

The Oregonian

Portland buying more park land -- paying a premium in east Portland, discount in Southwest

*By Brad Schmidt
October 01, 2014*

Portland Parks & Recreation received approval Wednesday to buy land to expand Leach Botanical Garden's footprint in east Portland – but the city will pay a premium to do it.

The City Council authorized spending \$400,000 to buy 1.36 acres next to the easy-to-miss garden, tucked at the base of a hillside next to Johnson Creek.

But the property has an appraised value of just \$312,000, Jennifer Yocom, a bureau spokeswoman, said in response to questions from The Oregonian.

The purchase price is 28 percent above the appraised market value.

"We believe it's justified," Yocom said.

The deal marks the second time this year that City Council approved buying land in east Portland for above its appraised value. In April, officials bought property for a future park in the Centennial neighborhood at a 40 percent premium.

For Leach, a 2010 master plan identified the property along Southeast Claybourne Street for potential acquisition. It is owned by John D. Davis II, according to property records.

City documents indicate that Portland will tap \$400,000 from development fees to pay for the acquisition. But Yocom said Leach Garden Friends, which staff the park, will contribute \$50,000.

Yocom said the property will be used to add a new entrance and parking lot for the 16-acre plant sanctuary, along curvy Southeast 122nd Avenue just off Foster Road.

Portland Parks & Recreation didn't reference the appraised value of the land in its report to City Council.

But the bureau did include the appraised value for a different parcel of land.

The City Council on Wednesday also approved buying 2.24 acres next to 321-acre Hoyt Arboretum in Southwest Portland for \$125,000 – \$190,000 below the appraised value.

Portland Water Bureau prepares to issue \$120 million in bonds for infrastructure projects

*By Andrew Theen
October 01, 2014*

Portland's Water Bureau is prepared to issue up to \$120 million in debt later this year to pay for construction and maintenance projects during the next two years.

Both the water and sewer bureaus pay for portions of costly infrastructure, maintenance and development projects each fiscal year through large bonds.

Ratepayers will help pay the debt service on the 25-year revenue bonds, an estimated \$5.5 million to \$7 million annual payment, depending on the interest rate the city secures later this year.

Water Bureau administrator David Shaff said the city's 2015-16 fiscal year proposed rate increases already include the expectation of new debt.

The city hopes to adopt a combined water and sewer rate increase of less than 5 percent, according to Commissioner Nick Fish. Sewer and stormwater rates also factor into residential utility bills.

City documents say the expected water rate increase could be around 7 percent, if the bureau contributes money from the rate stabilization fund.

This wave of bonds helps pay for the Kelly and Powell Butte Reservoir projects, Fulton Pump Station, reservoir work at Washington Park and renovations to the bureau's facility on North Interstate Avenue. Water officials say the city will ultimately net \$110 million from the bonds after issuing costs.

Shaff said the money could stretch out until the first half of the 2016-17 fiscal year. "The next time we appear in front of you to sell bonds could be August 2016," he said.

In 2013, the bureau issued \$253 million in bonds for projects, with \$100 million of that total helping to refinance existing debt.

Water officials explained the debt issuance to the City Council on Wednesday. A second reading on the ordinance is expected next week, and the city could issue the 25-year revenue bonds in December.

Developer Mark Edlen lauded by Portland City Council, appointed to urban renewal board

*By Andrew Theen
October 01, 2014*

Portland developer Mark Edlen is officially the newest addition to the urban renewal board, after the City Council voted Wednesday to confirm his appointment.

Mayor Charlie Hales' decision to appoint Edlen was first reported by The Oregonian in August.

City Commissioners and Hales heaped praise on Edlen, CEO of development giant Gerding Edlen, for his development achievements throughout decades of work in Portland.

His appointment places one of the most prominent names in Portland at an important position on the Portland Development Commission's board. His Portland projects — from the Brewery Blocks, to Wieden + Kennedy's Pearl District headquarters to the PDC-backed hub for wind company Vestas — are scattered throughout the central city and beyond.

"The number of projects that they've been involved in is just amazing when you look at it," said Hales.

Edlen said he thinks the city needs to think more creatively and "be brave" in pursuing projects big and small.

He is no stranger to working with the PDC. Jordan Schnitzer, a fellow developer and president of Harsch Investments, called Edlen by far the most active local developer in pursuing projects with the PDC during the past 15 years.

Just last month, he bought a \$2.6 million property in Old Town Chinatown from PDC. A Gerding/Edlen affiliate owes more than \$8 million in loans to the PDC from the Vestas redevelopment project.

Commissioner Dan Saltzman praised Edlen for his contributions to "our city's greatness." Commissioner Nick Fish said his appointment is going to be a sacrifice, because Edlen may have to say no to development work with the city out of a conflict of interest. Fish said that Edlen will be "under a different kind of microscope."

"We're asking a lot of you," he added.

Hales said it's important to have someone with Edlen's particularly sophisticated level of understanding of how deals come to fruition on PDC's board. "His ability to do projects here will be somewhat limited," Hales said, "due to his participation on the board." He said Edlen has already expanded his development portfolio to other cities as well.

Edlen said he was "very flattered and honored" by the appointment and excited to get started. When asked by Commissioner Steve Novick what he viewed as the appropriate role of PDC, Edlen said "place-making and jobs."

Novick asked Edlen what he viewed as the biggest opportunity facing Portland, and he cited the U.S. Post Office building in Northwest Portland. "I think it's got huge opportunity for the city in terms of creating jobs in a true mixed-use environment."

Novick also asked what Edlen thinks should be done with the Veterans Memorial Coliseum, but Edlen declined to answer that question. Hales chimed in, "I'll answer: something."

Commissioner Amanda Fritz attended the entire morning session Wednesday but stepped out for the Edlen discussion and vote.

