

The Oregonian

Portland will not be 'stampeded' by Uber, says mayor: Guest opinion

*By Guest Columnist Charlie Hales
December 09, 2014*

Portland's sharing economy began more than 100 years ago. From our renowned library system to our pioneering of open source code, Portlanders have lived the ethos of the sharing economy for decades.

Our values reflect our love of community and our neighbors, our progressive nature and our willingness to try new things, like light rail or removing a highway to build a waterfront park.

The sharing economy is rooted in those same old values, married to new technology.

I believe passionately in those progressive, communitarian values. That's why I believe that companies in the sharing economy that care about Portland, and that want to operate here, should be welcomed. I've spent two years as mayor making sure that our doors are open to such innovators.

Governments must ensure the safety of everyone, while making sure that companies are responsibly serving their customers and our residents. It's not sufficient merely for us to welcome new technology, new companies and new economies. That's why my colleagues and I have spent considerable time working with companies like Airbnb to get our regulations right. You should demand nothing less, from us and from the private sector.

I see a great future for the sharing economy in Portland, and I hope to help Portland become a world leader in that economy. I know many of us are eager for new technology to take effect in Portland. And it will. But I am unwilling to rush to market simply to satisfy the arrogance and greed of any one particular company. I am unwilling to sacrifice your safety. And I am unwilling to disrupt people's livelihoods without plans in place to help them succeed in a new world.

That's why, several months ago, the city of Portland asked Uber, Lyft and others to work with us to ensure that safety and inclusion are captured in new regulations regarding private for-hire transportation companies. Regulations need to evolve to meet changing times. But regulations designed to protect consumers – price regulations, insurance regulations, wheelchair access regulations – should not be lightly cast aside.

Unfortunately, Uber chose to say, "Never mind." The company said "no" to your safety. It said "no" to inclusion and "no" to helping us work with our immigrant cab drivers, who may be laid off as a result of their new technology. Instead they chose to ignore our laws and, in doing so, have proved their disdain for our city.

I disagree with that philosophy. No one is above the law.

We don't have to sacrifice the basic concept of the rule of law in order to keep pace with innovation or to take advantage of the new business models that come with Internet access and smart phones. We've proven that, by figuring out how to legally accommodate Airbnb and other short-term rental services. We will do the same with the private for-hire transportation services as well.

We won't be stampeded into someone's self-interested "solution." We'll think it through. We'll take into account public health and safety, and the impacts of our actions on the community. We'll take into consideration the need of companies – both those in Portland, and those operating from afar – to turn a profit. And then we'll make responsible policy.

And we'll do it in that order. Because that's the Portland way.

I expect that most creative, responsible companies will be fine with that.

Mount Tabor Reservoirs: Nick Fish and Amanda Fritz respond to detailed questions from water activists

By Andrew Theen
December 08, 2014

During a testy two-hour public hearing last month on the future of Mount Tabor's open-air reservoirs, activists packed an auditorium at Warner Pacific College in Southeast Portland.

They came armed with a series of long, detailed and occasionally accusatory questions.

"Nick Fish, answer the questions," one man cried 40 minutes into the Nov. 19 meeting.

Commissioners Fish and Amanda Fritz promised to answer questions about city spending on covered reservoir projects and the rationale for disconnecting the three open-air reservoirs on Mount Tabor from the city's drinking water system.

On Friday, Fish and Fritz provided a blow-by-blow rebuttal.

The topics range from concerns about cost overruns (Fish and Fritz said the opposite is true), to the role of a former Water Bureau official (he hasn't worked on deals with the city in more than a decade), to the consequences in deliberately ignoring federal rules.

The politicians outlined the potential costs associated with violating the federal government's rules (\$75,000 per day), and responded to accusations of corruption in contracts awarded to construction companies.

[Click here to download the entire Q/A.](#)

But the final question and answer captured the flavor of the exchange. The city's response is in italics:

Q: You both ran your elections on platforms of accountability, discretionary budget management, and not serving corporate over public interest. Yet, you censor the public from discussing legitimate economic, environmental, and health concerns, you give no-bid, no-cap contracts to your associates, and you clearly cannot control what have become multi-million dollar cost overruns. Why have you both failed to uphold campaign promises to practice honest and efficient governance in contrast to the typical bureaucrat?

A: *We disagree with the tenets of the question. It does not deserve the dignity of a response.*

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It's doubtful that Fish and Fritz's answers assuaged the concerns of their most ardent opponents.

So what happens with the reservoirs next?

Fritz planned on issuing her formal recommendation for the reservoir's future on Dec. 10, but she abruptly cancelled that meeting last week.

She pulled the plug on the reservoir debate for the foreseeable future, citing the still uncertain land use approval and likelihood that the City Council will hear an appeal on the plan to disconnect the famed reservoirs sometime early next year.

The Historic Landmarks Commission, a volunteer citizen board, will decide in mid-January whether to approve the city's plan.

On a Facebook page, activists are already discussing the appeals process. If the City Council does ultimately uphold the plan to disconnect Tabor's reservoirs, the water advocates could seek a ruling from the state's Land Use Board of Appeals.

Don't Shoot Portland organizers will meet with Mayor Charlie Hales

*By Andrew Theen
December 09, 2014*

Portland Mayor Charlie Hales will meet Tuesday with several of the organizers behind Don't Shoot Portland, the group that's led a wave of marches and protests in reaction to the grand jury decisions not to indict officers involved in deadly shootings in Missouri and New York City.

Hales' staff organized the Tuesday meeting with Tereasa Raiford, a former candidate for the Multnomah County Board of Commissioners, last week after Raiford staged a rally in front of City Hall to file complaints with the city's Independent Police Review Division.

Dana Haynes, Hales' spokesman, said the mayor's office also contacted Micah Rhodes and Marcus Cooper, two young men profiled in *The Oregonian*, to join the meeting.

Don't Shoot Portland posted the meeting as an event on the group's Facebook page, and 148 people said they would attend the meeting.

"Apparently these people have never stepped foot in the mayor's office and know it's not gargantuan," Haynes said when asked whether the mayor's office could accommodate that many people.

Haynes said the mayor will "mostly listen," but also plans to update Don't Shoot Portland on some of the city's police reform efforts. Haynes credited the group for organizing well-structured and peaceful protests.

The meeting is listed on Hales' calendar from 12:30 to 1:30 p.m., but the Don't Shoot Portland's Facebook page and other media outlets including the *Portland Mercury* described the meeting as a two-hour sit-down.

Haynes said the mayor will ask Raiford what members of the group's leadership would also like to join, but space is a premium. "If she brings five extra people, we don't have chairs for all five," Haynes said, "but we could make it work."

Uber vs. Portland: City sues rideshare startup, calling it 'illegal, unregulated transportation service'

*By Joseph Rose
December 08, 2014*

The city of Portland filed a lawsuit Monday afternoon asking a judge to order the controversial ride-sharing company to stop picking up riders until it complies with local regulations.

Portland transportation officials said the complaint, filed in Multnomah County Circuit Court, proves they are serious about coming down hard on the multi-billion-dollar San Francisco-based startup, which defiantly launched its UberX cab service in the city limits on Friday night.

A court hearing is expected to be scheduled for Dec. 19.

UberX -- which allows people to use a smartphone app to hail drivers using their vehicles as a de facto taxi -- should be declared an "illegal, unregulated transportation service," the suit says.

PBOT Director Leah Treat also issued a cease-and-desist order against Uber, ordering its \$1.65-per-mile drivers to immediately stop picking up riders within the city limits. If they don't comply, city officials said they will move forward with civil and criminal penalties, which could include hefty fines, arrests and impounding vehicles.

Meanwhile, the city gave Uber until 5 p.m. Thursday to stop using images of the historic "Portland, Oregon" sign in Old Town in its advertising. "The sign's image is a trademark registered with the State of Oregon," according to a statement from the city.

Of course, this isn't new territory for Uber.

Last month, Uber suspended operations in Nevada after the state sued and a judge granted a request for a court order blocking the company. In fact, Uber is battling several other cities, taxi companies and labor groups in court.

"Our main concern is public health and safety, because the state invested in the cities the responsibility to do that," said Portland Mayor Charlie Hales in a statement. "Beyond that, though, is the issue of fairness. Taxi cab companies follow rules on public health and safety. So do hotels and restaurants and construction companies and scores of other service providers."

Hales said the city's belief is that good regulations make for a safer community.

"Uber disagrees," he said, "so we're seeking a court injunction."

Uber responded to the city's lawsuit by noting that thousands of Portlanders had used its app to hail rides during the first four days of operation.

