

## The Oregonian

### Community coalition protests city of Portland's appeal of federal judge's order requiring annual hearings on police reforms

By Maxine Bernstein  
January 07, 2015

Demonstrators outside Portland City Hall demanded Wednesday that the city withdraw its appeal of U.S. District Judge Michael H. Simon's order requiring city attorneys and others to appear in court annually to update him on the status of police reforms.

The Rev. Leroy Haynes, who chairs the Albina Ministerial Alliance's Coalition for Justice and Police Reform, bellowed through a microphone: "I wonder ... are we on the same planet together?"

Haynes continued, "What Mayor Hales and the City Council just don't get is the stakeholders and the public do not trust them to put away political self-interest over the public welfare and moral character of the city. Why? Because past city councils and the present one has failed to do it."

Haynes accused the mayor and city commissioners of masking their true intent when voting in October to appeal the federal judge's order.

The mayor and other commissioners have characterized their appeal as a narrow one designed to clarify a small portion of the federal order, but the city's explanation to the 9th U.S. Circuit Court of Appeals indicates the appeal is much broader.

In a mediation document filed with the appeals court, Deputy City Attorney Ellen Osoinach challenges Judge Simon's authority to order update hearings on the reforms without the city's consent or without any breach of the settlement that led to the reforms.

The federal court's involvement stems from a U.S. Justice Department investigation in 2012 that found Portland police engaged in a pattern or practice of excessive force against people with mental illness or perceived to have mental illness.

Simon approved a settlement in late August that calls for changes to Portland police policies, training and oversight. Simon also ordered all parties in the case to appear before him at least annually to update him on the status of the reforms.

In late October, the City Council voted 4-0 to pursue an appeal of Simon's order, despite widespread community opposition. More than 20 community members spoke out to oppose an appeal last fall. They questioned why the mayor and council members -- who repeatedly have said they're committed to transparency and ensuring the police reforms are fully adopted -- are so fearful of having a judge check on their progress.

On Wednesday, those gathered outside City Hall echoed those sentiments. About 20 people marched around the building, chanting, "Don't Appeal Justice!"

"They don't want any unbiased, independent authority like a federal judge to review what they are doing," Haynes said. "They want to keep it under their control in order to cover-up or not implement parts of the agreement."

Jeana Frazzini, executive director of Basic Rights Oregon, stood in solidarity with the AMA coalition and urged the city to rescind its appeal.

"The mistrust and fear that our collective communities have with our criminal justice system is based on our real experiences," she said.

The city has long argued that Simon doesn't have the authority to require city officials to present evidence before him in court on the status of the reforms. When they voted to support the appeal, the mayor and Commissioners Amanda Fritz and Steve Novick made it clear they oppose Simon's continuing oversight of the settlement.

Yet the city wants to mediate the dispute to avoid a full appeal, the mayor and city attorneys have said.

Osoinach, the deputy city attorney, later Wednesday told the council in a public hearing that the 9th Circuit has agreed that mediation is proper in the case. All parties in the settlement are scheduled to meet with a mediator on Feb. 23.

Osoinach said city officials believe the federal judge's role should be limited. She and city commissioners stressed how unusual it is for a judge to continue to preside over a case that has been settled.

"It's entirely unclear in this very novel proceeding what the parties can expect," Osoinach said. "Our hope is we will produce procedures that work for everybody."

Any agreement reached in mediation would have to be accepted by Judge Simon.

Chris Lowe, who sits on the board of Jobs With Justice, said that a once-a-year hearing with a federal judge isn't onerous for the city and is important for the community. The mayor and commissioners who supported an appeal are "moving us backwards," he said.

"The reporting by the police and the city is often inadequate and evasive," Lowe said.

## **Portland police traffic stops still disproportionately involve African Americans, report shows**

*By Maxine Bernstein*

*January 08, 2015*

Traffic stops of African Americans in 2013 accounted for 12.8 percent of all Portland police traffic stops, a disproportionately high rate considering they make up 6 percent of the city's population age 16 and over.

And once stopped, African Americans were twice as likely than whites to be searched by police. While 14.9 percent of African American motorists were searched when stopped by police, 7.4 percent of white motorists stopped were searched, according to bureau figures.

The Police Bureau released the 2013 traffic stop data Wednesday night. Portland police Sgt. Greg Stewart, the bureau's crime analyst, has been invited to discuss the report Jan. 21 at the next meeting of the city's Community and Police Relations Committee.

When searched, African American motorists were less likely than whites to be found with contraband: 33.6 percent of blacks had contraband versus 39 percent of white motorists, for example. Contraband could include alcohol, drugs and weapons.

African American motorists were more likely than whites and Latinos to consent to a search when stopped by police: 7.7 percent of African American drivers stopped consented to a police search of the vehicle, while just 2.1 percent of white drivers consented to searches.

Most motorists who were stopped, whether they were white, black, Latino, Asian, Native American or of another race, were pulled over for minor moving violations or infractions, according to the bureau data. African American and Native American motorists were more likely to be stopped for equipment or license violations, the figures show.

When the bureau looked at stops solely made by the bureau's traffic officers, the disparities weren't as stark.

White motorists represented nearly 80 percent of the traffic division's stops in 2013, with African American motorists making up 7.5 percent of the division's stops.

When looking at stops made by both patrol officers and officers in specialty units, such as the gang enforcement team, African American motorists made up 17.7 percent of their stops, compared to whites, who accounted for about 65 percent of stops.

The bureau also tracked police pedestrian stops. Across the city, police stops of African American pedestrians accounted for 17 percent of stops, again a disproportionately high number compared to the population percentage.

The 2013 traffic-stop and pedestrian data was similar to the Police Bureau's 2012 figures, also released in Wednesday's report.

The percentage of African American drivers stopped in 2013 decreased slightly, by .30 percent, from 2012 to 2013. They made up 12.8 percent of stops in 2013, down from 13.1 percent the year before.

The percentage of Latino drivers stopped in 2013 increased by .20 percent, from 7 percent in 2012 to 7.2 percent in 2013.

The bureau has been behind in analyzing the traffic-stop data. The city last fall approved money to hire a civilian analyst dedicated to collecting, analyzing and sharing with the community traffic and pedestrian police stop data.

"The new crime analyst position will allow the bureau to meet its goal of reporting stops data quarterly, while simultaneously providing a richer analysis of these data," according to a bureau news release.

"Those reports haven't been done regularly, and this position will help the bureau get caught up," Deanna Wesson-Mitchell, the mayor's public safety liaison and a former Portland police officer, said in November.

Last February, police reviewed a report on 3-year-old data, which showed that during a five-month period of traffic stops in 2011, African Americans accounted for 11.8 percent of drivers stopped by Portland police – a disproportionately high rate based on the city's population. The disparity carried over to police stops of pedestrians, with African Americans making up 19.5 percent of all pedestrian stops.

The bureau released the report on the 2011 data last winter after a federal police consultant testified in U.S. District Court in Portland that police lacked sufficient data for U.S. Department of Justice officials to investigate whether Portland police have discriminated against people by race.

