

The Oregonian

Portland Public Water District: Floy Jones says city may 'vilify' her but she won't stop fighting for reform

By Andrew Theen

Floy Jones estimates she's spent thousands of hours studying Portland's water and sewer spending during the past 12 years.

She brings documents on vacations. She talks about contracts with friends. She meets every other week with a group of 20 or so kindred spirits to dig into the bureaucratic minutiae. There's a sense of camaraderie there, but also of a greater good, she said.

"You get in so deep," Jones said of her research, "and nobody else knows what you know."

Jones is one half of the odd couple behind Measure 26-156, which would place Portland's water and sewer bureaus under the control of a new, independently elected board. Friends and even some City Hall officials who profess not to understand her relentless drive describe Jones as intense, passionate and unafraid to be direct to the point of impoliteness.

Kent Craford, the other co-chief petitioner, described their relationship as "yin and yang." Craford, an experienced public relations expert, lobbyist and businessman, is always ready with a pithy quote. Jones, a former probation officer, prefers to stay out of the limelight and pore over records or tend to her garden on her free time.

"Portland is a very polite town, and Floy is not a polite person," Craford said. "She calls it like it is."

Portland native

Jones said she doesn't like to talk about herself, or the motivations behind her 12-year quest to protect Portland's water supply.

Here's what she will say: She grew up in a "mostly working class" single-parent household in Southeast Portland, not far from Mt. Tabor and its famed open-air reservoirs. She studied criminal justice at the University of Oregon, then worked a career as a probation officer.

She preferred to serve a county over, to avoid seeing clients after work, she said. She'd always felt a "certain affection" for Portland's water and the reservoirs, and that only grew once she spent some time away from the city. Other water supplies were "horrible" in comparison.

Jones said she never drank the water when she was working in Oregon City for Clackamas County.

"It was well water," she said. "It was ghastly."

Instead, she'd bring water from home or buy bottled.

Friend of Reservoirs

In 2002, Jones helped start the grassroots group Friends of the Reservoirs, a collection of neighborhood activists who pushed back against federal requirements to cover Portland's open-air supplies due to concerns about a waterborne parasite.

Portland fought the mandate for years, with Jones and Craford leading the charge from the sidelines. Portland is one of the last U.S. cities with open reservoirs for drinking water.

Last May, city leaders waved the white flag after state officials denied a request to put off compliance.

Prior to giving up, Commissioner Steve Novick invited both Jones and Craford to City Hall to talk. He meant the meeting as an olive branch, and he was hoping to try one more time to see if Portland could win a reprieve from decommissioning the open-air reservoirs.

But the joint letter worked on with Jones and Craford didn't convince state regulators, just as Novick's gesture failed to convince Jones and Craford that the city "wasn't the enemy," Novick said.

"It seems like no matter what happens, the city is at fault in their minds," he said.

Not done yet

Jones said "no one would volunteer" to do what she's done for the past 12 years.

She said she works so hard for free because she cares about protecting the Bull Run watershed and keeping rates down.

"They're tied together," she said.

Her work, she said, puts her at odds with "powerful forces." She cites contractors, the city bureaus and elected officials.

"One of the reasons they like to vilify me is because I do my homework," she said. "I don't say things that aren't true."

City officials describe Jones as abrasive and prone to interrupt -- as too passionate for them to engage in a rational conversation about potential compromises. When Mayor Charlie Hales tried a last-ditch effort to win over Craford last year, the mayor's staff intentionally did not invite Jones to the meeting.

Jones said her fight against federal mandates to cover Portland's open-air reservoirs and the city's handling of public utilities is grounded in her "sense of justice and fairness."

She gets fired up talking about perceived cronyism at bureaus, and keeps a running list of the companies that have hired former utility bureau staffers and won lucrative public construction contracts. Craford calls it her 'Dead Sea Scrolls.'

Craford said "people underestimate her at their peril. Jones, he said, "will outwork, out hustle, out research and outlast anyone."

Jones said she has no plans to go away, regardless of the May 20 election results.

Ombudsman investigates city contracting, plans whistleblower reform: Portland City Hall Roundup

By Brad Schmidt

One of Portland's top watchdogs, the city ombudsman, issued an annual report this week highlighting some of the questionable activities she investigated in 2013.

Ombudsman Margie Sollinger fielded 191 complaints about the city last year, up from 162 in 2012. More than one in ten complaints about Portland government came from city employees.