Prior to his vote, Hales read a lengthy series of buzzwords from Gerding Edlen's company literature titled "Principles of Place."

"Build community, create inviting spaces, minimize carbon footprint and energy dependence connect people and buildings to nature, encourage transportation alternatives, craft the first 30 feet, inspire communities with art, make 20 minute living real, integrate schools and neighborhoods, preserve symbols that matter."

"If we can plagiarize that and call it the Portland Development Commission mission statement," Hales said, "I think we'd be in good shape, because I think those principles are shared values."

The PDC Board meets next week, but Edlen isn't expected to appear until an Oct. 29 meeting.

Recall effort against Portland Mayor Charlie Hales and Commissioner Steve Novick falls short

*By Brad Schmidt
October 01, 2014*

A long-shot effort to recall Portland Mayor Charlie Hales and Commissioner Steve Novick has failed, organizer Ray Horton said Wednesday.

Horton launched the recall effort in July and had until Oct. 9 to submit two sets of signatures from nearly 35,000 Portland voters -- or nearly 70,000 signatures total.

But Horton said it became clear that he wouldn't succeed and decided to pull the plug.

"Not enough signatures," said Horton, estimating that each set of collections was at least 10,000 signatures short, if not more. "Ran out of time."

Horton, 69, said a long-list of issues prompted him to file recall paperwork, including the proposed street fee, the arts tax and the leaf fee.

When he started recall efforts, Horton said he figured it was a long shot but came away feeling like he raised awareness about broader issues while encouraging more people to participate in the political process.

"We claim success in making Hales and Novick aware that people are watching, and we are paying attention to what they are doing and attempting to do to the city (as opposed to for the city)," Horton wrote in an email to members of the media.

It should come as no surprise that Horton's campaign failed.

While Hales and Novick are pushing a controversial street fee to raise money for road maintenance and safety, the proposal pales in comparison to a 2009 sex scandal involving then-Mayor Sam Adams and a teenager.

Two recall efforts against Adams failed.

Had Horton collected enough signatures, the recall effort would have been put on the ballot for voters to decide.

Horton said he'll now focus his efforts on the 2016 election cycle.

Horton said he plans to encourage viable candidates to run for office – against Hales and Novick.

Commissioner Amanda Fritz back at work for City Council meeting: Portland City Hall Roundup

*By Andrew Theen
October 01, 2014*

For the first time in weeks, the Portland City Council is at full strength with all five elected officials in attendance on Wednesday.

Commissioner Amanda Fritz already returned to work days after her husband Steve was killed in a car accident a week ago on Interstate 5. Last week's meeting was abruptly cancelled.

Fritz hosted a public vigil Sunday night in downtown Portland.

Other members of the City Council were out of town or on vacation throughout the summer months, so October's first meeting included a packed agenda.

Wednesday's meeting is also a strange one, Mayor Charlie Hales said, due to the "somewhat disrupted and unusual schedule" caused by the visit of U.S. Secretary of Transportation Anthony Foxx.

Hales and Commissioner Steve Novick will participate in a walking tour of Tilikum Crossing with Foxx Wednesday morning, followed by a private transportation roundtable.

Amanda Fritz and Portland Parks Board look for ways to spread the wealth: Should the haves help the have nots?

*By Casey Parks
September 30, 2014*

Grant Park residents wanted a dog park. What they got instead was a year-long squabble with Amanda Fritz, the city commissioner who oversees Portland parks.

The fight may have implications for all Portlanders, as the volunteer board that helps shape city recreation policy now considers changing the way Portland spends private parks donations. They are scheduled to discuss the issue and issue a recommendation Wednesday.

Grant Park residents say Fritz's quest for equity may go too far, that she's asking affluent neighborhoods to subsidize poorer ones. National parks experts say no other city has tried what the commissioner is contemplating. Fritz said it's her job to ensure that all Portlanders have the same access to parks, regardless of zip code or income level.

"There are good-hearted people who want to do something," Fritz said. "But how do I manage their request so that it doesn't further widen the gap between the haves and have nots?"

Leveling the playing field

The debate started last October with good news. Increased development in Portland had given the city an extra \$8 million to spend on parks. Fritz asked neighborhoods to come up with a list of priorities.

Grant Park residents said they didn't ask for much. A dog park only costs about \$30,000. Installing a fence and designating an off-leash area in the 20-acre Northeast Portland park would alleviate long-festering neighborhood tensions, Grant Park resident Ken Peterson wrote in a proposal.

When Fritz released her plan for how to spend the extra money last March, Grant Park residents said they were shocked. The commissioner did give Grant some money, but did not allocate any for their dog park.

Fritz reminded upset Grant residents that their park has a new track and field. The bureau contributed \$452,000 to the \$2 million field, which Grant High School students also use.

"Before there was money in the pot, projects at Grant had been given disproportionate funding and staff time," Fritz wrote in an email to neighbors.

Other neighborhoods needed the money more, she said. East Portland, for instance, makes up about a quarter of Portland's population but holds less than one-tenth of Portland's developed park space.

So Fritz made Grant Park residents a proposition. She told neighbors she would be more likely to approve using city staff time to plan and develop their dog park if they also gave some private money to help build a park in a poorer neighborhood.

The suggestion "makes no sense and ultimately discourages voluntary citizen participation in community improvement efforts," said Peterson, the resident who proposed the dog park. "It appears her focus on equity has resulted in an almost complete elimination of support for projects in neighborhoods deemed economically advantaged."

Current city policy doesn't require that kind of matched donation, so Fritz asked the Portland Parks Board to review existing standards and come up a plan to ensure that the process for proposing park upgrades is equitable for all city residents.

"My desire is to not make things worse between neighborhoods who can afford to put money into their local park and those who cannot," Fritz said.