According to the bureau and Wesson-Mitchell, lack of staff hampered bureau efforts to keep the reports updated.

The bureau soon plans to hire an equity manager to help evaluate bureau hiring and promotional processes to increase diversity among the ranks.

Equity training - delivered to command staff in December 2012 and to sergeants in 2013 - is being developed for all officers.

New Police Chief Larry O'Dea has told the community that one of his top goals is improving diversity within the bureau.

Donna Maxey, the founder and director of Race Talks, suggested last month to O'Dea that officers get educational credits to attend programs such as hers, which provides a forum for officers to hear concerns from community members.

"The whole idea is to encourage people to talk about difficult subjects," Maxey said.

Maxey is planning with leaders of the Albina Ministerial Alliance to kick off special public forums this year that will encourage people to provide feedback to police on how to build trust. Each month, a forum will be held in a different neighborhood.

The latest traffic stop data report will be discussed Jan. 21 at the Community and Police Relations Committee. The committee will meet at 4:30 p.m. at the offices of the Immigrant & Refugee Community Organization, at 10301 Northeast Glisan St.

## **Portland street fund: City Council to schedule unprecedented 'advisory vote' on funding options**

*By Andrew Theen  
January 07, 2015*

Keep the Portland street fund weird.

One week before the Portland City Council was expected to vote on the controversial \$44 million street fund, Mayor Charlie Hales introduced a radical new plan: Send a menu of options to voters in what officials termed an "advisory vote" in May.

The vote won't actually decide anything — it's nonbinding. Even if every option fails to get 50 percent of voter approval, Hales is prepared to take the most popular plan to the City Council for adoption later this year.

"We will ask the voters to pick from the array of funding options, and we'll adopt the one with the most 'yes' votes," Hales said in a prepared statement. Opponents could still refer that plan to voters for a final say.

The advisory vote is thought to be unprecedented for City Hall, and some critics called it the latest desperation move by Hales and Commissioner Steve Novick to raise upward of \$40 million a year for paving and safety projects.

"We have held 14 months of hearings. We've spent countless hours on this. The time to act is now," Hales said.

The options will be outlined Thursday at a previously scheduled public hearing on the street fund at 6 p.m. at City Hall. Options could include a progressive income tax, local-option property tax levy, increased gas tax or other options.

Mayoral spokesman Dana Haynes said Hales spent Wednesday discussing the advisory vote with Portland's four city commissioners.

"This is the one that we, meaning City Hall, meaning this building, can live with," he said.

Portland won't place the options in a single ballot title, under the advice of city attorneys, Novick said. Instead, each option will be listed separately, with voters asked to vote yes or no on each.

Novick confirmed two options that will make the ballot: a progressive income tax and a gas tax. He said the city may also refer some version of a user fee or a property tax.

Haynes conceded that officials suspect that none of the options will win a majority of votes. "If one of them gets 49 percent, and none of them gets as much, that's the one that will go forward," he said.

It's not clear whether Commissioners Nick Fish, Amanda Fritz or Dan Saltzman would support an option that failed to get 50 percent of a public vote.

Fish supports a public vote but won't automatically support the option with the most voter support, an aide said. Fritz, in a public meeting Wednesday night, could not immediately comment, and Saltzman could not be reached.

Haynes said the City Council is reluctant to refer a single option to voters for final approval because any new tax is unpopular and opponents could use a vote to "kill this thing."

"This is going to be a public vote to find out which is most palatable," he said.

The latest version of the street fee -- first unveiled in May, then reintroduced in November and changed several times since -- was already unraveling before Wednesday's announcement of taking ideas to voters.

Fritz, long viewed as a potential third vote to help pass the measure, said she couldn't support the plan because it would be too much of a burden on low-income residents.

Meanwhile, the part of the proposal that involves imposing fees on businesses, nonprofits and government agencies will advance to a City Council vote next week. But if it passes, it won't take effect until voters choose an option for residents, according to Wednesday's news release.

Despite all the changes, Novick said he's not concerned about giving Portlanders whiplash.

Just last week, Novick pledged to refer a progressive income tax to voters for approval in 2016 if the City Council couldn't support a plan to charge residents \$36 to \$144 a year, depending on income.

Wednesday, he said the advisory vote makes more sense, allowing voters to express their preference while stripping critics of the ability to simply shoot holes in City Hall's proposal.

They'll have to choose an option, he said, if they really agree that Portland needs money to fix its crumbling streets.

"I think it might be hard for some of those people to say, 'Well, we're just going to oppose whatever you come up with,'" after an advisory vote identifies a favorite, Novick said.

The vote idea did little to quell critics, however.

Paul Romain, a gasoline lobbyist who has called on the City Council to set better spending priorities before asking for more money, called the plan "just political desperation."

"Instead of actually trying to get something done, it's just a game," he said. "It's taking a poll at taxpayers' expense, and then they go through the process of adopting something."

Romain said he can't recall an advisory vote like this in his decades lobbying throughout Oregon. Haynes, Hales' spokesman, said Portland hasn't done an advisory vote in decades — if ever.

"If you planned to screw this whole thing up," Romain said, "you could not have done a better job."

Robert McCullough, a prominent energy economist and Southeast Portland neighborhood leader, also continued to express frustration with the city's plans. His neighborhood coalition has been fighting the city Transportation Bureau for access to public records so it can analyze the formula behind the proposed business fee.

McCullough, who supports a gas tax, said Hales and Novick continue to pursue complex options instead of a simple one.

"The right answer is, if we need to fix roads, you should simply put the gas tax up for a vote and see what happens," McCullough said.

Sandra McDonough, president and CEO of the Portland Business Alliance, didn't support Novick's \$36-to-\$144 annual fee proposal, but is reserving judgment on the new options.

"I think that it was clear to them that there weren't three votes for the other package," she said. "The mayor is putting himself in the driver's seat, which is a good thing."

McDonough said the new plan is "an unusual approach." She does have one major concern: "If they put six options on [the ballot] and no options gets 50 percent, what do they do?"

Novick said he hopes at least one other member of the City Council is willing to join him and Hales in adopting the favored option, even if voters pan them all.

"Nobody has said to me, 'I will vote for what gets the most votes,'" he said. "However, I think that at least four members of council think it's a good idea to have this advisory vote."

Novick said the City Council needs to try to move forward with a funding proposal even if it's unpopular.

"If we get anything done, we will have done something no City Council has done," he said. "I'm never going to apologize for trying."

## **Oversight of mandated Portland police reforms: latest updates**

*By Maxine Bernstein  
January 07, 2015*

The City Council Wednesday approved additional money to help cover the travel costs of an out-of-state team of consultants hired to monitor the Portland Police Bureau's compliance with federally-mandated reforms to bureau policies, training and oversight.

The council approved an annual contract of \$315,000 to Rosenbaum & Watson, the Chicago-based team of academics selected to serve as the city's new compliance officer/community liaison (COCL). The academics will be paired with former Oregon chief justice Paul J. DeMuniz. Of that annual amount, up to \$75,000 is set aside for travel expenses.