Here's a snapshot of some of the issues Sollinger investigated, and the outcome:

A woman called 9-1-1 while driving to complain that someone with road rage was following her. The operator instructed the woman to pull over but she instead drove to a police station. Sollinger determined that the operator misapplied the Bureau of Emergency Communication's standard operating procedures and "otherwise exhibited questionable judgment." The city established new standards for handling vehicular menacing calls.

A resident complained that one of the city attorney's expert consultants was significantly overbilling the city. Sollinger established overbilling, prompting the city to collect several thousand dollars. The city attorney's office now requires itemized billing for expert consultants.

A business owner complained that a company was improperly receiving work through a program meant to encourage opportunities for minority, women and small businesses. Sollinger asked the state, which certifies compliance in the program, to double check details surrounding a contract tied to a Portland Housing Bureau project. Willamette Week reported last year that the complaint involved Elkins Masonry Restoration Inc., whose owner is married to a white man with his own business. State officials dismissed Sollinger's complaint but she is pursuing other options for reform, according to her report.

Later this year, Sollinger also plans to propose a new system for reporting whistleblower violations and protecting employees from retaliation. Last year, Mayor Charlie Hales eliminated a position held by a whistleblower in the Jack Graham investigation, although Hales said the decision was strictly for budget reasons.

The city ombudsman reports to the independently elected auditor, LaVonne Griffin-Valade.

Portland Street Seats adds only three new businesses to program that converts parking spots to restaurant, community space

By Casey Parks

Portland's Bureau of Transportation has approved only three new Street Seats areas at Portland businesses.

Seven others had applied to join the program that converts parking spots into seating for restaurants. City staff rejected three applications and asked four to reapply, said transportation spokeswoman Diane Dulken

Joining the program are SoMa Ecodistrict on Southwest 4th Avenue, Bonfire Lounge on Southeast Stark Street and Lompoc Brewing on Northwest 23rd Avenue. They can begin using the parking spots in June. The city also renewed approval for eight other restaurants that have had Street Seats in the past.

The program began as a small pilot in 2012 and has expanded steadily ever since.

Bureau leaders only approved applications this year for seats on streets with speed limits 30 miles-per-hour or lower. They will not allow seats on corners, Dulken said. City staff also only approved applications that show considerable community support, she said.

Each business pays a permit fee plus any parking meter fees. Mississippi Pizza's owner Philip Stanton said his permit costs about \$4,500 a year.

This year, the city will also require all Street Seats to be non-smoking areas. New installations must also leave a minimum width of eight feet of the sidewalk clear for pedestrians.

This year's applicants spanned from Northwest 23rd Avenue to the Foster-Powell neighborhood. Five restaurants applied in Southeast Portland. The owners of Bamboo Sushi hoped to add street seating to their as-yet-unbuilt Bamboo Izakaya on Northeast Alberta Street near the Tin Shed restaurant.

Of those, transportation staff have asked four to edit and resubmit their applications.

Those include Bamboo Izakaya, McMenamin's Braley Mill on Southeast Hawthorne, Torta-Landia on Southeast 60th Avenue and Ristorante Roma on Southwest 12th Ave.

"Bamboo may be approved at a later date if we receive a better quality design," Dulken said. "The current design also creates an awkward gap between it and the existing bike corral, so we are hoping that they can resolve that issue as well."

Willamette Week

Flushing the Ads

In the primary election fight over Portland water, which side is using the airwaves to dupe voters? As it turns out, both.

By Aaron Mesh

For a while there, it looked as if the backers of a measure to take control of Portland's water and sewer systems from City Hall were going to flood the airwaves with campaign ads.

But so far the water revolution has not been televised.

Measure 26-156 would create an independent water board to set rates and approve all future spending now overseen by the City Council and the city's two utilities, the bureaus of Water and Environmental Services.

Backers of the measure raised \$96,689 to campaign for it once it made the ballot, and they've paid for just one radio ad. Opponents of the measure, meanwhile, have raised \$257,166 and have two video ads—one on the air, the other on the Web.

The advertising uncorked by the campaigns repeats some of the spring's biggest boasts and fibs about the measure ("Talkin' Bull," WW, April 23, 2014).

The campaigns are tussling over whether the measure would halt out-of-control City Hall spending, or merely hand Portland's utilities to a board of corporate flunkies. One side says your rates would go down; the other says rates would fall only for corporations.