"Uber has received a tremendously warm welcome from riders and drivers in and around Portland," said Uber spokeswoman Eva Behrend in an email to The Oregonian.

"We appreciate the way residents have welcomed Uber into the Rose City," she said. "Their support illustrates why it's time to modernize Portland transportation regulations."

She rallied Portland residents to sign an online petition directed at the mayor's office.

In less than four hours Monday, Behrend said, nearly 7,000 Portland residents had signed the petition in support of Uber in Portland. "We remain hopeful that the city will listen to Portlanders who want safe, reliable, hassle-free ride options now," she said.

Dylan Rivera, a PBOT spokesman, said Uber drivers accepted and then later cancelled two rides requested by Portland Bureau of Transportation enforcement officers on Friday night.

On Saturday night, drivers provided three rides to City enforcement officials on Saturday.

As a result, he said, the Transportation Bureau issued two citations amounting to \$2,750 against Uber on Monday -- one for operating without a company permit and another for operating without a vehicle permit.

As the City documents Uber's unpermitted operations in Portland, "we're giving drivers warnings at this point," Rivera said.

However, Uber-contracted drivers found to be repeatedly operating without a taxi permit may be subject to civil and criminal penalties, he said.

Uber has been threatening to enter Portland for more than a year. In recent months, it has surrounded the city, launching Vancouver, Tigard, Beaverton, Gresham and Hillsboro.

But so far, the heavily influential Private for-Hire Transportation Board of Review, which includes representatives from the Portland's taxi and town-car companies, have been dead set against relinquishing any of the city's 460 taxi permits to Uber drivers.

A recent Portland Bureau of Transportation report showed the city is greatly underserved by taxis when they're needed most, Uber officials said it's getting harder for the city to defend strict ordinances designed to protect the taxi industry from competition.

Although city Commissioner Steve Novick supports a comprehensive review of the city's taxi codes, he says the new ride-sharing upstarts have an unfair advantage over the city's regulated taxi industry.

"If Uber thinks there should be no maximum price on what they charge Portlanders, they should make their case to the Portland City Council," said Novick, who oversees PBOT.

"If Uber thinks taxi companies shouldn't have to serve people with disabilities, they should make their case," he said on Monday. "If Uber thinks taxis should not have to have proper insurance in case of a crash, they should tell us why we should allow that."

Who will ultimately win the Portland vs. Uber battle?

Jon Down, a University of Portland business professor who is an expert in startups and disruptive technologies, said he would bet on Uber.

"It seems like the market has fallen in love with its services," Down said.

Down certainly sees Uber revolutionizing transportation in Portland.

Unlike New York City or Washington, D.C., Portland doesn't have a vibrant taxi culture, where someone can easily hail a cab on the street. In fact, most Portlanders have never really viewed cab companies as an integral part of the transportation network, Down said.

"But with Uber and the convenience of its technology," he said, "a lot of people who wouldn't normally use a taxi like the idea of using their smartphone to get a quick ride that's a little cheaper. People want to use the technology."

The city's citations and lawsuits, Down said, are only slowing the inevitable – elected officials will be forced to change the city's old rules to meet the desires of the market.

Down said he expects Portland to follow Seattle's example.

Responding to pressure from consumers, the Seattle City council earlier this year approve legislation creating a new regulatory framework for Uber and competitors such as Lyft to operate as "transportation network companies."

"Portland does seem to be a good potential market," he said. "This is what this city says it wants to be known for -- technology, innovation, companies attracting venture capital. As services such as Uber get established, I expect them to become less expensive and more responsive."

Uber vs. Portland: City files lawsuit to brake rideshare company's local operations

*By Joseph Rose
December 08, 2014*

The city of Portland is suing Uber, hoping that a judge will order the controversial rideshare company from operating in the city.

On Monday afternoon, three days after Uber launched in Portland amid threats from city officials, the Bureau of Transportation announced that it had filed a complaint against San Francisco-based startup in Multnomah County Circuit Court.

PBOT Director Leah Treat has also issued a cease-and-desist order against Uber, giving its drivers until 5 p.m. Thursday to stop picking up riders. If they don't comply, city officials said they will move forward with civil and criminal penalties, which could include arrests and impounding vehicles.

This isn't the first time that a government has gone after Uber in court. Last month, a Nevada judge kicked the company of the state until it could operate in compliance with taxi regulations.

Here is the full statement from PBOT:

The lawsuit seeks declaratory relief that Uber is subject to and in violation of the City of Portland's Private for Hire Transportation Regulations and Administrative Rules. The City's lawsuit is asking for a declaration by the court that Uber is subject to the City's regulations. The lawsuit also asks the Court to order Uber to stop operating in Portland until it is in compliance with the City's safety, health and consumer protection rules.

Transportation Director Leah Treat on Monday morning issued a Cease and Desist Order to Uber. The order was cited in the lawsuit.

"I am hereby directing that Uber Technologies Inc.... or any other Uber affiliate entity immediately cease and desist operating within the City of Portland until such time as appropriate permits are obtained and Uber is in full compliance with the requirements of Portland City Code Chapter 16.40," Treat wrote. "Please alert all Uber-affiliated drivers that they are to cease and desist."

"Our main concern is public health and safety, because the state invested in the cities the responsibility to do that," Mayor Charlie Hales said. "Beyond that, though, is the issue of fairness. Taxi cab companies follow rules on public health and safety. So do hotels and restaurants and construction companies and scores of other service providers. Because everyone agrees: good regulations make for a safer community. Uber disagrees, so we're seeking a court injunction."

City Commissioner Steve Novick, who oversees PBOT, said the City is prepared to issue civil and criminal penalties against Uber and its drivers for operating without required permits and inspections. The City of Portland requires permits for drivers and companies that offer taxi or executive sedan service within the city limits.

"If Uber thinks there should be no maximum price on what they charge Portlanders, they should make their case to the Portland City Council," Novick said. "If Uber thinks taxi companies shouldn't have to serve people with disabilities, they should make their case. If Uber thinks taxis should not have to have proper insurance in case of a crash, they should tell us why we should allow that."

Uber drivers accepted and then later cancelled two rides requested by Portland Bureau of Transportation enforcement officials on Friday night. Uber drivers provided three rides to City enforcement officials on Saturday night. Uber has widely publicized that it was operating in Portland over the weekend.

The Transportation Bureau issued two civil penalties to Uber on Monday, one for operating without a company permit and another for operating without a vehicle permit.

As the City documents Uber's unpermitted operations in Portland, the Bureau will issue warnings to Uber drivers and penalties to the company. Drivers found to be repeatedly operating without a permit may be subject to civil and criminal penalties.

An attorney representing the City of Portland also issued a Cease and Desist Order Monday to Uber for unauthorized use of the image of the historic "Portland, Oregon" sign in Old Town in its advertising. The sign's image is a trademark registered with the State of Oregon. If Uber does not cease all commercial use of the sign by 5 p.m. Thursday, Dec. 11, the City is prepared to seek a court order, damages and attorney's fees.

The Transportation Bureau encourages the public to report illegal taxi operations, and complaints about any private for hire transportation provider to 503-865-2486 or by email to regulatory@portlandoregon.gov

Uber vs. Portland: City Hall denies ticketing rideshare drivers, but it's gathering evidence

*By Joseph Rose
December 08, 2014*

It appears that Portland's code police still haven't been able to successfully book a ride from an unpermitted Uber driver.

The tech blog Geekwire has backpedaled from a report saying City Hall had levied "hefty fines" against several of the clandestine rideshare company's drivers over the weekend.

"No fines have been written," said Bryan Hockaday, a policy advisor to city Commissioner Steve Novick, who oversees transportation issues. "But we are pulling together documentation of violations."

In other words, after a failed attempt to throw the book at an Uber driver in front of the local media on Friday night, city code enforcers apparently haven't had any luck over the past three days with setting up a face-to-face ride.

Drivers repeatedly canceled reservations made by code enforcers on Friday night. The officers resorted to grabbing screenshots of Uber driver information -- license plate numbers, names and vehicle makes -- on their smartphones.

"An Uber driver agreeing to pick up a passenger in the city of Portland constitutes a violation of city code," said Frank Dufay, the city's private-for-hire-transportation manager. Dufay said his office will attempt to send citations with the information.

Hockaday said the screenshots "are part of the documentation" of violations.

Without little warning or approval from City Hall, the company rolled out UberX at 5 p.m. Friday. The service allows passengers to use an app to get a ride from drivers who use their own cars as low-cost de

facto taxis. Uber cars usually arrive in less than 10 minutes and offer fares that are 35 percent lower than those of traditional taxis.