The contract will be effective Jan. 10, and is expired to last five years, concluding in January 2020.

The city's settlement agreement stemmed from a 2012 U.S. Justice Department investigation that found Portland police engaged in a pattern or practice of excessive force against people with mental illness or perceived to have mental illness. The investigation also found that stun gun use by officers was unjustified and excessive at times. The negotiated settlement, approved by a federal judge in late August, calls for changes to Portland policies, training and oversight.

Rosenbaum, director of the Center for Research in Law & Justice at the University of Illinois, and team members Amy C. Watson, an associate professor of social work at the University of Illinois at Chicago who specializes in police handling of mental health issues, and Tom Christoff, a doctoral student working on a dissertation on police citizen interactions, have said they will travel to Portland regularly for meetings, interviews, observations and data compilation.

Under the contract terms, either Rosenbaum or Watson must attend the quarterly meetings of a new Community Oversight Advisory Board. They will present compliance reports on the mandated reforms to the community board.

The team also will appear in federal court for annual hearings ordered by U.S. District Court Judge Michael H. Simon - hearings that the city currently doesn't believe Simon has the authority to require.

DeMuniz, who will chair the community advisory board meetings, is expected to spend two to three days a week in the city, and set up an office later this month at the Rosewood Initiative near Southeast Stark Street and 162nd Avenue.

Also Wednesday, the city approved \$250,000 from a contingency fund to cover start-up costs for the community advisory board and the compliance team. Of that, \$45,000 is to hire an administrative support employee who will work out of the city's Office of Neighborhood Involvement. The other \$205,000 will

cover costs of office and meeting space, supplies, interpretive services, website development, staffing and other expenses for DeMuniz and the board.

Commissioner Amanda Fritz said nearly 60 applications have been submitted from people seeking a seat on the new 15-member Community Oversight Advisory Board (COAB). The deadline to apply is Friday, and the board's first meeting is set for Feb. 9.

"Here we have acknowledged we have not met the expectations of our community, and we want to do better," Fritz said. "I want to make it clear the COCL and COAB are the oversight for the city council. "

U.S. Attorney Amanda Marshall encouraged people to apply to the board, saying it will "bring community voices to the center of the discussion." She also pledged that federal Justice officials will also maintain continued oversight.

"We will be monitoring the city at every step of the way," Marshall said at the council hearing.

Applications for the community oversight board must be submitted to the city by 5 p.m. on Friday.

## **The Portland Tribune**

### **Revenue up, but not for new programs**

*By Steve Law*

*January 8, 2015*

The city of Portland is enjoying record-breaking tax collections from hotel visitors, surging business taxes and higher-than-expected property taxes.

Nonetheless, Mayor Charlie Hales is warning city councilors and bureau managers not to go hog wild by adding lots of new programs when they submit next year's budget requests a month from now.

A financial forecast released in mid-December showed the city can expect an additional \$4.6 million in ongoing funds for the 2015-16 budget period and beyond, plus \$14.4 million in one-time-only money.

The relatively rosy revenue picture means the city doesn't face any mandatory cuts for the budget year that begins in July, Hales says. However, "the unemployment rate remains stubbornly high, wage growth remains flat, and those most in need are benefiting the least," Hales stated in his budget guidance issued to bureau managers and city councilors.

The mayor is calling for another "stabilization" budget, which means using uncommitted new funds to restore cutbacks, such as 26 firefighter positions, and address anticipated requirements, such as the looming cleanup of the Willamette River Superfund site and renovation of the defective Portland Building that houses many city employees. If bureau managers and city councilors want to add programs or staff, Hales is asking them to "realign" existing resources — find cost savings in existing programs to gain spending money for new initiatives.

#### **What goes up must come down**

Despite the city's reputation for being free-spending, it employs rather prudent budgeting practices, looking at five-year horizons. City economists say healthy revenues in the next two years are likely to be followed by a financial downturn of some sort later in that five-year cycle, so they advise socking some of the surplus money away.

"We're already five and a half years into an economic expansion, so expecting that to last another five years "doesn't seem like a likely outcome," says Josh Harwood, city economist. "There will be a lull of some kind.

While having an extra \$4.6 million in ongoing money to spend sounds like a lot, it amounts to only 1 percent of the city's discretionary or general fund budget for next year, says Jeremy Patton, assistant budget director in the City Budget Office.

There's been lots of talk among city councilors about trying to save some or all of the imperiled 26 firefighters, whose jobs were spared with a two-year federal grant that runs out next December. Restoring all those jobs would cost \$2.6 million a year, more than half the city's projected new ongoing revenue.

#### **Mayor's priorities**

In contrast to his predecessor, Hales doesn't want to spend money projected as "one-time-only" on ongoing programs, as it leads to money crunches in Years 2 and beyond.

“What we’re saying we can’t do is add ongoing programs with all that,” Harwood says.

Hales says he wants to focus one-time money on taking care of existing assets, such as roads, parks and community centers. If any expansion is needed, he wants it in areas currently underserved, which often means East Portland.

Hales also says he want to direct one-time money into emergency preparedness, addressing climate change and extending Portland’s “vaunted livability to more areas of the city.”

The city expects a windfall of new money from a legal settlement with Comcast, after a recent court decision went the city’s way. However, it’s unclear if that money will come in this fiscal year or not.

The city also could face more costly employee pensions if state pension reforms approved by the 2013 Legislature are overturned by the Oregon Supreme Court. A decision in that case is pending.

If history is any guide, bureau managers and city councilors will submit far more than \$4.6 million in requests to use the new ongoing resources the city expects and the \$14.4 million in one-time funds.

They must submit their 2015-16 budget requests by Feb. 2. Then the formal jockeying for funds begins.

## Has city gone too far out on a limb?

*By Steve Law  
January 8, 2015*

John Ryan stands to land more customers from Portland’s new tree code that took effect this month, but the certified arborist, like many other tree lovers, fears the new tree-cutting restrictions go too far.

“I’m sure some homeowners are feeling like the city is infringing on their rights; their kind of basic right to control their own property,” says Ryan, owner of Limb by Limb, one of the companies on the city’s referral list.

The new tree code requires every resident to seek permits before removing medium-size or larger trees in their own yards. In many cases, they must replant trees elsewhere to compensate, which could cost several hundred or even several thousand dollars.

“Nowhere in this tree code does it tell you what it’s going to cost you,” says Eric Sorensen, a landscape contractor and plant broker who attended three workshops on the new code. As written, he says, the code could require someone to shell out \$650 to replace a 2-inch-diameter tree, or \$6,500 to replace a 20-inch tree — more than they pay in property taxes.

“I consider that a taking,” Sorensen says, referring to the constitutional guarantee of compensation when governments strip peoples’ private property rights.

The citizens involved in helping draft the new tree code were mostly of one mind — other than the homebuilders, who made sure their industry’s needs were represented, Sorensen says.

“There was nobody there that stood up for the common person.”