National precedent

There is something of a national precedent for Fritz' suggestion. Last year, a New York state senator introduced a bill that would require New York City's wealthiest private parks foundations, including the Central Park Conservancy and Prospect Park Alliance, to donate 20 percent of their revenue to a new alliance that would redistribute the money to parks in underserved communities.

"This was a stink bomb in the conservancy world," said Richard Dolesh, vice president of conservation for the National Recreation and Park Association, a non-profit organization dedicated to the advancement of public parks. "There was considerable push-back.

"The conservancies said, 'You're going to kill our donor base by trying to force this. People give to us precisely because we're not the government. They're giving to support a park they love.'"

Dolesh said Fritz's idea "a little out of the box." He can't think of another city official anywhere who has suggested a social equity proposition for parks.

"If it works, how interesting," Dolesh said. "It could do a lot of good."

"They dealt with this 20 years ago," Fritz said. "I'm wondering if something like that can work here."

Schools from all over the country now call Portland Public Schools Foundation seeking advice for creating a similar system. But PPS parents resisted the policy initially. Fritz and parks staff will likely see resistance, too, said board member Matt Morton.

"Although Portlanders love to talk about how they want everyone to benefit from public investment, when it come down to it, those who have the influence and the voice will talk about their neighborhoods and their needs," Morton said. "It takes a very discerning politician and a thoughtful staff to be able to navigate those politically complex situations and still do what is right and what is equitable and what will improve opportunities for all Portlanders."

Morton said the schools foundation still sees renewed resistance as new parents enter the system. But he thinks Portlanders will come around to supporting a parks equity measure.

"Portlanders are good people," Morton said. "They want good things for the entire community. The livability of this city depends on it."

Greg Jones, assistant transportation director, retiring at year's end: Portland City Hall Roundup

*By Brad Schmidt
September 30, 2014*

One of Portland's longest-tenured employees, Assistant Transportation Director Greg Jones, is retiring from the city Dec. 31.

Jones, 61, has worked for Portland for 34 years.

As second-in-command at the Portland Bureau of Transportation, Jones oversees development, planning and policy, among other things. Well-respected among transportation staff, Jones was appointed to his post by Director Leah Treat in December 2013 after spending five years managing the bureau's large construction projects.

Jones said he's looking forward to retirement but plans to work for the city part-time in 2015. The Transportation Bureau has launched an open recruitment to find a replacement.

Asked what advice he has for the bureau – as it searches for more money to pave roads and improve safety – Jones offered insight that he said he's tried to practice throughout his career:

"I think they have to maintain a positive approach and try to keep a strong customer-service orientation," he said.

Applications for the post, which will pay up to \$157,310 annually, are due Oct. 24.

Portland to study options for Veterans Memorial Coliseum, including demolition

*By Brad Schmidt
September 26, 2014*

Two years after the planned renovation of Veterans Memorial Coliseum fell apart, Portland officials are still trying to figure out how to salvage the city's aging sports venue.

The options:

renovate or remodel the 54-year-old glass box

continue operations as-is

close it down

or – most dramatically – demolish it for future redevelopment of the broader Rose Quarter

On Wednesday, the Portland City Council will be asked to approve a \$125,165 contract for construction management services, in conjunction with related contracts with other companies for architecture work and financial analysis of the coliseum.

It's all part of the city's so-called "VMC Options Study," which is expected to provide cost estimates and consider the business and public-interest cases for each of the four options.

Determining a path forward for the coliseum has been a challenge for the City Council since 2009, when officials considered a plan to tear it down to make room for a minor league baseball team. But the plan died amid public outcry from members of the architecture community, who praised the building's mid-century modern design.

In 2011, then-Mayor Sam Adams planned to spend more than \$20 million in public money to offer limited coliseum upgrades as part of a renovation deal with the Portland Winterhawks.

"This City Council is the first City Council in 16-odd years to actually make a decision about whether or not the now-called Veterans Memorial Coliseum should stay or go," Adams said at the time, indicating the city's support for retaining the building.

But that deal also fell apart, with city officials blaming financial ramifications of sanctions imposed against the Winterhawks by the Western Hockey League.

Portland Mayor Charlie Hales inherited the mess when he took office in 2013. The Winterhawks remain the building's biggest tenant, with operations handled by a company belonging to Paul Allen, the Trail Blazers' owner.

In the past year, the city began publicly seeking contractors to provide guidance on the coliseum. But officials with the Office of Management & Finance and Hales' office have declined multiple interview requests with The Oregonian since Aug. 4 to discuss the project.

"Right now these are in various stages of solicitation and contract development," Kelly Ball, the agency's spokeswoman, said in an Aug. 4 email. "It's a little too early in the process for a discussion."

Also in August, The Oregonian filed a public records request for documents and correspondence related to the city's "VMC Options Study." The city said producing related documents from 2014 would cost an estimated \$450.

On Friday, Ball said officials would be willing to discuss the project on Tuesday, one day before the City Council's scheduled vote.

Ball said her office won't talk about details until after briefing each member of the City Council, and the last meeting is scheduled for Tuesday.

According to documents headed to the City Council, Boora Architects has been selected to provide architectural consulting work. The contract doesn't exceed \$99,562, Ball said.

Conventions Sports & Leisure International, LLC, also has been selected to provide an economic analysis, including a "business case" for each renovation scenario. That contract doesn't exceed \$100,000.

Because both are under \$100,000, neither requires City Council approval.

The contract headed to City Council for approval is with Nelson Capitol Construction Program Management, LLC. Among other things, the company would update and refine construction costs based on architectural drawings and specifications.

Final cost estimates -- and perhaps a clearer picture about the coliseum's fate -- are due Jan. 30.

Novick says city in 'thoroughly irritating position' on street tax options: Editorial Agenda 2014

*By The Oregonian Editorial Board
October 01, 2014*

Upon returning recently from his honeymoon (congratulations, by the way) Portland Commissioner Steve Novick emailed a number of people, some of them reporters, to share his latest thoughts on street taxation. You can read the email below this editorial, but Novick says, in brief, that he's glad the city reconsidered the street fee he and Mayor Charlie Hales originally proposed, as "the workgroup process has resulted in a much less regressive option being on the table."