Arguing that the city's taxi regulations are antiquated, Uber has told its drivers to keep rolling, even if they're fined by the police. "Uber will pay the fines and any impoundment costs" that its drivers rack up while picking up customers, said Eva Behrend, an Uber spokeswoman.

Meanwhile, Geekwire posted a correction to its earlier report about drivers and the company being ticketed for nearly \$4,000 per violation:

Editor's note: This story was edited to reflect that penalties have not yet been issued, but that city officials have "documented" drivers in violation of regulations.

Brooke Steger, Uber's regional general manager, didn't know why city officers might be having a tough time booking a ride with Uber's smartphone app.

She said Portlanders took "thousands of trips" using Uber over the weekend. "We don't release actual numbers," she said.

Hockaday said more information about the city's enforcement plans will be released Monday afternoon.

Uber's Portland invasion: Editorial Agenda 2014

*By The Oregonian Editorial Board
December 08, 2014*

On Friday, ride-sharing company Uber launched a blitzkrieg in Portland, where archaic regulations protecting the city's taxi industry prohibit the wildly popular type of service Uber and similar companies provide. For over two years, Uber has been pushing city officials to modernize these regulations without making much progress – though Commissioner Steve Novick, who oversees the city's taxi bureaucracy, has expressed interest in setting up a regulatory-review committee. But the process was too slow for Uber, which said last week, in effect, "rules, shmules. We're gonna do what we want."

And so the company has. Arrogance, thy name is Uber ... not that that's news to anyone.

Novick is not happy. He declined Monday to speak to The Oregonian editorial board, but he did promise Friday to "throw the book at them," The Oregonian's Joseph Rose reported. "Apparently," he also said, "they believe they're gods."

Novick has a point. And if Uber's invasion of Portland were nothing more than the scofflaw swaggering of a Bay-area tech bully, who wouldn't share his outrage? But Uber, distasteful though the company's behavior is, has a point as well, and Friday's surprise attack has driven it home. The point, stated simply, is that the company has built a better mousetrap, yet it has not been available here because of regulations that require the use of an outdated mousetrap.

Uber's intransigence has made the better mousetrap available to Portland residents and visitors for the past few days, placing Novick and his colleagues in the uncomfortable position of trying to take it away once again. While Novick is entitled to his outrage, his constituents are entitled to ask the following question: Whose interests are he, his colleagues and city regulators serving, anyway? Surely not theirs.

UberX, the service the company launched in Portland Friday, allows smart phone users to obtain rides from private citizens who use their cars as cabs. Cars usually arrive quickly, and the service typically costs less than comparable service provided by a licensed taxi. The appeal is obvious, and residents of Vancouver, Gresham, Tigard, Hillsboro and Beaverton must consider themselves fortunate to have access to a service prohibited in the supposedly hip city of Portland.

In Portland, people who want to hire a car are expected to be satisfied with an antiquated and protectionist system that caps the number of taxi permits, leading to the inevitable mismatch between supply and demand. Taxis are in such short supply during peak periods, The Oregonian's Rose reported last month, that the city decided to relax restrictions on the use of about 100 vehicles operated by two city cab companies. The vehicles, which normally may be used only for non-emergency medical transportation, may now provide on-demand taxi service on Friday and Saturday nights.

You know city regulators work with a heavy hand when even vehicles owned and operated by taxi companies need special permission to be used like taxis. Perhaps Uber's correct not to place much faith in the city's regulatory review process, though the company – which did not return calls for comment Monday morning – has said it will continue to work with the city to that end.

In the meantime, the city says it's collecting information in order to punish drivers who obtain work using Uber's software. On Monday, it sued, filing a complaint against the company in Multnomah County Circuit Court.

It's hard to fault the city for enforcing the law. But it would be foolish to take from Portlanders a service enjoyed by millions of people across the globe, and many in nearby cities, without committing to an expedited, good-faith effort to modernize the city's taxi regulations. We suspect, by the way, that the vast majority of Portland residents would not be satisfied with a modernization effort that did not allow Uber and similar services to operate here, just as they do in so many other places.

Portland should maintain relationship with FBI task force: Editorial Agenda 2014

*By The Oregonian Editorial Board
December 07, 2014*

Portland Mayor Charlie Hales, who reportedly has not yet established a position on the matter, recently scheduled a 90-minute hearing to discuss "withdrawal from JTTF involvement." The Dec. 18 discussion, perhaps fittingly, will occur in the midst of a holiday season devoted to ritual. Portland City Council seems to revisit the city's participation in the FBI-led Joint Terrorism Task Force as regularly as kids set out milk and cookies in anticipation of Santa's arrival. Unlike the fat guy in the red suit, though, the value of JTTF involvement is real.

The JTTF is the formal arrangement by which local law enforcement agencies cooperate with the FBI in investigating threats to national security. Local agencies that participate fully – including, in Oregon, the Washington County Sheriff's Office and the Port of Portland police – devote officers to the task force full-time. These officers are given security clearances and trained to investigate counterterrorism, says Greg Bretzing, the special agent in charge of the FBI's Portland office. By mutual agreement, he says, they also abide by the rules of their own departments and the laws of their state.

The value of this arrangement is fairly obvious: Local law enforcement officers "add expertise and long-term, deep-seated knowledge of where we're operating," says Bretzing. They're "out on the street every day interacting with members of the community." JTTF participation, thus, encourages the free flow of information needed for accurate and efficient law enforcement.

This intermingling of local and federal police agencies has in some places triggered opposition from civil liberties groups, which worry that local officers might engage in intrusive actions inconsistent with their own jurisdictions' values. This tension between public safety and civil liberties has dogged Portland's on-again, off-again relationship with the JTTF ever since the city joined in 1997. In 2005, in fact, Portland famously dropped out.

The city patched things up with the FBI - sort of – in 2011, one year after 19-year-old Mohamed Mohamud tried to detonate what he thought was a bomb in Pioneer Courthouse Square during a tree-lighting ceremony. Rather than rejoining as a full participant, however, Portland resolved to participate halfway. Under the arrangement, Portland makes officers available to the JTTF on an as-needed basis, and the city's police chief must deliver annual reports to the City Council describing the extent of the department's involvement. Thus, the thinking goes, the city does its part to enhance public safety while also exercising oversight.

Problem is, these annual reports have proven too light on details to satisfy some commissioners, and the FBI has declined to give Hales, the commissioner in charge of the police department, the security clearance needed to know more about the JTTF-related work of city officers. We can only guess why Hales decided to schedule a hearing on JTTF withdrawal, as he declined through spokesman Dana Haynes to discuss his concerns with the editorial board. Clearly, though, he's FBI-sore, perhaps enough so to reprise a 2001 performance in which, as a commissioner, he voted against continued involvement in the JTTF. He was in the minority then, but may not be this time.

In anticipation of the Dec. 18 hearing, Hales, his colleagues and constituents should consider a few questions. First, does the city's arrangement with the FBI have law-enforcement, and therefore public safety, value? The FBI certainly believes it does, as have commissioners who've agreed to cooperate with the FBI over the years. Second, what is the actual civil liberties problem that might outweigh the value to public safety? Third, is there some way to deal with the civil liberties problem, assuming it exists, that doesn't involve stiff-arming the FBI entirely? It's a little hard to believe that smart, well-intentioned people couldn't figure something out.

It would be a shame if this month's hearing simply became an opportunity for grandstanding leading ultimately to the politically motivated rejection of an arrangement that enhances public safety, if only marginally. It would be encouraging, on the other hand, if the hearing inspires Hales and his colleagues to consider participating fully in the JTTF once again.

The Portland Tribune

Uber's drive into Portland detoured into court

*By Jim Redden
December 8, 2014*

Portland sued Uber Inc. on Monday for launching its app-based, private person-to-person ride service Friday in violation of city policies governing taxis and other paid ride services.

In a lawsuit filed Monday in Multnomah County Circuit Court against Uber Technologies Inc., the city documented that the San Francisco company started operating private-for hire transportation services in Portland without a permit. The lawsuit was quickly transferred to U.S. District Court in Portland.

"Our main concern is public health and safety, because the state invested in the cities the responsibility to do that," Mayor Charlie Hales said Monday, explaining the basis for the lawsuit. "Beyond that, though, is the issue of fairness. Taxi cab companies follow rules on public health and safety. So do hotels and restaurants and construction companies and scores of other service providers. Because everyone agrees: good regulations make for a safer community. Uber disagrees, so we're seeking a court injunction."