Even Linda Robinson, a longtime parks advocate who sat on that advisory committee, has concerns about the new code, though she says it was desperately needed.

Before, it was common for residents to simply remove trees on residential land before putting it up for development, she says. “People were going in and just clear-cutting the lot prior to proposing their development.” Robinson lives in East Portland, where there still are many valuable large fir trees that she hopes get preserved.

But it’s also a population that tends to distrust City Hall. “I know people will think that the city is sticking its nose too far into their business,” Robinson says.

Ryan dreads how customers will react once he explains the new code requirements. “Sometimes it’s rough to be the bearer of bad news,” he says.

He fears the tree code could provoke a backlash, or get widely ignored. “Sometimes if you overreach too far, some people will walk away versus comply.”

Take the requirement that people must get a permit before pruning twigs on street trees in front of their house as small as one-quarter-inch diameter. That’s about the size of a pencil.

“That seems like a joke to me,” Ryan says. “You just say that and you make people mad.”

Ryan prunes his own street trees probably 10 times a year. "I'm not getting 10 pruning permits per year," he says. "It seems excessive."

Many provisions in the new city tree code already were in existence, though people may not have known about them. For example, the pruning permit requirements for street trees aren't new, says Jennifer Cairo, the city forester who oversees tree code implementation and enforcement for Portland Parks & Recreation.

For street trees, the new code is "pretty much the same," Cairo says. "If anything, it's easier to get the permits now."

Residents now can send an email to apply for a pruning permit, or get a permit online.

In the past, about one-third of all Portland homeowners were subject to tree-cutting and replacement requirements on private land, Cairo says. Those residents live in specially designated environmental zones, on corner lots or on larger parcels that could be subdivided, among other categories.

But the old code seemed arbitrary, she says. For instance, people complained when someone on a corner lot was subject to the restrictions but their next-door neighbor wasn't.

The new code extends the restrictions to all homeowners, so supporters argue it's more fair. "It doesn't matter where the property is located," Cairo says.

The new code also brings new tree protections for developable property. "There's more opportunity to keep trees on properties in development situations," she says.

Supporters of the new tree regulations say they're much easier to understand than the prior code. Before, tree regulations were sprinkled throughout various sections of the city's code, and enforced by seven different city bureaus.

The new regulations are centralized in one section of the city code, and will be enforced by two bureaus, Parks & Recreation and the Bureau of Development Services.

But navigating the new city tree code isn't so simple for the layperson. It's 95 pages long.

Rather than try to explain all the ins and outs of the code, city staff are advising residents to follow a simple mantra: "Call before you cut."

And then, perhaps, dig into your wallet.

## **Hales: Street fee to become multiple choice ballot measure in May**

*By Jim Redden  
January 7, 2015*

In yet another last-minute change to the proposed street fee, Mayor Charlie Hales announced late Wednesday that the City Council will refer a number of advisory measures to the May 2015 ballot — and pursue whichever option gets the most votes.

Those options, however, will only include the residential portion of the fee. Hales says the council will still vote on the nonresidential portion. It is a sliding scale for businesses, governments and nonprofit organizations.

What has been billed as the final public hearing on the street fee is still planned for 6 p.m. on Thursday, Jan. 8. But in his announcement, Hales says the council will ultimately vote to put a number of advisory measures on the May 2015 ballot that include an increased gas tax, a progressive income tax, a local-option property tax levy and "other mechanisms."

The final vote could happen as early as Jan. 14.

"We have held 14 months of hearings. We've spent countless hours on this. The time to act is now," Mayor Charlie Hales said in the announcement. "Throughout this process, a couple of things have become evident. One: People agree that we need to fix streets, and we don't currently have the funding to do so. And two: No one funding mechanism is the consensus choice. So we will ask voters to pick the solution that is most palatable from an array of options."

According to Hales, the measure that gets the most "yes" votes will be scheduled for adoption by the council. Members of the City Council will have an opportunity to propose revenue mechanisms they find most appropriate. Voters could see between three and six options on the May ballot.

"This vote will identify the city's answer to public funding for street maintenance and safety," Mayor Hales said. "From the beginning, I've said the options are 'Do this, do something else, or do nothing.' And 'do nothing' isn't acceptable. That hasn't changed. We will ask the voters to pick from the array of funding options, and we'll adopt the one with the most 'yes' votes."

Although no vote has yet been taken, Hales says the council will adopt the nonresidential fee, but that it will not be implemented until the public's choice for a residential portion becomes law.

Commissioner Steve Novick, the other sponsor of the fee, endorsed the concept of sending several different transportation funding concepts to the May ballot for an advisory vote.

"My concern about a public vote has been that I know that most Portlanders agree we need more money for transportation, but I'm not sure a majority can agree on any particular solution. There are people, however, who believe passionately that their favorite option would get a majority if it only went to a vote. This gives people an opportunity to campaign for their favorite options."

According to Hales, the city has a few weeks to draft the advisory measures and forward them to Multnomah County in time for the May 2015 ballot. Details of each option — including dollar figures — will be determined following Thursday night's hearing.

"We've held scores of public hearings and committee meetings," Hales said. "We've heard what Portlanders have to say: Yes, to fixing streets. And yes, to taking it to a popular vote. But there is considerable disagreement about the most-acceptable way to pay for this community responsibility. This method — a public vote in May to pick the most appealing of the options — will let us begin to repair long-ignored streets. And it will let people select an option that they find most palatable, and turn down those they find least palatable."

Hales and Commissioner Steve Novick first proposed the fee in May. It was intended to raise around \$50 million a year for maintenance and safety projects. It has undergone many changes since then, with the final proposal including a residential portion composed of a user fee based on estimated gasoline usage as determined by income.

## **Willamette Week**

### **Mayor Charlie Hales Will Ask Portland Voters to Pick Their Favorite Street Fee in May Advisory Vote**

*By Aaron Mesh  
January 7, 2015*

Unable to find a workable version of the Portland street fee after a year of trying, Mayor Charlie Hales is asking Portland voters to recommend one.

The mayor's office this afternoon announced it will place three to six transportation funding options on the May 2015 ballot for a public advisory vote.

"We will ask the voters to pick from the array of funding options," Hales says in a press release, "and we'll adopt the one with the most 'yes' votes."

The options will likely include an increased gas tax, an income tax with a higher burden on the rich, and a local-option property tax levy. Hales staffers tell WW the mayor hasn't decided how many options will be on the ballot.

"I like it," City Commissioner Steve Novick tells WW.

Novick adds in a statement: "This gives people an opportunity to campaign for their favorite options. For example, Messrs. Robert McCullough and Eric Fruits can campaign for their favorite, the gas tax. The Oregonian editorial board can campaign for its favorite, the property tax. The progressive groups, such as AARP, Oregon Walks, and the Coalition for a Livable Future, can campaign for their favorite — and my favorite too — a progressive income tax."

Advisory votes are uncommon in Oregon—in fact, Portland may have never held one before. They are generally unpopular, because they're not binding: That is, they seek the advice of the voters without requiring governments to follow it.