Of course, the relatively progressive option favored by the low-income and nonprofit workgroup has a problem, as we noted last week.

For residential payers, the workgroup would like to peg the street tax to income, with low-income people paying nothing and high-income people paying quite a bit. One alternative would cap the tax at \$200 per month, or \$2,400 per year, though Novick, who's something of a progressive purist, wrote that "any option with any kind of 'cap' gives me pause."

The problem with linking the tax to income is that state law shields federal and state pension benefits. Many PERS retirees would pay nothing even as private sector retirees saw their 401(k), pension and investment income docked for street maintenance. Imagine, we pointed out, a couple who retired under PERS after 30 years. If each received the average benefit of similarly experienced PERS members who retired in 2013, their combined income would exceed \$94,000. Yet they'd pay nothing unless they had substantial additional income.

Novick, reached by email Wednesday, said the city is in "a thoroughly irritating position." Commissioners could adopt a revenue mechanism such as a household fee that did not wall off certain kinds of income, but the end result would be fairly regressive. If commissioners opted for a progressive mechanism linked to income, however, it would be difficult to apply without triggering the public pension exemption, which Novick correctly calls unfair.

On balance, Novick wrote Wednesday, "I don't think the City should adopt a regressive fee for all citizens because of this one inequity caused by State law. If 60% of the rich people in Portland were PERS retirees, I might reach a different conclusion, but that's not the case." In other words, progressive taxation, even with a pension exemption, is preferable to regressive revenue collection that's blind to income source.

We don't happen to agree with this, as progressive taxation that gives many public-sector retirees a pass is not only unfair, but also likely to stoke broad-based resentment. Meanwhile, those at the top of the income scale, who are singled out for heavy taxation, will have another reason to avoid Portland entirely or jump at the first chance to move out. To the extent Portland expects such people to pay disproportionately for public services, this is undesirable.

Credit Novick, though, for acknowledging the core problem – the state's preferential treatment of some public pension income – and seeking to do something about it. He said Wednesday that he intends to push public employee union leaders to support a change in the law. He also said he'd bring the matter up with House Speaker Tina Kotek, D-Portland, though "I suspect the Legislature won't want to touch anything that has anything to do with PERS for quite a while."

We wish him luck. Until the public pension preference disappears, however, commissioners should hold off on any street tax based on income. If a simple household fee is too regressive, fine. Commissioners can always ask for a bond issue, as Eugene does, while leaning heavily on lawmakers next year to raise the state gasoline tax.

Steve Novick's Sept. 30 email on income inequality and street funding:

*From: Novick, Steve
Sent: Tuesday, September 30, 2014 10:58 AM
Subject: Income inequality and transportation funding*

Gentlefolk of the press – While I was away, I did a pretty good job of avoiding local news, but I still read national news, including the Fed study on wealth and income that came out early in the month. On returning, I looked at OCPP's site and, of course, Oregon mirrors national trends. As you know, our polling (at least once we asked the questions in a more accessible way!) showed that Portlanders are more willing to support revenue for transportation if the mechanism is progressive. Given that the only people whose incomes have been rising are high-income people, that makes sense. See links below. I fear that in my role as PBOT Commissioner, focused on the transportation system, I lost sight last Spring of my obligation to do my best to avoid exacerbating the problem of economic inequality. I am glad that public pushback forced us to reconsider, and pleased that the workgroup process has resulted in a much less regressive option being on the table – although I have to say that any option with any kind of 'cap' gives me pause, given that there is significant inequality even WITHIN the top 1%. I know that some people in 'the business community' find the idea of a non-regressive option offensive, but I wonder if they are all aware of the income trends. (Being in Italy also provided stark reminders that it's generally rich people, historically, who have paid for art, so having a deeply regressive Arts Tax now seems even more jarring.)

Portland's premature bid for a resilience officer: Editorial Agenda 2014

*By The Oregonian Editorial Board
September 30, 2014*

"Free" money is always a temptation. What could be better than a \$1 million foundation grant to help ensure Portland has the know-how to recover swiftly from a natural disaster such as an earthquake? The grant would be from The Rockefeller Foundation, to whom a city bureau has submitted an application, and it would support a new position at City Hall: chief resilience officer.

The smart notion of the foundation is that American cities are increasingly complex and large, throwing challenges at bureaucratic governments to get it right and to show adroitness in the aftermath of crisis. A resilience officer would skip across and unite the silos of bureaucracy to ensure, if you will, that the left hand of government knows what the right hand is doing and vice versa — in real time, under duress, while helping neighborhoods regain their footing.

But there are several unanswered questions posed by Portland's application for the money. The City Council has not yet approved the application and must, after open deliberation about Portland government's accommodation of the position, decide whether having a resilience officer would address a challenge that city government should be tending to anyway. Then, it must decide whether to back the application retroactively or to tell The Rockefeller Foundation: Sorry, we made our move too soon, didn't mean it.

This is no way to do business, even in the public sector.

The matter of the city's application is on Wednesday's City Council agenda as a consent item, meaning it's supposed to sail by the council without discussion. That's plainly ridiculous. The council must delay any approval and discuss this unformed and potentially expensive idea, keeping in mind the scale and cost of government going forward.

The math seems easy at first: \$1 million pays a man or woman's salary, with benefits, for several years. But is the officer shunted into some office only to surface with reports and advisories? Or would the officer be integrated within existing agencies of the city's government, which includes a Bureau of Emergency Management, and have open access to city resources to get the job done? Done right, the job would certainly require the latter, which could get expensive. Then again, might the fully supported officer lead a new, distinct city bureau with its own mission and budget?

