

## The Oregonian

### Water District backers call for sewer bureau director to resign in wake of \$12.6 million North Portland building

*By Andrew Theen*

A \$12.6 million sewer bureau construction project, originally projected to cost \$5.4 million, is evidence that spending at the public utility is "out of control."

That was the message delivered at a Wednesday news conference by Kent Craford, who's leading a ballot campaign to remove control of the water and sewer utilities away from the city.

Craford said Dean Marriott, the veteran director of the Bureau of Environmental Services, should resign because of cost overruns connected to construction of a new office building at the Columbia Boulevard Wastewater Treatment in North Portland. Marriott, who has held the director position since 1994, is the longest serving bureau director at the city.

But Nick Fish, the city commissioner currently in charge of the water and sewer bureaus, said Craford's news conference "strikes me as desperate." Fish called the move an indication that the water district ballot measure isn't gaining traction with voters.

Construction on the building, designed for 38 city of Portland workers, started in the summer of 2012 and employees started moving into the building in mid-November 2013. The reception area opened to the public at the beginning of 2014. The project replaced four temporary buildings at the treatment plant, and includes a new employee parking lot, landscaping and a new security entrance.

KOIN first reported the scope of cost overruns at the 11,500-square-foot sewer facility in March. Willamette Week followed suit with a story last week.

Officials in Fish's office said the \$5.4 million cost estimate for the building was first presented to City Council in February 2012. Ultimately the city awarded Skanska USA a \$6.7 million contract in May 2012 to build the new facility.

Previous media stories cited an initial \$3.2 million project cost, but that appears to be related to a separate construction project at the North Portland facility.

"In order to maintain the sewage treatment facility, we spend millions of dollars on enhancements, improvements and maintenance," said Jim Blackwood, Fish's policy director.

Rising costs for both building and designing the North Portland facility contributed to final price tag. The city's contract with Skylab Architecture, the firm hired in 2010 to design the project, soared from \$521,926 to upwards of \$1.3 million in 2012 (The company's website features the BES building prominently).

Now city officials are acknowledging the true cost of the new facility is \$12.6 million, including overhead and the cost of interest.

KOIN reported that the building includes custom-made \$1,095 bathroom doors, \$2,000 chairs, and other spending that Craford described as "lavish."

"There is no luxury too extravagant for this utility so long as they can stick ratepayers with the bill," Craford said. Craford asked the Multnomah County District Attorney to investigate the project.

Craford is the public face for the Portland Public Water District, the measure on the May 20 ballot that would remove oversight and rate setting of both the sewer and water bureaus from the City Council in favor of a seven-member separately elected board.

Commissioner Dan Saltzman oversaw the bureau throughout the project. He told Willamette Week: "I totally take ownership that thing project got way beyond its ways and means."

Fish took over the water and sewer bureaus last summer when Mayor Charlie Hales handed out bureau assignments. Fish said he wouldn't talk about Marriott, saying it was a personnel matter. Both Fish and Saltzman are running for reelection.

Fish said he and Hales are already taking "unprecedented" steps to look into the spending on the project. On April 25, the pair asked city auditor LaVonne Griffin-Valade to look into it.

In an email, Griffin-Valade said that was the first instance she could recall where multiple members of council sent a formal request to investigate a project. "Over the past five years," she said, "a couple of council members have suggested possible audits."

City auditors are already working on a report analyzing Portland's procurement practices, and will review the BES project "concurrently," Griffin-Valade said.

"A review of the BES project can only add value to our audit," Griffin-Valade said to Hales and Fish in letter last month. It's unclear when the audit will be released.

The City Council signed off on spending more on the building's design, Fish acknowledged, on several occasions without discussion. The revisions appeared on the City Council's consent agenda, which is typically approved in one motion without discussion, unless there's a formal request to remove a specific item.

Fish said most of those approvals came in 2012.

Fish said he instructed both utility bureaus to "lower the threshold" and bring contract proposals of \$500,000 or greater before City Council as a regular agenda item.

He added that by doing so, "we get more feedback from council and hopefully better oversight."

"I think it's an acknowledgement that we want to see more transparency on big construction projects," Fish said.

The city, he added, has "already taken some lessons learned" from the Columbia Boulevard facility cost overruns.

## **Portland considering smoking ban in more than 200 public parks: Portland City Hall Roundup**

*By Andrew Theen*

Portland is considering a smoking ban in all city parks, according to Commissioner Amanda Fritz's office. The parks board, a volunteer citizen-run advisory group, is examining what it would take to ban cigarettes and other smokable tobacco products in the city's public parks. The board has discussed a potential ban several times this year, most recently at a meeting Wednesday.

Fritz asked the board to look at a potential ban.

The parks board appointed a committee to analyze whether a ban was necessary and what a policy might look like. "We're just trying to get our facts and information down," said Andy Nelson, board chairman.

Enforcing a potential ban could be difficult, given that the bureau employs roughly two dozen park rangers to cover more than 200 parks.

Tim Crail, Fritz's policy director, said "nothing is imminent."

The volunteer board serves strictly as an advisory body. Crail said that if and when the board offers a recommendation, Fritz would "definitely have a public process," to further debate any policy change. But Crail said he wasn't certain if that policy change would necessarily need a City Council hearing.

City parks already have existing restrictions on cigarettes and other smokable tobacco products, Nelson said.