Even if City Council passes the most popular version of the street fee, opponents could still refer it back to ballot in hopes of defeating it.

City Commissioner Amanda Fritz announced on Monday she wouldn't support Hales and Novick's latest version of the residential fee—essentially blocking it from getting out of City Hall.

Commissioners Dan Saltzman and Nick Fish have said they wouldn't support a street fee without a public vote. Neither have yet said whether an advisory vote counts.

## **City Commissioner Dan Saltzman Concedes Defeat (For Now) on Permanent Children's Taxing District**

*By Aaron Mesh  
January 7, 2015*

City Commissioner Dan Saltzman is mothballing his effort to make the Portland Children's Levy a permanent feature of local property-tax bills.

WW first reported in September that Saltzman asked state legislators to create authority for a permanent "children's services district." Saltzman had hoped the city would promote a bill in the upcoming 2015 Legislature to establish the district.

But the idea met with skepticism from other city officials, including Mayor Charlie Hales. Today, Saltzman sent a letter to City Council saying he's conceding defeat—for now.

"I have learned that this request does not have the support of Council," Saltzman writes, "and will therefore withdraw its inclusion in our legislative agenda prior to the Thursday afternoon hearing. I will however, continue to look for methods for a permanent funding source."

Oregon has special taxing districts to fund libraries, transit and ports. State law gives local voters the power to create 26 different kinds of taxing districts to raise revenue and provide services.

Saltzman would need state authority to make a children's district the 27th kind.

Saltzman is the sponsor of the Children's Levy, a property tax voters have renewed every five years since 2002 to raise money for child-abuse prevention, foster care, early education and hunger prevention. It raises \$10 million a year for those programs.

Here's his full letter to City Council.

*Dear Colleagues –*

*As you know, I have been seeking a path forward to finding a permanent funding solution for the programs the Children's Levy supports. I appreciate your support for levy renewal and the programs that serve our Children.*

*I am passionate in seeing these children succeed and have witnessed the results through the programs that address childhood hunger, child abuse, supporting children in foster care and those that enhance early childhood development.*

*Supporting Children's Levy programs has been and one of the most rewarding efforts I have been a part of in public life.*

*I believe these programs have proven that they deserve to be funded permanently, if approved by voters. This is why I have requested Council support to include in the legislative agenda the addition of a Children's District to the current 26 types of special districts allowed in Oregon. I have learned that this request does not have the support of Council and will therefore withdraw its inclusion in our legislative agenda prior to the Thursday afternoon hearing.*

*I will however, continue to look for methods for a permanent funding source. The children of our community deserve nothing less.*

*Thank you*

*Dan*

## The Portland Mercury

### The Insider

# How a Police Chief Steeped in Portland's Troubled Past Just Became the Face of Its Future

By Denis C. Theriault  
January 7, 2015

LARRY O'DEA, Portland's latest police chief, is a precious gem in the never-good-enough pocket universe where policing meets politics.

He's a cop's cop, who's mused his uniform working some of the Portland Police Bureau's specialty details—the bureau's tactical and gang teams—at a rough time in the fight to quell a surge of violence in North and Northeast Portland's African American communities. He's earned medals. He's shot and been shot at.

And yet after nearly 30 years in the Portland bureau, that same officer—maybe improbably, maybe not—has also won the hearts of city hall and certain community groups with a reputation as a force for change.

O'Dea, surviving as an assistant chief under both of his immediate predecessors, was a quiet power while the bureau tackled use-of-force reforms as part of the city's deal with the US Department of Justice (DOJ). Before that, he'd made it his mission to change the bureau's relationship with Portland's minority communities—getting officers to face up to their own biases.

Which is why it wasn't all that surprising when O'Dea, back in October, emerged as Mayor Charlie Hales' decisive choice to replace the retiring chief Hales had inherited, Mike Reese.

O'Dea's public swearing in is planned for Thursday, January 8, but he's already put his mark on the office. In December, he announced plans to add a fourth assistant chief to his office—filling it with Commander Kevin Modica, one of the bureau's most senior African American leaders.

The Mercury sat down with O'Dea just before that announcement to talk about his approach to the job, and especially his promise to rebuild the bureau's damaged relationship with the city's black community.

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**MERCURY: You were a rookie officer almost 30 years ago. The bureau you're taking over, and the world around it, both look a lot different than they did back then. What's changed the most?**

LARRY O'DEA: I got hired in the mid-1980s, right after we'd started to restore the drugs and vice division. That was when we started having an influx of California-style gang members. So we really started hitting the height of gun violence in the next several years, in '87 and '88—it really peaked in '89. Those years were really some of the most violent in Portland.

I was assigned to the original gang team, and the community expectations were narrow: stop the violence, stop people dying, and get the guns off the street. Our approach and philosophy were very enforcement oriented. But if you fast forward to now, 29 years later, we're really at a 40-year low in violent crime. And an enforcement-based philosophy is not what the community needs. That approach in current times can hurt or damage your legitimacy with the community.

You've also got a mental health system that has fallen apart, where police are the first responders for people who are having a behavioral crisis. And the training reflects that. When I went through the basic academy, it was eight weeks long. Now it's 16 weeks. And the advanced academies are another 12 weeks. That's reflective of everything that officers now need to learn and know. The issues they face are well outside the bounds of "is this a crime or not?" It's not a crime for someone to stand on the corner and scream because they're mentally ill. But that will generate calls because people are afraid, and there's an expectation that somebody—somebody—will come to help.

And is that what we really want? Do you want police to have to handcuff people and lock them in a car and transport them for help? Or are there better ways we can do that?

**Are different kinds of people pursuing police work now that the job has changed, and do you see any changes to the bureau's culture because of that shift?**

The people who come to the table seem to be bringing a lot more than in my era. I look at this crew, and talk to them, and wonder frankly whether I would even be hired in this day and age. You have people with

advanced degrees and multiple languages. Two of the people [in a current crop of recruits] come from the behavioral health field. We have teachers.

**When you raise questions about "legitimacy," that's interesting. Because that's something that's come up in police accountability protests here and nationwide. What are you hearing from the people who are out on the streets?**

The big message is that our country has been challenged by how race interacts with all our major institutions. Everywhere there's disparate impacts. It's not just the police. The police are a part of that. The police are also always the face of that. I'm hearing loud and clear that it's time for our major institutions to look at how race impacts what we do and to make some changes.

**Do you know what those changes might look like?**

These conversations predate the Ferguson verdict. It's stuff I've been thinking on for a long time, ever since I started working on equity issues for the bureau. My top priority is for the police to build trusting relationships in all parts of the community. The second—and very much related—is to continue to diversify the bureau and its leadership.

Anybody in the community should be able to look into the police bureau at any level and see something familiar and a similar culture. That can open some doors in trust and communication. Internally, that will cause the rest of us, as a result of that start, to think and act differently and have richer conversations, which leads to better practices and policy.