San Francisco's resilience officer — the world's first, according to The Rockefeller Foundation — provides insight. Patrick Otellini, San Francisco's former director of earthquake safety, told an interviewer for The Rockefeller Foundation: "The grant pays for only one salary. If a city isn't willing to support their (chief resilience officer) with the staff they need, (the) CRO will be conflicted between sitting at their desk and going into the community. ... I believe it's important for me, as CRO, to get my hands dirty and be involved in policy creation, as well as coordinating bigger picture issues. The responsibilities of CRO are too much work for one person. We're hoping our arrangement here in San Francisco is able to provide an example to other cities for how to give a CRO the support they need to set them up for success."

What price success?

The Rockefeller Foundation has a compelling and generous program going that seeks to help American cities swiftly recover from calamity. That's a tall order, as it involves restoration of infrastructure and business while ensuring neighborhoods have basic needs and are communicative. Theoretically, a resilience officer would help. But Portland needs to know how a resilience officer would fit into its government and succeed, while Portlanders need to know how much having such a person, properly supported, would really cost.

The City Council must engage openly on this subject, which quite possibly involves the expansion of government and more operating overhead down the line. Nothing's ever "free," least of all when money's involved. Even the most promising ideas can, in time, be complicated and costly.

The Portland Tribune

Who's knockin'? City fire crews

*By Steve Law
October 2, 2014*

Portland firefighters are getting some new duties when they're not busy putting out blazes or going on emergency medical calls.

Starting Oct. 1, some Portland Fire & Rescue crews will start conducting home safety inspections for residents who request them. Other crews will start teaching weekly safety, health and fitness lessons in after-school programs. Both are pilot programs, to see if they fit in with firefighters' other duties.

"It makes a more thorough use of people who are on duty 24/7," says city Commissioner Dan Saltzman, who gained oversight of the fire bureau last summer.

Saltzman earlier championed the installation of A-frame signs outside each fire station. The sidewalk signs, which went up this spring, invite passers-by to come in and get their blood pressure checked or get advice on smoke and carbon monoxide alarms or other fire and safety information.

Now firefighters will be going out to the community more in the two pilot programs, dubbed the Community Risk Reduction Program.

These are not just make-work projects, says Fire Chief Erin Janssens.

"House fires are where 80 percent of all fire deaths occur," she says, so preventing those fires is an important part of the bureau's work.

Saltzman pushed the in-home voluntary inspections, she says, but the school program was her idea.

Firefighters doing home visits hope to advise residents about smoke and carbon monoxide alarms, and give tips about fire hazards or other other safety matters.

They hope to reach other families by teaching about fire safety and related lessons in the after-school programs. An added goal of the youth programs is to get more of them inspired to become firefighters, particularly women and people of color, who are underrepresented in the bureau.

When firefighters knocked on Portlanders' doors in 2011 to offer free smoke alarms, they found many residents didn't want folks inside their homes, for a variety of reasons, Janssens says. A study by an intern working for Saltzman came to the same conclusion. For that reason, some people are skeptical this idea will work, he says.

So with the pilot program, firefighters will fan out in a neighborhood and post door hangers. Those will invite residents to call the bureau to make appointments for firefighters to return later to do the safety inspections. The program likely will target apartments, among other residences.

Chief Janssens put out a joint letter with Alan Ferschweiler, president of Portland Fire Fighters Association Local 43, calling for volunteers for the two programs. The pilot sites were partly based on which stations had the most supportive employees.

Firefighters will fan out from three sites to put up door hangers: Station 4, at Southwest Fifth Avenue and College Street on the south side of downtown; Station 5, in outer Southwest Portland; and East Portland.

It's expected that some of the residents will respond to the door hangers and invite firefighters into their homes. Firefighters in the program will be asked to do up to six home inspections a month.

At the home visits, they will use a two-page checklist of safety items to look for, including: whether the address is visible from the street; exterior lighting; whether electrical outlets are being overloaded; whether there are smoke alarms with working batteries at each of the bedrooms; if there are multiple ways to leave each bedroom in case of fire; dryer vents, etc.

Firefighters will be subject to being called away on fires or other emergencies at any time. If they are gone longer than a half-hour, they will have to return another time, Janssens says.

The after-school programs will take place at the Boys and Girls Club in Sellwood and the SUN School programs at Vernon School, Northeast Killingsworth Street and 20th Avenue; and Kelly Elementary School, on Southeast Cooper Street near 90th Avenue.

Bureau staff prepared 20 to 30 lesson plans, called Quick Drills, on subjects such as a home hazard hunt and nutrition. The lessons are geared toward those in the third to fifth grades. Research shows that's an age group most receptive to the lessons, Janssens says.

"The great thing about this is you capture the parents who maybe are resistant," says Aaron Johnson, a bureau public information manager.

Firefighters will pledge to show up an hour per week at each of the three sites.

Each of the pilot tests will last at least six months, Janssens says, to see if the ideas pan out.

The big "question mark," Saltzman says, will be whether Portlanders will be receptive to having a firefighter inside their home. "We think we'll have all sorts of positive benefits at reducing the number of fires in the community."

Sources Say: Council will decide whether to put brakes on street fee

*By Jim Redden
October 2, 2014*

A make-or-break meeting on the proposed Portland street fee is scheduled for the City Council on Oct. 23.

That's when the council will review and discuss the multiple options offered over the past few months by three committees appointed to advise on the fee. If a majority of the council doesn't coalesce around at least a few of them, Mayor Charlie Hales and Commissioner Steve Novick, who proposed the original fee back in May, might have to reconsider submitting it to the council on Nov. 12, as currently scheduled.

Most of the options discussed by the committees are very different from the original proposal, which was intended to raise \$53 million a year for maintenance and safety projects. It included a monthly fee for households and a fee for businesses based on the vehicle trips they generate.

