. Additional SUN Schools under the Mayor’s proposal include adding 10 new schools to the 70 SUN schools operating now, and providing permanent funding for five sites that faced expiring grants. The proposed budget also includes funding for the East Portland Action Plan and key investments in livability programs in the Office of Neighborhood Involvement and the Bureau of Planning and Sustainability.

### **YOUTH AND EQUITY**

Beyond SUN Schools, the budget includes a wide array of programs to support young Portlanders. These include continued funding for the TriMet Youth Pass for Portland Public School students, summer internships, funds to prevent sex trafficking, funds for Earl Boyles Early Learning Center, the Greenspaces Restoration & Urban Naturalist Team program for students, and the Mayor’s Black Male Achievement initiative.

The budget sets aside funds for strategic investments in equity, including Black Male Achievement; the Diversity and Civic Leadership Program within the Office of Neighborhood Involvement; funding for Southeast Works; a VOZ day laborers’ work center; and an equity position within Portland Police. That person will direct and manage the operations and activities designed to increase diversity, equity, empowerment, inclusion and cultural proficiency of the Police Bureau.

### **ACCOUNTABILITY**

The budget also dramatically reduces the number of “one time, ongoing” funded projects – projects outside a city bureau, which received funding on a “one-time” basis for two or more years, over and over again. These generally were “good causes” that, once funded, tended to stay around due to budgetary inertia.

“That’s a particularly bad budget-writing habit,” Hales said. “As appropriate, we have turned those special appropriations from one-time to ongoing funds, and we have moved them into bureaus where professional managers can keep an eye on them and be accountable for them.”

Hales began that process last year, during his first budget.

## **CITY/COUNTY BUDGETING**

A centerpiece of the Mayor’s budget is the city/county funding deal hammered out by Mayor Hales and Marissa Madrigal, chair of the Multnomah County Commission. “With the Chair’s leadership, we were able to create some true clarity in the respective roles of the city and county. This accord would not have been possible without the Chair’s strong support,” Hales said.

The details of the agreement were reached early, which provided clarity for budget-writers at both the city and the county.

“The city/county agreement helps move both governments into the appropriate lanes of focused responsibilities,” Hales said. “This starts work that has to be continued with the new Chair.”

## **RE-THINKING URBAN RENEWAL**

From early on in his term, Hales began analyzing the use of urban renewal areas – sectors of the city set aside to address blight. Under Oregon law, a city may draw boundaries around urban renewal areas, temporarily freeze property taxes that go to other governments, and use any incremental property tax revenue growth to stimulate development and investment. When urban renewal areas expire, the property tax value of their enhanced developments then flow back to the city, county, schools and other taxing jurisdictions.

Next week, the Council is expected to take up Hales’ proposal, which would return an estimated \$1.06 billion onto the tax rolls, and would provide approximately \$5 million to the city, county and school budgets this year, growing to approximately \$6 million in 2015-16.

That proposal breaks down to an immediate increase of an estimated \$1.5 million into the city’s 2014-15 budget – almost 17 percent of the additional \$9 million in discretionary funds, without raising taxes.

Multnomah County and Portland-area schools would receive immediate additional funds, thanks to the Mayor’s proposed URA changes.

## **MEASURING SUCCESS**

Finally, the Mayor’s proposed budget will include key performance indicators, designed to track the outcomes of the priority funding. “City residents and the media should be able to come back to us in a year and ask the question: ‘You spent money on these priorities. How did you do?’” Hales said.

The City Council will hold a special budget hearing 6:30 p.m., Thursday, May 15, at City Hall, 1221 S.W. Fourth Ave. The City Council is expected to vote on the budget by the end of May. The 2014-15 fiscal year starts July 1.