Uber officials have not commented on the lawsuit. A company website urged supporters to write to Hales and demand that Uber be allowed to operate without hassles.

"On December 5th, Uber answered the call of thousands in Portland to bring a reliable, safe transportation option to the community," according to an unsigned post on a company website. "But despite our steadfast efforts to give the people what they want, some local officials are working to keep Uber out of Portland and protect a status quo that simply doesn't meet the city's needs.

"The bottom line is this: Drivers deserve an opportunity to earn a living and Portlanders deserve a safe, hassle-free transportation option. And we will fight for you to have that right until it's a reality."

Late Monday afternoon, Uber asked that the lawsuit be moved into federal court. Uber Seattle's General Manager Brooke Steger, claimed in court documents that the company could lose more than \$100,000 in profits if it was required to go through the city's regulation process.

"If Uber is prohibited from operating its business in the city of Portland, Uber would suffer significant lost profits," Steger said in court documents.

Canceled rides

City Commissioner Steve Novick, who oversees the Portland Bureau of Transportation, says the city is prepared to hit Uber and its drivers with civil and criminal penalties for operating without required permits and inspections. Portland requires permits for drivers and companies that offer taxi or executive sedan service within the city limits.

"If Uber thinks there should be no maximum price on what they charge Portlanders, they should make their case to the Portland City Council," Novick said. "If Uber thinks taxi companies shouldn't have to serve people with disabilities, they should make their case. If Uber thinks taxis should not have to have proper insurance in case of a crash, they should tell us why we should allow that."

According to the city, Uber drivers accepted and then later canceled two rides requested by Portland Bureau of Transportation enforcement officials Friday night, Dec. 5. Uber drivers provided three rides to city enforcement officials Saturday night, Dec. 6. Uber officials posted announcements on the company blog publicizing that it would begin operating in Portland Friday evening.

PBOT issued two civil penalties to Uber on Monday, one for operating without a company permit and another for operating without a vehicle permit.

The lawsuit seeks declaratory relief that Uber is subject to and in violation of the city of Portland's private for-hire transportation regulations and administrative rules. Portland's lawsuit is asking a court to declare that Uber is subject to city regulations. The lawsuit also asks the court to order Uber to stop operating in Portland until it is in compliance with the city's safety, health and consumer protection rules.

An attorney representing Portland also issued a cease-and-desist order Monday to Uber for unauthorized use of the image of the historic Old Town "Portland, Oregon" sign on the Uber website. The sign's image is a trademark registered with the state. According to the attorney, if Uber does not cease all commercial use of the sign by 5 p.m. Thursday, Dec. 11, the city is prepared to seek a court order, damages and attorney's fees.

Reporter Kevin L. Harden contributed to this story.

Protesters, mayor plan City Hall meeting

*By Pamplin Media Group
December 8, 2014*

Members of the group Don't Shoot Portland, part of a national protest of police violence, plan to meet Tuesday afternoon with Portland Mayor Charlie Hales at City Hall to discuss issues surrounding recent downtown protests.

About 125 people have indicated on the group's Facebook page that they plan to attend the meeting.

Hales will meet with representatives of the group from noon to 2 p.m. Dec. 9.

The group began organizing in mid-August after the police shooting death of 18-year-old Michael Brown in Ferguson, Mo., a St. Louis suburb. Since that time, the group has led hundreds of people in protests against police shootings and other violence. The protests have taken place in downtown Portland and in Gresham.

City commissioners are scheduled to discuss Wednesday morning a plan to spend between \$500,000 and \$1 million to provide body cameras for Portland police officers. Other groups plan to organize members to testify before the council on the body camera issue.

Council delays street fee vote yet again

*By Jim Redden
December 9, 2014*

Dueling polls suggest how the campaigns over the proposed street fee will be waged — if the City Council ever approves it and opponents refer it to the ballot.

A poll released last week says most Portlanders are against the proposal by Mayor Charlie Hales and Commissioner Steve Novick. It was commissioned by the Oregon Small Business Association and found that 63 percent of Portland voters oppose the street fee. Only 26 percent support it, and 11 percent are undecided.

But that result is different than a poll conducted for the city in June, when the current proposal was still being written. That poll found many Portlanders support taxing the wealthy Portlanders for streets — with 60 percent in favor of taxing those earning more than \$125,000.

The two polls did not ask the same questions, however, and the differences likely will be exploited by each side if the proposal is referred to the voters.

The city poll, which was conducted by DHM Research, asked Portlanders what they would support “to fund repairs and improvements to the city of Portland’s transportation infrastructure, primarily maintenance and safety.” That emphasizes how the money would be spent, which is 58 percent for maintenance and 42 percent for safety projects, after expenses.

The new poll, which was conducted by Riley Research, said the proposal was intended “to provide additional revenue for the city’s transportation department.” That emphasizes the bureaucracy — the Portland Bureau of Transportation — that will receive the net proceeds.

The Riley poll also mentioned the progressive nature of the personal income tax, but not by saying the wealthy will pay more. Instead, it noted people will pay different amounts, saying, “an individual’s tax could vary from a low of nothing to a high of \$900, depending on the individual or household annual income.”

So if the measure goes to the ballot, expect supporters to argue that richer Portlanders pay more and the money will be spend on maintenance and safety projects. Opponents are likely to say not everyone pays their fair share, and the money goes to fill city coffers.

Both sides gearing up

Novick thinks his side has the winning argument.

“Of course, people aren’t going to support additional money for a ‘transportation department.’ They will support funding for street maintenance and safety. Our polls showed that between 50 and 60 percent of Portlanders will support a progressive income tax for maintenance and safety,” Novick says.

At the same time, the Riley poll found voters of all ages oppose what it called “this new personal income and business tax.” Opposition ranged from a plurality of 18 to 34 year olds (47 percent no, 34 percent yes) to 72 percent of those age 55 to 64.

Whether Portlanders get to vote on the proposal remains to be seen. Hales and Novick are insisting the council not refer it to the ballot, and they are looking for a third vote that agrees. Opponents are screening professional signature collection firms to launch a referral drive.

If the council approves the proposal without referring it to the ballot, opponents would have 30 days to collect signatures from 20,897 registered Portland voters for each ordinance — a total of 41,794 valid signatures. If enough valid signatures are verified by election officials, the proposal will not take effect unless it is approved by the voters.

Street fee keeps changing

At last Wednesday’s hearing, the council once again postponed the final vote on the street fee. It originally had been set for Dec. 3, but was delayed until Dec. 10 to consider amendments. Novick then said he will offer at least another amendment at that hearing, requiring another one week delay under council rules.

Several opponents testified the recurring delays mean Hales and Novick should withdraw the proposal and start over. Small business owner Ann Sanderson said problems plague both parts of the fee, the progressive personal income tax and the sliding scale for nonresidential properties.

“Both taxes, two of them, aren’t ready for prime time,” said Sanderson, who operates the Stop Portland Street Fee Facebook page.

Last Wednesday’s hearing was relatively tame compared to the previous hearings on the street fee, which have gone on for hours. In contrast, only a handful of people spoke at the Dec. 3 hearing, mostly against it. The back-and-forth with the council revealed a number of new, unresolved issues, however.

One is whether people who work in Portland but live outside the city can be taxed. Novick said the possibility will be studied by the city Revenue Bureau, which will collect the taxes and fees.

Perhaps the most complicated issue was raised by Robert McCollough, president of Southeast Uplift, the neighborhood coalition office representing 17 Southeast neighborhoods. He said the city’s calculation for the business fees are inaccurate and let some of the heaviest street users off the hook, including major transportation companies. McCollough said the city does not have a classification for some of those companies, and he accused PBOT officials of stonewalling his requests for the “working papers” used to

set the fees. McCollough said SEUL had authorized a public records lawsuit to obtain the documents, although he hoped the council would direct PBOT to simply turn them over.

Other issues discussed by the council concerned how to minimize the impact of the nonresidential fees on small businesses. Novick said he would present an amendment on Dec. 10 to exempt “microbusinesses” owned by city residents from the fee. Commissioner Nick Fish said he was interested in exempting small businesses from the first year of the fee.

The hearing ended with the council approving two amendments. One was a sunset clause that would repeal the two ordinances in six years unless they are renewed by the council. Commissioner Amanda Fritz had expressed support of it at the Nov. 20 hearing, and she is considered the likely third vote.