**Command staff and sergeants have all had intensive training on racial bias, a regimen that calls for having honest discussions with their peers. Is that going to be translated to the rank and file?**

It absolutely is. We'd had some well-intentioned but poorly executed efforts at having speakers come in during in-service training, and they weren't structured for success. Officers, myself included, felt more defensive at the end of that.

[The revised training] starts off with the history of your country so people understand the backdrop of race and implicit bias. And then there's the history of the profession [of law enforcement]. And it works its way closer and closer. Folks mostly think this is something from the 1960s—not realizing this is still stuff from every day that we need to be aware of.

The trainings were structured for particular ranks. When the chief's office was going through it, they asked what would you do differently? At that level, you're thinking policy. Hiring.

As a sergeant, how might you handle a roll call comment? How might you handle an upset person in certain parts of the community knowing this history now?

Now it's time to modify this for the officers. But we've pretty much used up our volunteers' time—all of us with full-time jobs. So now we need someone full time. That was the position I was able to get in the budget last year: the equity and diversity program manager. That person will directly report to me.

They'll work on the awareness and education training for our officers. Then they'll be able to go anywhere in the bureau [to address equity issues]: They can go to the training division and look at our lesson plans. Or personnel and ask how are we hiring and recruiting people? How do we promote and fill specialty units? It's unheard of in police departments.

**One protester, a young man of color, said something fairly dispiriting recently, that even with diversity hiring and other ongoing reform efforts, he's still not sure the bureau's culture would change enough for some of the people he knows to feel comfortable joining up. Can the equity manager's work change that?**

It will help with that. Diversity is just one component of equity. We have to look across the board.

**How about the bureau's traffic stops data? We're still in a place where people of color are stopped or pulled over at a rate that's disproportionate to their percentage of the city's population.**

Very much so.

**And searches for contraband also are disproportionate, in that people of color who are stopped are less likely to have drugs or weapons. Will the reforms you've discussed affect that?**

It absolutely will impact that. And here's how: As a whole, my profession wants to justify the stops data instead of looking at real strategies on how we can impact that data.

Look at it like a three-legged stool. One leg is all of our internal efforts and training, understanding implicit bias and understanding institutional racism. The second is having that well-educated workforce being diverse, with diverse leadership.

And the third leg, which is critical, is coming at the work from a relationship-based philosophy instead of an old-school enforcement way—like a drug-dealing complaint at an intersection, where I might grab two other officers and we'll stop everything that moves. Eventually we'll find the person with the drugs, but at the cost of stopping a lot of people who aren't involved and losing that trust. You're impacting an already low-crime number at the expense of more legitimacy.

If you come at this the other way, the officers are going to go out there, park their car, start talking to homeowners and business owners, and they're going to get accurate information. The people they end up stopping, it'll be based on having those relationships. "Yeah, that's little Johnny. He sells dope every day from 2:30 to 3:30 pm. His mom comes home at 4 pm, and he's never out there after 4 pm." That's who you want to be talking to.

You're going to be able to do your job, impacting that crime, in a way that builds trust.

**What about the bureau's response to recent protests, in terms of enforcement? I'd never seen flash-bang grenades or the threat of mass arrests (AKA "kettling") before in my time covering protests here. Is the city getting tougher?**

Those have always been options. And I've been a part of supervising protests or overseeing that for many, many years.

After the 2003 antiwar protests, that's when you really started seeing our approach start to change. We refocused on the realization that one of our most important priorities is supporting free speech and free expression and protest, but in a way that minimizes injury or serious injury and property damage.

We have specially trained crowd-control incident commanders. Their training is such that they know that even putting out a unit like the rapid response team [RRT] in their protective safety gear... even having that unit being seen... they realize that escalation.

But there are some things that are going to frankly be off limits. We're not going to have people on the highways, we're not going to let them take over bridges, and we're not going to let them impact major transportation systems. That's part of balancing free speech and peaceable assembly without infringing too far on other people's rights.

**The bureau's been hammered with complaints over Chief Mike Reese's decision last summer to sign a legal settlement scrubbing years-old discipline for Captain Mark Kruger over his Nazi Germany-era shrine in a public park. Did you agree with that decision?**

I'm the operations branch chief. I don't have a role in the settlement of lawsuits. That's the city attorney who has the lead on that. If you're a bureau director and your city attorney is giving you strong advice, that's something you want to listen to.

**But you're the client. You still get to make the decision to sign, good or bad.**

For however briefly you might be able to do that.

**You played a large role in the crafting of federal reforms and you have a reputation as a change agent. But you're also beloved, I've heard, by the rank and file. Does that balance come naturally? Or is it consciously crafted?**

I've been lucky to have a lot of different assignments and also to have worked in two different eras of policing. I've been a very consistent person. I've been in the chief's office through the last three chiefs,

and that's unheard of here. Part of what helps is just being very consistent and very honest, having straightforward conversations with folks.

**What you said about your longevity in the chief's office is almost an understatement. The bureau, especially its upper ranks, have been described as cliquey. How have you navigated all the changes at the top?**

That might be more of a question for past chiefs [laughs]. In fact, I had lunch with [former] Chief [Derrick] Foxworth today. They've all been mentors for me. They've all been partners in this work. And I have good relationships with them.

**Do you remember where you were when the mayor offered you the job of police chief?**

We started off with a three-hour conversation about the bureau and where I thought it needed to be. We had another conversation some weeks later. He had done some follow-up in the community and talked to community folks who were familiar with my work, and then he offered me the job.

**Over the years, I'd always heard little snippets about tension or disagreements between Chief Reese and the mayor. And maybe the media always made too much of that, but it says something that you're the chief the mayor's chosen. Do you think you'll have a better relationship?**

We're all unique individuals. Part of my style is direct communication. It's saying what I believe needs to happen, not what I think different bosses might want to hear. There's never any doubt what's going on or what I think about things. My style is very direct and very collaborative.

**You regularly sit on the Police Review Board, which advises police chiefs on discipline cases and whether cops should be punished or not. Have you ever participated in votes on that board and then disagreed with the way the chief ultimately ruled? How do you feel that process treats officers?**

What I've really appreciated about the review board, where I gain the most insight, is hearing from the peer officers in those cases and hearing from citizen members.

As far as agreeing or disagreeing, my wife and I have been together 34 years, and occasionally she gets it wrong and doesn't agree with me. You draw on your whole experience, my life and my job here. Discipline decisions are by far the hardest things to do. There are three audiences you have to think about: my internal audience, the sworn and non-sworn members; the community; and the mayor and the city commissioners. I have to think about what each of these groups is expecting and thinking. But at the end of the day, I need to choose the right thing here. Sometimes those choices can be very, very painful. These different audiences may be looking for very different things.

**The mayor said something in city council recently about discipline and dismissals increasing on his watch. Does that square with what you're seeing?**

I didn't hear that comment. But what I will continue to do is look at every case and put in the thought and effort that each requires. When there's a decision by my boss—the police commissioner, who has the final say on discipline—one of the things I appreciate, and that we've talked about, is there may be decisions one way or the other and it needs to be okay if we're in disagreement. I have a role to look at all of these things very thoughtfully and give him my best recommendation—whether it's something he wants to hear or something he doesn't want to hear. Then I understand it's his role to have the final say. I'm not doing my job justice unless I'm being honest with him.