WW took a line-by-line sip of the commercials and got a sour taste from both sides.

Here's our analysis.

The "No" Campaign—Video "Vote NO on 26-156"

"Water: Simple, clear, pure. But corporate polluters (1) are muddying the water with Measure 26-156. Lobbyists (2) crafted 26-156 to create a new water and sewer board they can stack with friends to lower their bills (3). But independent sources say our rates may go up (4). Corporate polluters hijacking our board? Higher rates? We shouldn't swallow that."

"Higher Rates"

"Neighbors. Some are good, but some...well. But would you force neighbors to pay higher bills so you could pay less? Industry lobbyists (2) crafted a ballot measure to do just that with water and sewer rates. It creates a new board they can stack with friends to lower their water bills (3). They claim it will lower rates for us. But independent sources say there's no guarantee. And rates could go up (4)."

1. TRUE.

One of the measure's biggest supporters, German semiconductor manufacturer Siltronic, contaminated the groundwater at its Willamette riverfront site in Northwest Portland with the solvent trichloroethene during the 1980s. City records show another big contributor, Portland Bottling Co., has been repeatedly fined by the Bureau of Environmental Services for discharging pollutants into the city's sewer system.

2. TRUE.

Chief petitioner Kent Craford is a former lobbyist for the Portland Water Users Coalition, a group of big water customers.

3. FALSE.

Big industrial water users can't "stack the board." Only voters can select the new board's members. And there is no guarantee—nor any language in the measure—that industrial users will see their rates go down.

4. MISLEADING.

Even with a new water board, rates are likely to continue to climb—but that would not be result of the measure, as the ad implies.

The "Yes" Campaign—Radio

"Did you know that Portland has higher water rates than Phoenix, Arizona (1)? An independent lawsuit has identified \$127 million in questionable expenditures, including City Hall pet projects unrelated to water and sewer systems (2). City Hall even spent \$1.2 million from our water and sewer bills to fund political election campaigns (3). Now Commissioner Nick Fish wants to raise our water rates another 55 percent (4). Time to tell Fish he's out of water. On May 20, voters need to send City Hall a message by creating a public water district. A public water district will stop City Hall abuse and rein in water bills (5). It sets up an independent elected board with annual financial audits (6) and strict conflict-of-interest rules (7). No more City Hall water bill slush fund (8)."

1. TRUE BUT MISLEADING.

A standard monthly water bill in Phoenix is \$6.26—well below Portland's \$26.65. But Phoenix's system is subsidized by the feds, and many of the costs are passed on through property-tax bills.

2. MISLEADING.

The "independent" claim that \$127 million was misspent is coming from many of the same people who are backing the measure. A judge has so far found \$1.2 million was misspent—troubling, but an amount that has a negligible effect on rates.

3. FALSE.

The judge ruled the city misspent \$547,438 on its voter-owned elections program.

4. MISLEADING.

No one at City Hall has proposed a 55 percent rate increase. But the five-year forecast, released by Fish's office last fall, projects rates could increase by 55 percent over the next five years. The City Council must approve any increase.

5. FALSE.

The measure does not guarantee water bill increases will stop—or even slow down—with a new water board.

6. MISLEADING.

That already happens. The measure prohibits independent reviews of the water board by the City Auditor—unless the board invites such a review.

7. TRUE.

The measure sets six-year waiting periods for former city employees and contractors who want to run for the board. There are no restrictions to keep allies of big water customers from running.

8. TRUE.

The City Council could no longer determine how water and sewer funds were spent.

The Portland Business Journal

Portland Ombudsman's report offers glimpses into residents' gripes

By Andy Giegerich

By its own assessment, Portland's City Ombudsman's department "kept busy" in 2013.

The department's annual report indicates that workers fielded 442 queries throughout the year. Of those, 191 were complaints about city bureaus.

Many of the reports were about private parties doing business with the city.

Breaking it down even further, about 13 percent of those complaints came from city workers.

"City employees are in the best position to observe early warning signs about possible problems in the way that the city conducts the public's business," the department wrote. "As such, the city needs to provide a responsive and safe environment for employees to raise their concerns."

City Auditor LaVonne Griffin-Valade released the report Tuesday. It aims to highlight "systemic reform efforts" and "showcase the variety and complexity of complaints investigated."