The other amendment would ensure that any new maintenance revenue would be in addition to the amount the city currently is spending, which is \$11.3 million in the 2014-15 budget. Novick said the amendment was necessary to assure Portlanders the council wouldn't simply use any new street fee funds to replace money it is already spending on maintenance.

Fish expressed frustration with the changing schedule, asking Novick point blank when the final vote will take place.

“At a certain point we have to be more respectful of people's time,” Fish said.

Novick answered, “December 17.”

City considers cracking down on AirBnB laggards

*By Steve Law
December 9, 2014*

Hosts working with Airbnb and other companies promoting short-term rentals would need to get city permits or be barred from advertising, under a proposal headed for the Portland City Council next Thursday, Dec. 11.

City Commissioner Nick Fish, who proposed the idea, said Thursday he expects it will win council approval.

This will be a “game changer” in enforcing the city's new short-term rental ordinance, Fish said.

In July, the City Council passed an ordinance legalizing short-term rentals of less than 30 days in single-family homes. Hosts who rent out rooms in their homes for short-term stays must get a city permit, starting Aug. 30. However, only a small percentage of hosts have bothered to get the permit, which costs about \$180 and requires a cursory safety inspection of their dwellings.

The Bureau of Development Services is responsible for enforcing the ordinance, but it only steps in when someone files a complaint about an operation. Usually those come one at a time, when a neighbor objects to something going on in their block.

Thomas Lannom, Revenue Bureau director, told the City Council recently he wants to be more “proactive” about enforcing the city's new ordinance, because the city is losing out on lodging tax revenues from short-term rentals. Right now, Airbnb is collecting lodging taxes from its local hosts, but won't divulge their names or addresses to the city.

Lannom pledged to bring a proposal to the council giving it new tools to collect the tax, and identify the local hosts for Airbnb and other companies that market short-term rentals.

At a recent City Council work session, Fish asked Airbnb's David Owen if the company could require hosts to post their permit number before getting ads on the Internet-based system, but Owen was noncommittal.

Under Lannom's proposal, that may become mandatory for Airbnb, Craigslist and others that promote short-term rentals.

“That makes enforcement very easy,” Fish says. “This changes everything.”

The City Council also is expected on Thursday to legalize short-term rentals in apartments and condos, if certain conditions are met.

Urban renewal district plan nearly complete

*By Steve Law
December 9, 2014*

After nine months of public debate, Mayor Charlie Hales' proposal to shuffle and shrink Portland's urban renewal districts is headed for the home stretch.

About one-seventh of all the land mass in the city is now tied up in 12 large urban renewals areas and eight smaller ones — close to the maximum acreage allowed by state law. Much of the property taxes collected in those areas goes to the city's urban renewal agency, the Portland Development Commission, instead of schools and other local governments.

Hales says it's time to "right size" the city's urban renewal districts and stop treating them like "an ATM" for city funds.

He proposes to pull the plug on two large urban renewal areas and shrink two others, putting all that property value fully on the tax rolls. He also wants to expand two other urban renewal areas to capitalize on new development opportunities.

"We're putting a billion dollars — with a 'B' — back on the tax rolls," Hales said Thursday, when a citizens advisory committee presented its review of his plans to the Portland City Council.

The Urban Renewal Area Amendment Advisory Committee suggested only one modest change, adding a key block in Old Town/Chinatown to the River District Urban Renewal Area. The idea came from the Portland Business Alliance, which proposed adding 11 blocks, but the advisory committee could only agree on adding one block.

Now Hales' plan heads to the Planning and Sustainability Commission and Portland Development Commission board for review. Then the Portland City Council is scheduled to formally vote on his plans Dec. 17.

Here's what the mayor proposes:

- Shrink the River District by putting 30 percent of its property value back on the tax rolls. That will boost annual property taxes for the city, Multnomah County and public schools.
- Shrink the Airport Way district by putting 60 percent of its property value back on the tax rolls.
- Dump the fledgling Education Urban Renewal Area, which includes 109 acres in and around Portland State University. That was a pet project of former Mayor Sam Adams, and Hales has different views on how the city can help PSU.
- Pull the plug on the Willamette Industrial Urban Renewal Area, which never lived up to its promise and has been largely inactive.
- Add 45 acres into the North Macadam Urban Renewal Area, including 35 acres from the education district near PSU. Hales hopes to devote more money to private developments near the university instead of campus buildings, which could be problematic for urban renewal spending because of state property tax limitations.
- Extend the end date of the North Macadam district by five years, until 2024-25. That gives the Portland Development Commission more time and money to foster redevelopment of the Zidell barge plant and Knight Cancer Research Center, both of which are on the downtown waterfront.
- Add 16 acres near the new Clinton Street MAX stop into the Central Eastside Urban Renewal Area, to take advantage of new development opportunities along the new light-rail line.
- Extend the life of the Central Eastside district by five years, enabling it to tap an additional \$21 million in bond financing.

The main critic of Hales' urban renewal area shuffle is the League of Women Voters of Portland.

Debbie Aiona, the league's action chairwoman who served on the advisory committee, said the mayor should have put even more property back on the tax rolls. The mayor's plan will deliver \$5.4 million more property taxes to local governments in 2015-16, Aiona said. "While this sounds like a lot," the league wrote in a letter to the City Council, "the actual impact on the affected taxing jurisdictions is very small." For example, Multnomah County would get an extra \$1.4 million a year.

The league would like those numbers to be larger, which would require more shrinkage of urban renewal area boundaries.

Multnomah County and the league both opposed adding the additional block into the River District, but their representatives on the advisory committee were outvoted. So-called Block 33, bounded by Northwest Couch and Davis and Fourth and Fifth avenues, is a surface parking lot controlled by developer David Gold. That once was eyed for an Uwajimaya grocery store that never went forward, and many believe it's a linchpin to further development of Old Town/Chinatown.

Block 33 already lies within the city's Downtown Waterfront Urban Renewal Area, which doesn't have nearly as much money available as the flush River District, which includes the booming Pearl District and much of Old Town/Chinatown.

Though redeveloping Old Town/Chinatown is a key Hales goal, it's not clear if Hales will endorse that change.

"The purpose of this proposal was to reduce the size of the River District," says Jillian

Detweiler, the mayor's policy director for urban renewal. "He recognizes it is an important block," she says. But she notes that the PDC once was ready to spend \$7 million on the Uwajimaya project, from Downtown Waterfront district funds.

Other amendments can still come to the City Council on Dec. 17. Detweiler expects Brooklyn neighborhood leaders may present their idea to extend fingers of Milwaukie and 17th avenues into the Central Eastside district.

City Commissioner Nick Fish is readying two amendments. He wants the city to reaffirm its commitment to existing affordable housing goals in the North Macadam district, especially for poor people earning less than 30 percent of median family income. And Fish says he'd like to direct the Portland Housing Bureau and PDC to identify one or two opportunities for affordable housing projects in the district, along with a timeline and funding to build those.

Willamette Week

The City of Portland Sues Uber

*By Aaron Mesh
December 8, 2014*

Portland city officials aren't taking Uber's invasion lying down. Instead, they're taking the ride-sharing company to court.

Portland officials today filed an injunctive lawsuit in Multnomah County Circuit Court, asking a judge to order the company to stop operating until City Hall grants Uber permission.

"If Uber thinks there should be no maximum price on what they charge Portlanders, they should make their case to the Portland City Council," City Commissioner Steve Novick says in a statement. "If Uber thinks taxi companies shouldn't have to serve people with disabilities, they should make their case. If Uber thinks taxis should not have to have proper insurance in case of a crash, they should tell us why we should allow that."

Portland transportation director Leah Treat sent Uber a letter this morning, warning of the lawsuit and saying city officials will start impounding drivers' cars.

"The city will be taking appropriate enforcement action against Uber's illegal activities and those of its drivers," Treat writes, "which may include bringing suit against Uber for injunctive and other relief, imposing civil and criminal penalties, impounding illegally operated for-hire vehicles and any other steps deemed necessary and appropriate to protect the public."

Oregon Public Broadcasting first reported the cease-and-desist letter today.

The injunctive lawsuit closely follows the playbook of officials in Nevada, who pushed Uber out of Las Vegas with a court order.

Uber has responded the same way in Portland as in Vegas: It has started an online petition calling on Mayor Charlie Hales to welcome the company.

"This is about more than picking sides," Uber's petition says. "We're here to become part of the fabric of Portland--by helping cut down on drunk driving, serving under-served communities, increasing transit to small business and helping drive the local economy."

