

## The Oregonian

### Portland street fee: Transportation officials don't expect consensus from working groups ahead of City Council vote

*By Andrew Theen  
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With time running out to make formal recommendations to the Portland City Council, city officials don't anticipate any consensus to come out of the three committees tasked with revising a controversial street fee proposal.

In lieu of lockstep recommendations, the transportation bureau drilled down to common areas of agreement among the work groups. PBOT circulated a draft version last week of what could end up being the final report from the dozens of business owners, developers, nonprofit leaders, and low-income advocates volunteering their time on funding plan.

The overall takeaway: city officials seem to have convinced many residents that there's no magic budgetary solution to find additional money to pay for street maintenance and safety projects. But despite meeting throughout the summer, there's still widespread disagreement on how long a new tax or fee should be allowed to continue and whether or not the issue should go before voters.

Where are some areas of agreement?

A sampling: The city isn't fat with cash to spent on pavement maintenance, there's a "considerable need" for more money to fix streets and address safety hazards for all Portlanders, and the net revenue expected from any of the current funding proposals "would not be sufficient to meet the backlog of needs." PBOT officials say they'd need to spend \$91 million per year just on pavement maintenance to bring roads up to good condition.

PBOT officials also gleaned there's widespread support for creating an oversight body to ensure the city is spending revenue wisely, and there's "general support" that whatever City Council approve is not unduly burdensome to low-income residents.

Mayor Charlie Hales and Commissioner Steve Novick spent much of the first six months of this year pushing for some sort of solution to address Portland's woeful transportation infrastructure. After a rotating circuit of town halls and meetings, the pair settled on a monthly street fee for residents and businesses.

The original \$53 million proposal was abruptly tabled in early June, and PBOT convened committees to help find a solution that was palatable for many, if not all. Novick and Hales plan to return to City Council with a revised plan in November.

The draft report has the same funding proposals The Oregonian reported last week (a progressive income tax of some sort and a flat fee on businesses according to their gross revenue, employee size and square footage.

Here's the draft report.

(Programming Note: Tune in to OPB's Think out Loud on Monday to hear more about the street fee developments.)

# Portland's top administrator, Fred Miller, forced out controller Jane Kingston: Portland City Hall Roundup

*By Brad Schmidt  
September 15, 2014*

Portland's chief administrative officer forced out the city's top accountant, prompting a severance payment of nearly \$45,000 to protect the city from a lawsuit, newly released public records show.

Although the city's severance agreement states that Jane Kingston voluntarily resigned from the city, public records show that Portland's financial controller was being pushed out by her boss, Fred Miller.

The specific reason for the personnel shakeup remains unclear.

Kingston's attorneys have accused the city of retaliating against Kingston for her role in the ousting of Miller's predecessor, Jack D. Graham, although Miller has said his decision was not retaliatory.

Miller met with Kingston on Aug. 1 and he placed her on paid administrative leave Aug. 5. Kingston remained on paid administrative leave for more than a month before resigning Sept. 12 in exchange for a \$44,988.68 payment – the equivalent of four months' salary.

"As you know from our conversation today, I have concluded that a change in the person filling the controller position would best serve the interests of the City," Miller wrote to Kingston in an Aug. 4 letter.

"It was my sense at our meeting on Friday August 1 that you agreed that this was not the right position for you," Miller continued. "I now understand after our meeting today that this may not be the case. In any event, I had initially hoped that we could discuss today how to make this transition as smooth as possible, but now realize this may have been premature."

Kingston hired a law firm to represent her. Kingston's attorney sent the city a letter on Aug. 11 indicating that she may sue. On Aug. 14, the city authorized a severance agreement for Kingston because it would be "in the best interest of the City."

The Oregonian requested Miller's initial letter to Kingston but the city refused to release it, citing personal privacy and disciplinary exemptions in public records law. The Multnomah County District Attorney ordered the city to release it Friday.

On Monday, Miller declined to elaborate on his reasons for wanting a new financial controller.

Earlier this year, an outside consultant highlighted the limited role of Kingston's accounting division and found that other city bureaus didn't take full advantage of its expertise, leading to "actual and potential accounting irregularities and various inefficiencies."

An April report noted there was a lack of clarity about Kingston's role and other bureaus were allowed to "work around policies."

The report also found that "communications and relationships" between Kingston's division and Miller's Business Operations team were "suboptimal." Consultants also found that the two groups had an unclear division of roles and responsibilities, "differing service delivery philosophies, and even an 'us versus them' relationship."

Kingston served as the city's financial controller for four years. Last year she raised concerns about a lack of compliance for a technical accounting practice, sparring over email with her then-boss, Graham, about who was to blame.

Mayor Charlie Hales fired Graham two weeks after The Oregonian reported the email exchange.

## **Jury awards \$226,000 to ex-Portland employee who said he didn't receive veterans' hiring preference**

*By Brad Schmidt  
September 15, 2014*

A jury on Monday awarded \$226,000 to a disabled military veteran and former city employee who said Portland failed to provide state-mandated preferential treatment in its hiring process.

Michael Boyle sued the city last year after his position was eliminated in 2012, ending his 30-year career with Portland.

At the time, Boyle, then 60, was a senior public works supervisor in the Bureau of Transportation with an annual base salary of about \$92,000.

Boyle applied for seven city jobs between April 2012 and May 2013, but the city did not give him the veterans' preference required by state law, a Multnomah County jury determined Monday.

Boyle served in the Army from 1971 to 1974 and suffered a service-related shoulder injury.

The jury awarded Boyle economic damages of \$176,000 and \$50,000 for non-economic damages. The jury rejected Boyle's claims of age discrimination.

Boyle did not respond to a request for comment Monday. His attorney, Daniel Snyder, could not be reached late Monday.

Anna Kanwit, Portland's human resources director, said the city thought it properly provided preference to veterans but has changed its policy as a result of the lawsuit.

According to a beefed-up state law effective Jan. 1, 2012, government agencies are supposed to provide extra points to veterans or disabled veterans who successfully complete an initial screening and meet job qualifications. Agencies are also supposed to give veterans credit for "transferable skills."

"It is very complicated and still difficult," Kanwit said of deciphering state law guiding veterans' preference. "We have done the best we think we can under the circumstances. We're not the only jurisdiction struggling with this."