**You've been involved in a shooting, which was ruled justified. You've personally gone through what other officers who've been investigated over deadly force have gone through. How will that shape your approach to discipline?**

I was hired at the height of violent crime. I've gotten 11 medals over the years. I've worked in a lot of specialty units. I've also been shot. It gives me a good perspective.

If I'm looking back at when I was brand new or when I was involved in a force incident, as an officer I liked to be able to look to my chief's office and see people with that kind of experience. I haven't spent my career avoiding police work. That helps to give me some trust and legitimacy with some folks when I'm talking about community policing and equity issues. I've had some pretty intense assignments.

**Was there a moment when you realized you wanted to take a leadership role in equity issues? I can't tell if it's likely or unlikely for someone who's done heavier police work to emerge as that kind of leader.**

It's not a "suddenly." Having an understanding or interest or focus on equity is not something new to me. It's something I've been working on for much of my career. In the early days, I said, "You know, we really have to bring persons of color into this gang team unit." But you have much different influence as an officer than you do as an assistant chief, where I'm able to say, "No, we are going to do this training. This is what our profession needs to be successful." And now, being in the chief's chair—I'll be able to have a person who reports directly to me, who will have that access to go anywhere in the bureau and help us do better. It's not a matter of changing. It's a matter of having more influence.

**How's your relationship with Daryl Turner, president of the Portland Police Association (PPA)? You once raised concerns about the PPA maybe putting pressure on witnesses in the arbitration hearing that led to Ron Frashour being reinstated after he was fired for fatally shooting Aaron Campbell.**

I have tremendous respect for Daryl. I've seen him do some amazing things, as a man and a person, that people aren't aware of. Things that are so thoughtful and so caring, it just about brings a tear to your eye. Part of it is the roles we're in during certain situations. He's got to protect his membership. And if my decision in a discipline case is on the other side of that? There's a little bit of an adversarial nature there. I'm confident we'll be able to move forward in a productive way. I've known him for a long, long time.

**Were you working the streets together?**

We were always working at different ends of things. But one of things I've done as an assistant chief was work a shift a month. And he'd always been a downtown guy, so one of the times when I went out, it was on a shift with him.

**Not every single crime number is ticking down. As the city's finances not only recover, but grow stronger, will you be asking for more reinvestment in the bureau?**

The direction for this year's budget was "don't ask for anything and don't expect anything, but don't expect any cuts. If you want to do something different, figure it out within existing resources." But we're looking at a couple of things.

Last year, we had an outside organization come in and look at our staffing, and they're really close [to completion]. We're going get their study and fix it within this budget. It's going to influence future discussions around how the police bureau is shaped.

**Is the bureau about the size it needs to be?**

We're close. There's a few more positions we need. We're looking not just at crime numbers, but the DOJ agreement. That's something we cannot fail in. We know we need analysts.

There are other functions we're not able to do at all, or to the degree to which I'd like, when we look at fraud investigations or computer crimes. But there are competing needs in the city, lots of discussions on streets and infrastructure and parks. There are plenty of other resources we could use to do other things, but I also need to be sensitive about how those priorities stack up against all the bureaus whose needs are just as legitimate.

**Most chiefs only last a few years. How long do you want to do this job?**

It's less of a matter of how long than the stuff I hope to get done.

## Starting at the Bottom

# The City Says It Wants a Higher Minimum Wage While Employing Hundreds of Low-Wage Workers

*By Dirk VanderHart*

*January 7, 2015*

COMMISSIONER AMANDA FRITZ worries she's running the Walmart of city government.

Portland Parks and Recreation, one of two city bureaus under Fritz's control, is fresh off a big win after voters renewed a crucial funding stream for city parks in November. And after the bureau was forced to cut and cut again in recent lean years, Fritz, in the last budget, was able to add full-time employees.

But the bureau also presents a challenge that officials expect will come to the foreground in coming months. Parks gets along by employing hundreds upon hundreds of low-paid seasonal workers whose earning potential is limited to 1,400 hours of city work per year. As such, parks is Portland's largest impediment to joining a growing national movement to pay workers at least \$15 an hour.

The numbers are larger than you might expect. As of early December, 1,841 workers—more than one-sixth of all city employees—were paid less than \$15, according to data the Mercury obtained in a public records request. Nearly 60 percent of that group earned less than \$11 an hour. And those workers—nearly all of them seasonal—overwhelmingly work for the parks bureau.

"Parks has been patched together," Fritz says. "We've been doing that with part-time workers."

The situation reflects a disconnect in city hall.

As part of its yearly wish list to lawmakers in Salem, Portland City Council recently signaled it would "support statewide efforts to raise Oregon's minimum wage." (A vote on that wish list is scheduled for Thursday, January 8.) The city is pre-empted by state law from setting a citywide minimum wage, and thus largely powerless to better the pay of Portland's low-wage workers. It can raise wages for its own workers.

But while it appears feasible that city council will bump hourly wages above \$15 for about 100 contract workers this spring, there's no sign anything's coming for actual city employees. Some commissioners aren't even sold that \$15 an hour is appropriate.

And Fritz, the park bureau's overseer, outright opposes a minimum wage hike for her workers—the workers who'd be most affected by an increase—saying she'd much rather put money toward getting part-time and seasonal workers full-time jobs.

"There's probably hundreds of jobs that should be full-time jobs that currently are not," Fritz says, "and that keeps me awake at night."

The \$15 movement's found momentum in Oregon. Last month, Multnomah County became the state's largest public employer to sign on to a \$15 minimum wage, agreeing to pay all its workers (except interns) that amount by next year. That deal began as a labor contract that would have affected about 150 employees, but County Chair Deborah Kafoury voluntarily extended it to hundreds more temporary staffers. Nearly 400 workers will get raises, in all.

The county wasn't alone. Home Forward, the agency that oversees public housing in Multnomah County, recently signed a labor deal to pay 33 workers \$15 an hour. And the push will reach Salem this year. State Senator Chip Shields (D-Portland) has sponsored legislation that would create a statewide \$15 minimum wage (the effort is considered a long shot, but there are other, more modest bills that could win approval).

The \$15 goal is often seen as arbitrary. It began as a rallying cry for fast-food workers in New York—specifically tied to the outsized expenses of that city. The movement has since spread nationwide, a symbol of frustration with ever-growing wage inequality. Campaigners won unlikely policy changes in places like Seattle and its suburb SeaTac, and the movement took root in Portland last year, when upstart city council candidate Nick Caleb made it a centerpiece of his campaign.

"It's not just a number," says Jamie Partridge, who's pushed for a \$15 wage with the group Portland Jobs with Justice. "It's a movement that's sparked the imagination of low-wage workers. Every opportunity that we have for a victory at \$15 has boosted the movement."