The Mercury

The City of Portland Has Already Sued Uber

By Dirk VanderHart
December 8, 2014

If you're one of those cheering because Uber breached Portland, maybe get that ride while you can. The City of Portland this afternoon asked a Multnomah County judge to put the brakes on the ride-share company's nascent operations here, arguing the popular service is contravening more than 20 rules and regulations, and may be putting its passengers at risk as a result.

In a 20-page filing [pdf] in Multnomah County Circuit Court, the City Attorney's office also argues California-based Uber is flouting state law by not having a valid Oregon business license.

"Our main concern is public health and safety, because the state invested in the cities the responsibility to do that," Mayor Charlie Hales said in a statement. "Beyond that, though, is the issue of fairness. Taxi cab companies follow rules on public health and safety. So do hotels and restaurants and construction companies and scores of other service providers. Because everyone agrees: good regulations make for a safer community. Uber disagrees, so we're seeking a court injunction."

And for all Uber's crowing about giving the people what they want, the city says Uber provides its service inequitably because customers need a smart phone or computer to benefit.

The suit came hours after Portland Bureau of Transportation Director Leah Treat sent a cease and desist order [pdf] to Brooke Steger, a Seattle-based manager for Uber, ordering the company to halt services "until such time as appropriate permits are obtained and Uber is in full compliance..."

It's unclear if Uber drivers are operating in the city this afternoon. The Uber app, on a recent check, showed only one driver, on Interstate 84, but said pickup was available within 5 minutes at a downtown location. The company hasn't answered our inquiry.

Update, 5:43 pm: An Uber spokesperson got back to us with a "statement." It doesn't directly address whether drivers are still operating within the city, or really anything we asked. It's actually very, very unhelpful, other than to point people to an online petition the company started. Thanks, Uber.

Here's the statement: *"Uber has received a tremendously warm welcome from riders and drivers in and around Portland. We appreciate the way residents have welcomed Uber into the Rose City, their support illustrates why it's time to modernize Portland transportation regulation. In less than 4 hours, nearly 7,000 Portland residents have signed the petition in support of Uber and we remain hopeful that the city will listen to Portlanders who want safe, reliable, hassle free ride options now."*

Original post:

By forcing itself on a city with stringent taxicab oversight, the lawsuit argues Uber has violated a host of laws, and is liable for hefty civil and criminal penalties. According to the Oregonian, the city has yet to actually issue a ticket for those violations, but is monitoring Uber's activity for potential citations. Some examples of the lawsuit's claims:

In Portland, all taxicab and for-hire vehicles must pass regular inspections showing that they are safe, clean and comfortable, tasks which the drivers themselves typically must complete although they do not earn fare revenue. Similarly, drivers are prohibited from providing taxi or for-hire service unless their vehicles are equipped with a digital security camera, and fare meter. The company is required to carry commercial liability insurance and vehicle insurance. Upon information and belief, the vehicles dispatched by Uber do not comply with these requirements, avoiding the costs imposed on drivers and other companies.

And:

Uber drivers are drawn from the general public and use personal vehicles which are personally insured. Uber does not require Uber drivers to purchase commercial auto insurance or have local business licenses or permits.

And:

Uber exempts itself from any duty to provide fair and equal service. Uber only dispatches drivers to customers who can pay by credit card and have used its internet application or website to request a vehicle. A phone call request from a customer is not accepted, nor is cash. Uber admits it seeks to serve wealthy, technology-connected passengers, leaving those with less means in technology to be served by the regulated taxicab and LPT drivers.

And:

Uber's operations pose an immediate, real and substantial threat to the public; including but not limited to, the fact that each passenger Uber diverts is being exposed to a risk of harm from drivers who do not have lawful commercial licenses or commercial insurance, and are screened only by Uber and not by local authorities.

In its statement, the city is also asking YOU, the conscientious and law-abiding citizen, to report ride-share activities you come across. Hit the jump for the full thing.

(Dec. 8, 2014) The City of Portland has filed suit against Uber Technologies Inc. in Multnomah County Circuit Court, after documenting that the California-based company started operating private-for hire transportation services in the city.

The lawsuit seeks declaratory relief that Uber is subject to and in violation of the City of Portland's Private for Hire Transportation Regulations and Administrative Rules. The City's lawsuit is asking for a declaration by the court that Uber is subject to the City's regulations. The lawsuit also asks the Court to order Uber to stop operating in Portland until it is in compliance with the City's safety, health and consumer protection rules.

Transportation Director Leah Treat on Monday morning issued a Cease and Desist Order to Uber. The order was cited in the lawsuit.

"I am hereby directing that Uber Technologies Inc.... or any other Uber affiliate entity immediately cease and desist operating within the City of Portland until such time as appropriate permits are obtained and Uber is in full compliance with the requirements of Portland City Code Chapter 16.40," Treat wrote. "Please alert all Uber-affiliated drivers that they are to cease and desist."

"Our main concern is public health and safety, because the state invested in the cities the responsibility to do that," Mayor Charlie Hales said. "Beyond that, though, is the issue of fairness. Taxi cab companies follow rules on public health and safety. So do hotels and restaurants and construction companies and scores of other service providers. Because everyone agrees: good regulations make for a safer community. Uber disagrees, so we're seeking a court injunction."

City Commissioner Steve Novick, who oversees PBOT, said the City is prepared to issue civil and criminal penalties against Uber and its drivers for operating without required permits and inspections. The City of Portland requires permits for drivers and companies that offer taxi or executive sedan service within the city limits.

"If Uber thinks there should be no maximum price on what they charge Portlanders, they should make their case to the Portland City Council," Novick said. "If Uber thinks taxi companies shouldn't have to serve people with disabilities, they should make their case. If Uber thinks taxis should not have to have proper insurance in case of a crash, they should tell us why we should allow that."

Uber drivers accepted and then later cancelled two rides requested by Portland Bureau of Transportation enforcement officials on Friday night. Uber drivers provided three rides to City enforcement officials on Saturday night. Uber has widely publicized that it was operating in Portland over the weekend.

The Transportation Bureau issued two civil penalties to Uber on Monday, one for operating without a company permit and another for operating without a vehicle permit.

As the City documents Uber's unpermitted operations in Portland, the Bureau will issue warnings to Uber drivers and penalties to the company. Drivers found to be repeatedly operating without a permit may be subject to civil and criminal penalties.

An attorney representing the City of Portland also issued a Cease and Desist Order Monday to Uber for unauthorized use of the image of the historic "Portland, Oregon" sign in Old Town in its advertising. The sign's image is a trademark registered with the State of Oregon. If Uber does not cease all commercial use of the sign by 5 p.m. Thursday, Dec. 11, the City is prepared to seek a court order, damages and attorney's fees.

The Transportation Bureau encourages the public to report illegal taxi operations, and complaints about any private for hire transportation provider to 503-865-2486 or by email to regulatory@portlandoregon.gov

Don't Shoot Portland Organizers Meeting with the Mayor Tomorrow

*By Denis C. Theriault
December 8, 2014*

Organizers with Don't Shoot Portland—the police accountability group behind several recent rallies and marches over officer-involved deaths in Ferguson and New York City—will meet with Mayor Charlie Hales for two hours starting at noon tomorrow, the Mercury has confirmed.

That larger meeting is a change from an earlier plan floated by Hales' office, which had worked last Friday to pin down a one-on-one meeting with lead organizer Teressa Raiford. That offer came after a night when twin marches converged at the Moda Center for a boisterous, moving rally and exceedingly brief standoff with riot police.

Around the same time, according to social media posts and others sources close to the organizers, Hales' office also tried to schedule one-on-one meetings with some of the other young people of color leading protests. It was at that point, sources say, the organizers moved for a wider meeting—and then put up a Facebook page asking anyone else who wanted to attend to come down to city hall.

Don't Shoot Portland has been invited to have a meeting with Police Commissioner Charlie Hales and it is scheduled for tomorrow noon to 2pm We have invited the whole city since we heard that he is doing individual requests and attempting to have the young voices separate from the leadership that is guiding them. We Will Not Be Divided!

Hales' office, when contacted for comment, stressed that tomorrow's meeting is still on despite the call-out on Facebook and confirmed that other organizers had, in fact, been invited.

"Portlanders rally—it's what we do," says Hales spokesman, Dana Haynes, who walked with protesters during a peaceful march that seized streets and temporarily flooded Pioneer Place Mall. "In the meantime, the meeting is on for tomorrow with Ms. Raiford and a few other organizers."

Asked to address Don't Shoot Portland's publicly aired accusations that Hales' office had tried to isolate organizers with one-on-one meetings, Haynes said the office had initially sought to meet only with Raiford.