In addition to state rules that say smokers must be at least 10 feet from a public building, the city also requires smokers to be at least 25 feet away from playgrounds and picnic tables.

Crail said the proposed ban would apply to all parks. The city is looking at what that means for park-owned facilities such as golf courses and the Portland International Raceway, which sits on 291 acres in North Portland. The city already bans smoking in downtown's Pioneer Courthouse Square and Director Park.

Nelson said the initial board discussion prompted "a lot of visceral and emotional responses."

He said the board members want more information before making a formal recommendation to Fritz. If Portland enacts a ban, the city would join San Jose, Los Angeles, New York, Chicago and Philadelphia as major cities that ban smoking in public parks, according to Next City.

Hillsboro enacted a smoking ban in 2009, and Forest Grove just approved a measure earlier this year.

There's no clear timetable for coming up with a policy recommendation for Portland, Crail said.

"I don't think there would be any significant cost," he added.

The parks board asked for more information about who smokes, who would be most affected by a ban, and what cities such as Philadelphia are doing with enforcement and other issues connected to enacting a new ban.

## **The Portland Tribune**

### **Council revisits water resource areas**

*By Patrick Malee*

On the heels of the planning commission's formal approval of the city's water resource area code amendment project, the West Linn City Council revisited the matter for the first time since last fall during a work session Monday.

The three-year project to significantly overhaul the city's water resource area code was unveiled to the public last August, and further discussed at subsequent city council work sessions last fall.

The planning commission recommended approval of the drafted code amendments at a hearing Feb. 5.

"What you have in front of you, it's lengthy," City Manager Chris Jordan said. "This was a difficult chapter to try to get where we wanted it."

The project amounts to what is essentially a complete rewrite of West Linn Community Development Code Chapter 32, according to city staff. The overarching goal is to eliminate inconsistencies that hinder property development while assuring that the city's 26 lineal miles of water resource areas remain protected.

Water resource areas are defined as wetlands, streams and vegetated “riparian” areas that provide wildlife habitats while also helping maintain water quality, providing storm and flood mitigation and playing host to a number of recreational activities.

Jordan noted that, in the end, city staff agreed with almost all of the planning commission’s final recommendations. The two primary issues at hand to discuss during the work session concerned hardship provisions and whether the city should accept dedications of WRA land easements.

City staff and the planning commission agreed that the current hardship provisions, which allow property owners to develop a maximum of 5,000 square feet no matter how large the property is, are unfair. The amended code would allow for a maximum of 5,000 square feet or 30 percent of the WRA land, whichever adds up to be greater.

The question at hand when it came to hardship provisions was whether they should apply solely to undeveloped land, or whether developed land should be included as well.

“Some sites are developed, but not being used to the best of their capability,” Associate City Planner Peter Spir said.

The council agreed Monday that developed land should also be considered for hardship provisions.

“If the new language would allow them to do that originally (on undeveloped land), I’m not sure why we wouldn’t allow them to do it now,” Council President Jody Carson said. “That would be discriminatory.”

As far as WRA land easements, the council felt that the easements would be more trouble than they were worth. Current language allows developers to dedicate a portion of WRA land to the city, or for the establishment of protective easements.

“More times than not, requiring that conservation easement creates more trouble for the city than the protection might or might not provide,” City Councilor Mike Jones said. “If it’s a single family lot, we’re not going to know five years from now what’s going on with it.”

The final document will allow for the city and property owner to jointly agree on a dedication of land, if the city so desires, but developers will not be required to do so.

“This would be a more prudent approach,” Carson said.

In the end, should the council approve the proposed amendments, the city hopes the changes will significantly improve the land use process.

“This regulation, if approved, will be a vast improvement over where we are now,” Jordan said. “We think it alters the code to where you want it.”

The council is scheduled to make its final vote during a public hearing May 19. Due to a conflict of interest, Mayor John Kovash recused himself from any discussion about the WRA amendments.

To learn more, visit [westlinnoregon.gov/planning/water-resource-areas](http://westlinnoregon.gov/planning/water-resource-areas).

## **Measure supporters turn up heat on sewer building**

*By Jim Redden*

Supporters of the Portland Public water district have asked the Multnomah County District Attorney to investigate cost overruns at a new city Bureau of Environmental Services Bureau building.

The request is based on information contained in a May 6 report on KOIN TV News that revealed the city's chief architect on the project left to work for the building's contractor as the costs were increasing from \$3.2 million to \$12.5 million.

First Assistant DA Jeff Howes says the DA's office had just no immediate comment on the request — which was hand-delivered by letter Wednesday morning — but would review it over the next few days.

The supporters of Measure 26-156 on the May 20 Primary Election ballot also demanded that BES Director Dean Marriott be fired. The request and demand were made during a Wednesday morning press conference by measure chief co-petitioners Kent Craford and Floy Jones.

Mayor Charlie Hales and Commissioner Nick Fish, who is in charge of BES, had already asked the City Auditor's Office to investigate whether the spending on the project violated any city rules. Fish deferred comment on the supporter's request and demand on Wednesday, saying he did not want to politicize the auditor's office investigation.

Measure 26-156 would transfer control of BES and the Water Bureau from the City Council to an independently-elected district board.

The KOIN News 6 story on the press conference can be seen [atkoin.com/2014/05/07/water-investigation-spawns-resignation-demand/](http://atkoin.com/2014/05/07/water-investigation-spawns-resignation-demand/)