But options discussed by the committees include a graduated income tax for Portland residents and flat fees on businesses, based on their category and size. The combination only would raise \$40 million a year, and some committee members thought the money should only go to maintenance projects.

Few changes in eleventh hour

As the 2014 election enters the home stretch, most polls show little change in the Oregon governor and U.S. Senate races. Despite the millions spent on advertising, both Democratic incumbents continue to lead their Republican opponents, with about a month to go before the Nov. 4 general election.

As compiled by the Real Clear Politics website, John Kitzhaber leads Dennis Richardson by an average of 9.4 percent in the last three polls. The most recent one, conducted by SurveyUSA, shows Kitzhaber ahead by 12 points, close to the widest lead since the primary.

Jeff Merkley leads Monica Wehby by an average of 13 points in the last four polls in their race. The most recent poll by SurveyUSA gave Merkley his biggest lead yet, 20 points.

See for yourself at <http://www.realclearpolitics.com>.

Oregon elections often close

Some political observers may think the margins are surprisingly close, given Oregon's history of elected Democrats. A CBS News/NYT/YouGov poll shows Kitzhaber leading Richardson by only six points. And a Polling Company Inc. poll shows just eight points between Merkley and Wehby.

But Kitzhaber and Merkley have a history of winning close elections. Kitzhaber only beat Republican Chris Dudley by 1 point in the 2010 general election — 49 to 48 percent, with two minor party and write-in candidates accounting for the rest.

Merkley did a little better unseating incumbent Republican U.S. Sen. Gordon Smith in the 2008 general election. Merkley won by a margin of 49 to 46 percent, with minor party and write-in candidates drawing the remaining votes.

Council discusses tax on future marijuana sales

*By Patrick Malee
October 2, 2014*

Following in the footsteps of cities like Wilsonville and Tigard, the West Linn City Council met Wednesday in a special meeting to discuss a potential tax on future marijuana sales.

West Linn Ordinance 1631 would establish sales taxes of 5 percent for medical marijuana and 10 percent for recreational use. The taxes would go into effect only if Oregon voters pass Measure 91 to legalize recreational marijuana use in the November election.

“Staff does not believe that, if Measure 91 is approved and if anyone begins to distribute marijuana in West Linn, this tax will generate significant revenues for the city,” City Manager Chris Jordan wrote in a memo. “(But) if other cities near West Linn adopt such a tax and West Linn does not, West Linn could be viewed as a tax-free haven for marijuana sellers and distributors. We do not believe that this would be in the community’s best interests.”

If passed, Measure 91 would establish a statewide tax on marijuana sales while also prohibiting local governments from implementing their own taxes after the fact. Thus, while West Linn could repeal its local tax at any time, the city would not have the ability to implement a tax after the measure passes.

“The council will not be able to consider implementing such a tax after November 4 should Measure 91 received voter approval,” Jordan wrote.

If passed, West Linn’s tax would be levied quarterly on any marijuana sellers within city limits, allowing the city to audit the sales of any marijuana distributor.

A SurveyUSA poll conducted in June showed tepid support for statewide marijuana legalization, as 51 percent of the 560 likely voters said they would support such a measure while 41 percent opposed and 8 percent said they were “not sure.” Support for legalization was strongest in the 18 to 34 demographic (70 percent), and dropped to 34 percent among those 65 and older.

The council vote on Ordinance 1631 came after press time Wednesday night. Visit westlinntidings.com for the latest information.

Willamette Week

Pot Of Gold

Portland joins a growing list of cities ready to tax legal weed.

*By Aaron Mesh
October 1, 2014*

If Oregonians vote in November to make recreational marijuana legal, Portland City Hall will be waiting to take its cut.

A marijuana advisory committee formed by Mayor Charlie Hales in June will recommend to the City Council that the city impose a 10 percent sales tax on recreational pot, WW has learned. Hales’ office confirms that figure.

The recommendation could be made public Oct. 7, with plans to approve such a tax before the Nov. 5 statewide vote on Measure 91, the marijuana legalization initiative.

The measure would put marijuana sales under state control and taxation, much like liquor sales.

As WW first reported in July, the committee began considering a local sales tax on legal weed to be added on top of state taxes (“Don’t Bogart That Tax,” WW, July 30, 2014).

Since then, Oregon has grown crowded with cities planning their own pot taxes. At least eight cities, including Milwaukie and Happy Valley in Clackamas County, have passed a local tax, and another 10 are considering such a tax.

Passing the Portland tax before the statewide vote on Measure 91 is key, because the measure bars local governments from passing additional taxes on legal weed.

Portland officials say they hope to tax weed to pay for the new costs of inspecting and policing dispensaries.

“We are trying to ensure that if and when recreational marijuana is legalized, we have all the tools in place for a smooth implementation,” says Josh Alpert, Hales’ director of strategic initiatives. “We want to make sure there is a revenue component in the discussion.”

State estimates say legal marijuana could generate anywhere between \$17 million and \$40 million annually.

Most cities that have already approved a local tax have set it at the 10 percent rate Portland is weighing. A few cities, such as Sandy and Scappoose, have passed 20 percent taxes in hopes of driving medical marijuana dispensaries out of town.

But city governments may never see those tax dollars. Municipalities would need to win a legal battle over whether their local taxes could be applied to the ganja business.

The measure’s backers don’t want weed taxed locally, because lower-priced weed taxed only by the state would compete more effectively with black-market dope that legalization is supposed to undercut. “We already have a marijuana market, it’s just an illicit market,” says Amanda Reiman, a policy manager at the Drug Policy Alliance. “Habits die hard. The price definitely makes a difference there.”

And weed’s legalization is no sure thing. A statewide poll of likely voters released last week by KATU-TV shows support for Measure 91 at 44 percent, with opposition at 40 percent—well within the poll’s 4.2 percent margin of error.