"We had originally asked only Ms. Raiford but extended it, today, to other leaders as well," says Haynes.

Asked for a list of who else might be attending, Haynes deferred to Raiford.

"As for which leaders are coming: I'm not sure," he says. "Our initial point-of-contact is Ms. Raiford."

The Portland Business Journal

Portland makes it official, sues Uber to halt ridesharing service

*By Malia Spencer
December 8, 2014*

As expected, the city of Portland Monday filed for an injunction against ride-sharing service Uber, asking a judge to bar the San Francisco-based company from operating within Portland.

The filing in Multnomah County Circuit Court comes on the heels of Uber's launch in Portland last week. The company launched its service, UberX, which allows users to summon a ride for hire from an individual driving their own car, on Dec. 5 even though it is operating without the required city approvals.

The city, which considers the service to be an illegal taxi service, issued a cease-and-desist letter to the company earlier Monday.

"Our main concern is public health and safety, because the state invested in the cities the responsibility to do that," said Mayor Charlie Hales in a written statement after the injunction was filed. "Beyond that, though, is the issue of fairness. Taxi cab companies follow rules on public health and safety. So do hotels and restaurants and construction companies and scores of other service providers. Because everyone agrees: good regulations make for a safer community. Uber disagrees, so we're seeking a court injunction."

Uber has a history of starting operations first and then asking permission. Monday's cease-and-desist order and lawsuit aren't the first the company has received or seen. In late November, the company ceased operating in Las Vegas after a Nevada district judge issued a restraining order against the company.

Over the summer Uber, as well as its competitor Lyft, were ordered to stop operations in Pittsburgh on a judges order.

City sends Uber cease-and-desist order, Uber fires up a petition

*By Malia Spencer
December 8, 2014*

This morning the city of Portland issued a cease-and-desist letter to San Francisco-based Uber notifying the company that it is operating in violation of city law and this afternoon city attorneys are set to file papers with the court for a preliminary injunction against the company, said Josh Alpert, policy director for Mayor Charlie Hales.

This legal reaction from the city comes just days after the company launched its service.

So, if you are like me and were out of town last week, you too are playing catch up to the Uber news that has tech-savvy Portlanders talking.

To recap: Uber, the San Francisco-based tech company whose app allows people to easily hail a car for on-demand transportation, launched in Portland on Dec. 5 despite running afoul of the city's taxi regulations. The city vowed to enforce the law and cite any Uber drivers.

Uber came back saying it would help drivers pay for any city citations.

Over the weekend, many Portlanders took to Twitter to say they were happy to see the service finally available in Portland to take on the existing taxi cab system.

*Joseph Redmond, @EternalThought: "I hope #UberPDX makes it! This town needs a shakeup
Kai Twanmoh, @kaimoh: Hallelujah! Just in time for the holiday parties. #UberPDX
Marconi, @MarconiBologna: @Uber_PDX So happy you're here!! Welcome to Portland!! Can't
wait to take my first Portland @Uber*

Portland was the last major city on the West Coast to bar the service. Over the summer there was a very visible fight up in Seattle to allow the service and others like it.

But I also saw a number of people expressing concern that the fast-growing company was the one to set up shop first. Uber has come under fire for its privacy practices, aggressive growth tactics, treatment of drivers, and accessibility issues.

GoLocalPDX

How The City of Portland Plans to Fight Uber

*By GoLocalPDX News Team
December 9, 2014*

When the City of Portland announced Monday that it had filed for a legal injunction against Uber, it joined the ranks of a handful of cities around the country that have tried to use the court system to boot the controversial ridesharing company off city streets.

Uber, which operated DIY taxi services in hundreds of cities across the nation and world, often illegally, launched service in Portland Friday, without permits or licenses. Customers summon an Uber driver using a smartphone app. Drivers use their own cars and to find rides and transact business, which cost far less than a traditional taxi.

Considered to be a “disruptive” innovator to some, many cities regard the company as a renegade that thumbs its nose at the law. Some cities look the other way when Uber operates illegally on their streets. Other cities wrestle with the corporation to no avail. But a handful of cities and states, like Cambridge, Mass and Columbus, Ohio and Nevada have gotten Uber to come to heel through legal injunctions. Around the world, Thai courts ordered the company to halt all operations on Monday, and Spain imposed a temporary injunction against the business, according to media reports.

“We sent them a warning and they didn’t listen. We sent them a cease and desist order and they didn’t listen. So maybe they will listen to the judge,” said Dylan Rivera, spokesman for the Portland Department of Transportation, of Monday’s court filing.

The lawsuit, filed in Multnomah County Court Monday, followed a cease and desist order filed earlier that day by Portland Bureau of Transportation Director Leah Treat.

The company has been encircling the Metro area for the better part of a year. It opened up service in Vancouver in July 2014, using a grey area of the law, with the city taking no action against it. Then, in the fall, Uber began running service in Gresham, Beaverton, Hillsboro and Tigard.

On Friday, at 5 p.m. the company announced that it would begin service in Portland proper. The city immediately threatened to fine Uber’s driver \$1,500 an incident.

"So far what we've been doing is requesting a ride on the Uber app," Brian Hockaday, a policy adviser for Commissioner Steve Novick, said. "That within itself gives us the documentation that we need to impose any fines against the company, as well as the driver."

Hockaday said that initially, the city only planned to issue warnings to Uber drivers. But that plan appeared all but scrapped by the end of the day when the city announced it had taken legal action against the company.

But Portland now hopes the courts will do what other methods can't.

“The goal is to get Uber to stop operating until it gets a permit,” Rivera said.

Other cities, like Las Vegas, NV, were successful in filing injunctions that banned the service outright in its state. The City of Cambridge, Mass. filed an injunction against the company only to lose its court battle. The state of Colorado became the first state to pass regulations for rideshare services.

Uber Fights On

In a Dec. 8 email to customers Uber stated that it will be petitioning the city to allow it to operate in Portland. By 3:50 p.m. Monday, the petition had gathered approximately 5,515 signatures, just over half of its 10,000 signature goal, according to Uber spokeswoman Eva Behrend.

"The bottom line is this," the petition stated. "Drivers deserve an opportunity to earn a living and Portlanders deserve a safe, hassle-free transportation option. We will continue to fight for you to have that right until it's a reality."

'The Rule of Law'

River stressed that Uber doesn't even have a permit. The city could change its policies towards ridesharing, Rivera said, but the company would still need to apply to operate as a business in the city.

"The rules could change tomorrow and they'll still have to apply for a permit," said Rivera. "They haven't applied for a permit in over a year."

River said that when it comes to strategizing, Portland can learn from what happened in Nevada, but that city more or less knows what it has to do.

"This is not about Nevada or any other place," Rivera said. "We know our codes and we know how to enforce them."

Uber requested a meeting with the City of Portland in 2013 to ask if it could operate its Uber Black service without being subject to town car regulations. Uber didn't show up to the meeting, so PBOT denied Uber's request, Rivera said.

Intrix CEO, Will Davis, said every business takes risk, and he's not surprised to see Uber ruffling some feathers in Portland.

"If you were look at Fortune 50, or Fortune 500 companies, there's rule bending on every level," Davis said.

Davis said he thinks that when the dust settles, there will be a set of new laws for ridesharing in place.

Portland is kind of perfect for (Uber), especially for people who work downtown," Davis said. "It's a very young city, it's also a very expensive city. People are willing to pay five or 10 bucks to go 25 blocks, and some people are willing to share their ride to make a little bit of extra money."

NEW: Portland Sues Uber for Operating Illegally in City Limits

*By GoLocalPDX News Team
December 8, 2014*

The City of Portland announced Monday that it would sue controversial ridesharing company Uber for operating inside city limits without licenses or permits.

The company that's been disrupting the traditional taxi business model around the world has been circling the Portland market all year. Since January, Uber has been operating in five of Portland's suburbs and advertising for "Portland Drivers" on Craigslist.

After weeks of negotiating, Uber began operating inside Portland on Friday night. The Portland Bureau of Transportation threatened to fine Uber if it continues to flout the law. But on Monday, the city said they had been unable to catch an Uber in the act. The lawsuit was announced in the late afternoon after a cease and desist order had been issued.

"The lawsuit also asks the Court to order Uber to stop operating in Portland until it is in compliance with the City's safety, health, and consumer protection rules," stated PBOT spokesman Dylan Rivera in a media statement.

The lawsuit cites the cease and desist order issued to Uber by the city on Monday.