Peter Zuckerman, spokesman for the Yes on 91 campaign, says he’s paying more attention to legalizing pot than to who will get to tax it.

“We’re more focused on winning the campaign,” Zuckerman says. “I don’t think local taxes will survive in court.”

The Mercury

High Tension

The Fight for Legal Pot Is November's Tightest Race—and It's Going Crazy

*By Dirk VanderHart
October 1, 2014*

TO GET A SENSE of just how insane the race over legal pot has become in recent weeks, start with an email.

On September 25, New Approach Oregon—the campaign pushing Measure 91, which would legalize recreational marijuana statewide—sent supporters a release with the subject line: “FEARSOME.” In text that psychedelically shifts between different colors and fonts and levels of capitalization, New Approach campaign director Liz Kaufman described how the state’s sheriffs—via a lobbying arm—had given the opposition \$100,000.

“We need your help to battle back against that fearsome donation,” the release blared. “Donate now so we can keep pace!”

Kaufman made no mention of a more staid message her campaign had sent out a little more than a month earlier, touting its own financial news: New Approach had just bought \$2.3 million in TV advertising, the "largest ad buy so far for 2014 Oregon ballot measures."

In fact, New Approach attracted more than \$1.5 million over the course of its campaign, according to its most recent filings, with enormous donations from out-of-state contributors accounting for the vast majority. That's an amount the "No on 91" people, backed chiefly by state law enforcement officials, can't hope to match.

So why the many-hued SOS to supporters? It's partly because a new person is coordinating the campaign's email blasts, Kaufman says. But also: The fight for your pot allegiance is extremely tight.

Recent polling from KATU and SurveyUSA suggests the voter margin for Measure 91 is growing closer all the time—the yes vote leading by a paltry four points, 44 to 40. Meanwhile voters 65 and over, who reliably fill out ballots, are solidly opposed.

Against this backdrop, the pot debate has become one of the year's most contentious, with partisans on both sides inundating the Oregon Secretary of State's Office with elections complaints alleging misuse of state money and undocumented campaigning.

On September 11, four state lawmakers sent a letter to Oregon Attorney General Ellen Rosenblum and Secretary of State Kate Brown raising new concerns about a weeks-old issue.

In August, a 13-city "Oregon Marijuana Education Tour" drew the ire of pot advocates (including US Representative Earl Blumenauer) after Willamette Week revealed organizers planned to use federal money to bankroll a series of events that would be overwhelmingly critical of marijuana—effectively campaigning on the public dime.

In response to the criticisms, and under pressure from the Oregon Health Authority, organizers scaled back the tour almost immediately, and county employees who'd been working on the event rushed to sever ties.

Recent calls to each of the 13 cities where forums were scheduled suggested only four have not been canceled—including an October 1 event in Keizer, and another the following day in Roseburg—though representatives in five cities never got back to the Mercury.

Even after those changes, though, Senators Chip Shields (D-Portland) and Floyd Prozanski (D-Eugene), along with Representatives Paul Holvey (D-Eugene) and Alissa Keny-Guyer (D-Portland), said in the September letter they're concerned public employees and resources are being used illegally to plan the tour. They want the Oregon Department of Justice (DOJ) to investigate, along with state elections officials.

"By all appearances, the tour and its sponsors are violating Oregon law," the lawmakers wrote. They laid out a detailed case that the tour—taking place directly before an election over pot and featuring prominent anti-marijuana speakers—amounts to campaigning, but appear to have cited outdated tour flyers as evidence public employees are involved.

Nonetheless, Shields, the only legislator who responded to the Mercury's inquiry, says he's still concerned.

"The inappropriate use of state taxpayer dollars still needs to be investigated," Shields wrote in an email. "Also, there may [be] four of these forums still in the works in places like Salem and Madras, that should be stopped if state resources were used in their planning."

A DOJ spokesman says the department hasn't decided whether to look into the matter, deferring to an ongoing investigation by the secretary of state's office.

Named specifically in the lawmakers' letter is Clatsop County District Attorney Josh Marquis, the public face of the No on 91 campaign. In a September 25 response to elections officials, Marquis called the complaint a "rambling three-page letter."

But it's not the first time Marquis' involvement has been singled out. Two pot activists—local internet radio host "Radical" Russ Belville and a woman named Jennifer Alexander—have also filed elections complaints alleging the marijuana tour violates Oregon law.

Meanwhile, Marquis has a grievance of his own. On Wednesday, September 24, the DA complained an "investigation" into him by Belville—financed by thousands of dollars in donations—is a thinly veiled effort to fight for Measure 91. As such, Marquis says Belville needs to report his donations and expenditures with the state.

"He is obviously free to criticize and even lie about my record in his own blog, on his own 'internet radio show' or by giving away articles to places like the Huntington Post [sic]," Marquis wrote in an email sent to the Oregon Secretary of State's Office. "But when he raises and expends thousands of dollars to affect the outcome of an imminent ballot measure he... is required to register with the secretary of state and report the name, amount, and occupation of his contributors."

As support for his contentions, Marquis pointed to a crowd-funding campaign set up by Belville to, in the pot activist's words, "fight the use of public funds to defeat marijuana legalization in Oregon."

What the fund really went toward is financing records requests Belville filed with numerous Oregon prosecutors for communications surrounding the "education tour." The crowd-funding campaign had raised \$2,435 when Marquis filed the complaint. Receipts doubled after the Mercury reported on the filing.

Marquis also suggested Belville is behind a website, joshmarquisexposed.com, that spreads falsehoods about the DA's record—including a suggestion he allowed a future murderer to be released from jail.

"This is probably the most uncivil campaign that I've been around in my entire life," Marquis told the Mercury. "Why am I being targeted? For one reason: To shut me the fuck up."

Belville, meanwhile, says he has nothing to do with the website, and that he's not running any sort of campaign.

"I'm just a citizen," Belville says, "who's concerned that the district attorney and others in the state and county government have been using grant money to illegally campaign against Measure 91."

Novick Wants an Extra \$4.5 Million (at Least) for Street Fixes

*By Denis C. Theriault
October 1, 2014*

No one figured Portland's expected budget surplus this fall—a mere \$8.9 million—would go very far once the city's myriad bureaus and offices submitted their blitz of funding requests ahead of this fall's annual city budget adjustment. But city hall's already-meager expectations might need to shrink just a little bit more.

At least half of the surplus, some \$4.5 million, could be sent over to the Portland Bureau of Transportation for "back-to-basics maintenance and safety activities," according to budget documents posted today—helping Commissioner Steve Novick and Mayor Charlie Hales realize a promise to invest more city money in paving and safety work before pushing through a controversial new street fee.

And that may not be all that's in store for PBOT, which Novick oversees. That \$4.5 million would come on top of any money allocated for paving under a city policy that requires at least 25 percent of leftover city cash be spent on major maintenance projects. PBOT has submitted a separate list of projects, including paving work, that will be added to a ranking of needed work citywide.

"That's a number that's been talked about for a while," Chris Warner, Novick's chief of staff, said of the \$4.5 million. Which is true. City sources have said for a couple of weeks they'd expect to see that level of a request and that it would likely attract council support. Hales' office has yet to respond to a question asking if it helped craft that number, although it seems safe to guess the mayor supports it, meaning Hales and Novick would need just one more vote on the five-person council to get their wish.

Novick, seemingly under duress from persistent Oregonian questioning, had floated \$7 million as the city's "skin in the game" for the street fee fight—but he made clear not all of that money, if that's where he actually ends up, would come now. Some might come during the proper budget process for the 2015-16 fiscal year.

The documents show Novick's hardly alone in putting forward major requests for general fund cash. The police, parks, and fire bureaus, overseen by Hales, Amanda Fritz, and Dan Saltzman, respectively, have submitted requests listing millions in maintenance and personnel wish lists—millions more than the city has available. Even one of Novick's other bureaus, the Bureau of Emergency Management, is making a pitch for another big-ticket item: nearly \$2 million to build out a fueling station at the city's westside disaster response center.

The police bureau is rolling the dice by looking to add ongoing positions, even though surplus money is traditionally supposed to be spent on finite projects or expiring jobs. Hales' office, which oversees the bureau, has yet to comment on whether it was consulted in the crafting and timing of the requests.

The bureau—which is crowing justifiably about saving \$1.1 million on overtime costs last fiscal year—wants to spend almost all of that money on a handful of new positions: two cops to work on domestic violence restraining order investigations, and four cops and two analysts to work on its gang enforcement team (the drumbeats about rising violence this year suddenly are understood as fodder for an argument).

Police brass also are spending nearly \$1 million on body armor, which used to be funded with grant money, and replacement, upgraded Tasers. They also write they hope to have a contract to purchase body cameras for officers in place by February. A little more than \$834,000 in unspent money that had been set aside for car cameras will be used to help buy body cameras, with more money likely requested next spring.

The camera systems will improve public trust of police as it reflects our commitment to open and accountable policing. The system also comports with the spirit of the City's Agreement with the Department of Justice. The systems will monitor interactions between police and the public and provide evidence that can be used to resolve claims against police. Additionally, video evidence will result in quicker case resolution, which will then free up police resources to focus on policing. Studies of agencies using camera systems have reported that fewer cases go to trial when video evidence is available. The video recordings of police performing their jobs will provide training materials for officer self-improvement, as well as serve as a powerful bureau-wide body of training resources regarding police-public interactions.

The city also will have some unspent contingency funding, perhaps a few million, that could be spent ongoing expenses with little compunction, sources say. That number has not yet been released.

The Effort to Recall Hales and Novick Has Come to a Quiet (Expected) End

*By Denis C. Theriault
October 1, 2014*

Need some more proof, besides the calendar and the rain, that summertime and its heady dreams have finally left us?

The man who announced twin campaigns to recall Mayor Charlie Hales and Commissioner Steve Novick back in July has announced, a week early, that those efforts have been suspended owing to a failure to collect enough signatures and raise meaningful amounts of money.

Ray Horton, a Southeast Portland resident, had until October 9 to collect 35,000 signatures to see each recall petition—70,000 in total—make it to the ballot. His effort was born from outrage over plans this spring and summer to push a roughly hewed street maintenance fee through Portland City Council. But that outrage was dampened and channeled by city officials, who pulled the plug on their initial fee idea and spent several months letting critics and staffers work it over into something else (that may not be any more popular).

All told, Horton raised \$599.43 for the Hales campaign and \$127 for the Novick campaign. Back in August, he told us he had fewer than 3,000 signatures for each official. There was some suggestion an anti-fluoride operative might join up, but the whole thing had an air of curiosity more than anything else—including the moment in July when Novick showed up to speak at one of the meetings of the group looking to boot him.

"Our efforts to raise enough signatures to put a recall measure on the ballot fell short," Horton said in an announcement sent out to a handful of outlets this morning, calling the number of required signatures "a higher bar than we expected."

He then listed several other problems he had with Hales—among them the mayor's steadily tightening grip on Last Thursday, Hales' embrace of Airbnb, the mayor's signature on a legal deal wiping away

years-old punishment for police Captain Mark Kruger's shrine to Nazi-era German soldiers, and, ironically, difficulties in keeping the city's streets paved and maintained.

"These issues have not gone away simply because the recall effort has ended," Horton wrote. "We claim success in making Hales and Novick aware that people are watching, and we are paying attention to what they are doing and attempting to do to the city (as opposed to for the city). We will not back away from that, and we will continue to call out the mayor and city council on their individual and collective incompetence. It is what we all must do as concerned citizens and an involved, informed electorate."