"I am hereby directing that Uber Technologies Inc.... or any other Uber affiliate entity immediately cease and desist operating within the City of Portland until such time as appropriate permits are obtained and Uber is in full compliance with the requirements of Portland City Code Chapter 16.40," wrote Transportation Director Leah Treat. "Please alert all Uber-affiliated drivers that they are to cease and desist."

Recently, several dozen companies called on City Hall to allow Uber to operate in the city, which they said was the largest in the nation without a rideshare company.

Vancouver and Portland are the only cities in the metropolitan area to regulate taxi cab companies. Uber has been operating legally in the Portland suburbs for several weeks and without permits in Vancouver.

"We remain committed to working with Portland's leaders to create a permanent regulatory framework that affords Portlanders the flexibility and innovation offered by Uber," Uber stated in an email.

Uber drivers over the weekend said they weren't concerned about the city cracking down on their services.

Uber launched operations in Portland on Friday evening after being told by the city it would face fines for doing so. The Portland Bureau of Transportation issued a public warning that the company and its drivers would face hefty fines of up to \$5,000 after second offenses.

"So far what we've been doing is requesting a ride on the Uber app," Brian Hockaday, a policy adviser for Commissioner Steve Novick, said. "That within itself gives us the documentation that we need to impose any fines against the company, as well as the driver."

Hockaday said that initially, the city only plans to issue warnings to Uber drivers.

As of 4 p.m. Monday, the city had issued five warnings, Hockaday said.

"We're certainly aware, because Uber has told us, that there are many more drivers operating throughout the city," Hockaday said. "We'll continue to be doing enforcement actions."

The city has initiated a pilot program with the Curb app (formerly known as Taxi Magic), PBOT Spokesman Dylan Rivera said.

"We're looking at a comprehensive review of our regulations, but it will take months— not hours," Rivera said.

In a Dec. 8 email to customers it gained over the weekend, Uber stated that it will be petitioning the city to allow it to operate in Portland. It also claimed that thousands of Portlanders have signed up to be UberX drivers.

By 3:50 p.m. Monday, the petition had gathered approximately 5,515 signatures, just over half of its 10,000 signature goal.

"The bottom line is this," the petition stated. "Drivers deserve an opportunity to earn a living and Portlanders deserve a safe, hassle-free transportation option. We will continue to fight for you to have that right until it's a reality."

Former U.S. Attorney Calls for New Oversight for Portland Water Bureau

*By Cornelius Swart
December 8, 2014*

A "Blue Ribbon" committee led by former U.S. Attorney Dwight Holton recommended Monday that the existing citizen oversight committees for Portland's Water and Environmental Service Bureau be scrapped and be replaced with an entirely board.

The recommendations came from a 12 member committee, headed by Holton, that released their findings Monday: calling for the existing volunteer oversight board that watchdog the two city bureaus to be replaced by one new comprehensive board.

The committee was convened to study how to better control what critics saw as runaway spending at both the water bureau and the city branch in charge of sewers, the BES. The two bureaus had a combined capital budget of about \$210 million in fiscal year 2014-2015.

"Our recommendations reflect the fundamental conclusion that the people of Portland, ratepayers and the City itself will be better served by a significantly strengthened system of oversight," stated the report, signed by Holton and the other members.

Critics of the Water Bureau's spending mounted a all out offensive earlier this year and attempted to spin the water bureau off into it's own independent public utility. A ballot measure put before voters that would have pulled the water bureau from the city's control was handily defeated in May.

The city's "Blue Ribbon" committee was launched two months later.

One of the water bureau's biggest critics, Kent Crawford, dismissed the effort on Monday, calling it "window dressing."

"There's no tangible reform here," Crawford said of the recommendations. "We've had no fewer than five advisory committees looking at this over the years. Now we're going to create a sixth to do it all over again. I don't expect any difference in outcome. We need more structural change and not more."

City officials, however, said the recommendations were a good start.

"We have a very good recommendation that has the value of being generated by an independent blue ribbon commission," said Jim Blackwood, policy director for Water and BES commissioner Nick Fish said of Monday's recommendation.

The committee recommended that the Budget Advisor Committee and Public Utility Review Board, that oversee the water bureau and BES respectively, should be replaced with a single, year round advisory board, that would have two full-time staff position assigned to it. The new "Public Utility Board," as Blackwood called it, could have as many as 11 members on it.

Committee would review the capital improvement programs and budgets for both bureaus' and be what Blackwood called "prescribed advisors."

"It would be a year-round board that is unique in it's advisory role and independent in its ability to analyze spending," Blackwood said.

Crawford said the idea of replacing two advisory committees with one new advisory committee failed to get at the heart of the problems of unchecked spending by both bureaus, and spiraling costs.

"This is simply City Hall process masquerading as action," Crawford said. "This is more toothless advising."

Crawford slammed the Blue Ribbon committee headed by Holton, saying that it was a "kangaroo court" stacked with political appointees. Chris Liddle, a manager of regulatory affairs at Portland General Electric, was an outspoken opponent of the move to spinoff the Portland Water Bureau, Crawford said.

"You gotta do more than look a the message," Crawford said. "You have to look at the messenger."

Blackwood, however, said the voters had already spoken on the subject and there was no mandate for radical reforms of the two agencies.

"Voters turned down [the May ballot measure] by a 3-1 margin," Blackwood said. "It didn't create a mandate for an independent entity."

Blackwood said it would take the city about six months to devise a legal proposal to put before city council.

Don't Shoot Portland invites "Whole City" to a Private Meeting with Mayor

*By Kyle Curtis
December 8, 2014*

Don't Shoot Portland, a community-based organization responsible for the series of marches and protests in the streets of Portland over the past week, has invited the "whole City of Portland" to a private meeting with Police Commissioner Charlie Hales from 12-2pm Tuesday Dec. 9th at Portland City Hall. Given the size of the past week's protests, a sizable crowd could be seeking to meet with Mayor Hales on Tuesday.

Don't Shoot Portland was formed after the death of Michael Brown—an unarmed African-American teenager in Ferguson, Missouri shot by police officer Darren Wilson. The recent non-indictments delivered by grand juries in the death of both Brown and Eric Garner—choked by a Staten Island policeman—have led to a series of protests and marches throughout Portland.

The meeting was originally set up between Don't Shoot Portland spokeswoman and organizers Theresa Raiford, the police and the Mayor. But Monday afternoon Raiford invited 1,000 people to the meeting via Facebook. By Monday afternoon, there were about 30 people who said they would attend.

The Mayor's office was initially surprised by the development when informed by GoLocalPDX, but then said the more the merrier.

"If they want to hold a rally, they are welcome to do so," said Dana Haynes, spokesman for the mayor. "But the Mayor will meet with Ms. Raiford and the other leaders of Don't Shoot Portland."

Pressure for more reforms at the Portland Police Bureau have been mounting.

Two weeks after a Missouri grand jury exonerated Darren Wilson, a report released by the city's Independent Police Review Division, Portland Police Bureau officer-involved shootings and in-custody deaths, called for a set of 21 changes at the police bureau. These recommendations included an end on a 48-hour ban on interviewing police officers involved in the fatal use of force. The report caused a major dust up at a Dec. 3 city hall presentation.

Since that time, Don't Shoot Portland has sought to meet with Mayor Hales, who also serves as Portland Police Commissioner.

"After the most recent marches, the Mayor extended an invitation to meet with the leaders of Don't Shoot Portland," said Haynes. "They will probably be surprised that there is not that much difference between the mayor and themselves as they might think."

Raiford said she was wary.

"We were informed that Mayor Hales was attempting to hold a series of meetings with various individuals involved with this movement. Instead of a number of meetings, he should just meet with all of us," Raiford said. "So we're telling those in Portland that care about this issue to come and invite everyone, parents, brothers, and your mailman. Come and join us."

Raiford listed a number of goals she wanted to achieve in this meeting.

"We seek to extend the amount of time available to review the recommendations on the report on officer-involved shootings and in-custody deaths. We would like to have an additional six months of community dialogue, and then also provide an addendum to the report," Raiford said. "We also seek improved civilian oversight over police shootings and in-custody deaths and remove this oversight from the Independent Police Review Board, the Portland Police provides oversight of. This oversight power needs to be in a structure without a mandate to avoid prosecution of police officers for the violent acts they commit."

Regardless of the outcome of this Tuesday's meeting, Don't Shoot Portland said they would continue with their work.

"Wednesday is Human Rights Day, and we are traveling to Salem to bring this message to a State Judicial Committee meeting," Raiford said. "It needs to be clear that this is not just a local issue, but a state and even a national issue as well."