Certain changes appear imminent. Jobs with Justice is working with the group 15 Now Portland to extend a \$15 wage to a relatively small number of workers who contract with the city—parking attendants,

security officers, janitors. They'll get a hearing on that before city council in February, spurred by Dan Saltzman, the commissioner whom Caleb challenged.

The raise would reach more than 100 workers, Partridge says. The city estimates it would cost \$676,000 a year. And it looks like an easy sell. Commissioners say it's an achievable start. But it also does nothing for the city's own employees, more than 10 percent of whom make less than \$11 an hour.

"We have one opportunity in front of us that we can afford," says Commissioner Nick Fish, who will support the change in upcoming budget discussions. "Let's do that, then let's commit to another solution for other workers."

The central sticking point of raising city employees' wages, obviously, is the cost. A hike to \$15 isn't as simple as lifting all low-wage workers up to that threshold, because then people who'd been earning \$9.25 an hour would be paid the exact same as a more skilled worker who'd been making \$12.90 an hour.

Instead, it would be necessary to completely realign the wage scale, meaning far more than 1,841 city employees would be in for raises. No one knows for certain what this so-called "salary compression" would cost. But in May the parks bureau took a stab at finding that figure.

In an email to Fritz, the bureau's finance manager, Jeff Shaffer, estimated it would cost more than \$2.7 million to convert parks employees up to \$15 an hour. When the Mercury asked about that estimate, Shaffer made clear it was "very ballpark." He further estimated the actual figure would be closer to \$4 million once salary compression, taxes, and employee benefits were brought into the picture.

Shaffer's baseline figures are different from those provided by the Portland Bureau of Human Resources. He says more than 2,000 employees in the parks bureau make less than \$15, while human resources says just 1,841 employees citywide fell into that category as of December 3. That's probably due to the big seasonal shifts in employees, city staffers say.

Either way, if Shaffer's on target, the city theoretically has the money to make the change. A recent five-year forecast from the city's budget office found Portland could expect \$4.6 million in new, ongoing money. Don't expect it to go to raises in a single bureau, though—particularly when that bureau's commissioner opposes such raises.

While all commissioners the Mercury contacted said they'd love to help low-paid city employees, they're not offering many specifics. And no one's locked on \$15 as an acceptable starting point.

"One question I need to ask: Are there some kinds of jobs paying under \$15 that for the most part aren't anyone's primary source of income to live on, and other jobs that people really are trying to live on?" says Commissioner Steve Novick. "If there is such a distinction, I would focus first on trying to raise the wage in the second category."

Brendan Finn, Saltzman's chief of staff, says the commissioner hopes the proposed raises for contract employees can bring on broader discussions. Mayor Charlie Hales' office, meanwhile, didn't offer much insight into his thinking.

"The mayor's been talking to his elected cohorts on this topic," said spokesperson Dana Haynes. "No consensus yet on how to move forward, but the talks are continuing. Expect this to be a topic of great debate in the coming budget season."

Maybe the most resolute, then, is Fritz, who says to expect a fight from her if a minimum wage raise comes to the table. She'll be more focused, instead, on bringing nine newly full-time ranger positions to the parks bureau. She also hopes to get some seasonal maintenance workers full-time jobs.

"It's obviously very politically correct—how could anybody disagree with giving people \$15 an hour?" Fritz asks. "But with a finite amount of money, I would rather give people full-time jobs with benefits."

## Hall Monitor

### A Swing and a Miss

*By Denis C. Theriault  
January 7, 2015*

IF DAN SALTZMAN'S willing to play the role of street fee savior when Portland City Council weighs Commissioner Steve Novick and Mayor Charlie Hales' seemingly final revenue proposal this Thursday, January 8, the longtime commissioner's office isn't saying.

Saltzman's still holding to his months-old stance—namely that even the best street fee imaginable would need to go before voters first. And Novick and Hales have yet to budge over that point.

"He's still very supportive of referral. But he's appreciative of the work people have done," says Saltzman's chief of staff, Brendan Finn. "He'll go into the hearing and cast a vote."

But Finn's being modest. After Commissioner Amanda Fritz announced Monday, January 5, that she couldn't say yes absent a progressive income tax and a public vote—and with Commissioner Nick Fish, sources say, still implacably opposed—the street fee's survival very much depends on Saltzman and whether he might be willing to play ball.

Even Fritz noted as much to me when explaining her decision. When Novick and Hales appeared the Portland Business Alliance (PBA) last month, swapping the income tax Fritz preferred for an income-graded user fee based on gas consumption, they also offered a way for opponents like Saltzman to justify a change of heart.

Instead of sending the street fee to voters immediately, Hales and Novick have proposed letting voters have their say in 2020. Fritz suggested that might be enough to woo Saltzman.

"That's maybe where folks need to focus their energy," she told me, referring to citizens hoping to lobby city council not to say yes without an initial public vote.

Of course, that kind of shift would mark a huge turnabout for Saltzman, who famously angered Novick early last year when he questioned not just the potential mechanism for raising new transportation cash, but also the need for the revenue itself. (Even the PBA, for what it's worth, acknowledges the city needs millions more every year to maintain and improve its roads, bridges, sidewalks, and traffic signals.)

Saltzman followed that irritation with another during the first major hearing on the street fee, back on May 29. Instead of waiting until the end of the hearing to air his concerns, after citizens spoke and after a presentation assembled by Novick and Hales, Saltzman broke with decorum and spoke before the dog-and-pony show.

Novick, in the immediate wake of Fritz's pseudo-defection, insisted his and Hales' plans for the street fee wouldn't change. He "respectfully" declined to say whether he'd been discussing further deal points with Saltzman, or whether he'd even tried wooing him at all. Hales' office also offered a nonplussed non-reaction.

But that belies the tension in city hall right now. A loss, after so much back and forth, would be seen as an embarrassment for both Novick and Hales. And it could hobble any hopes for re-election—especially for the mayor, as a symbol of the city's political health.

Novick, at least, is willing to play a longer game. A defeat in city hall will give him a pass to pursue his self-styled "plan B": a revived income tax that's more progressive, plopped on the November 2016 ballot.

But Hales might not be up to play another round. And, for now, that makes Saltzman someone to impress.

## **The Portland Business Journal**

### **How Portland's residential street fee advisory vote would affect businesses**

*By Andy Giegerich  
January 8, 2015*

One of Portland's most fluid City Hall initiatives took yet another twist on Wednesday.

Portland Mayor Charlie Hales said the city will refer several transportation funding options to voters in May in hopes of determining which idea, as they pertain to residential obligations might pass muster.

It's the first time the city's ever used a public advisory vote to shape policy.

However, the City Council is still set to decide next week whether to levy street fees on businesses. Those fees wouldn't take effect until a residential fee plan is in place.

The City Council will examine details of the residential proposals at a 6 p.m. hearing today. The ideas will likely include an increased gas tax, a progressive income tax and a local-option property tax levy, among other options.

The move comes just after City Commissioner Amanda Fritz revealed she wouldn't support the most recent residential fee plan.

City Commissioner Steve Novick, who oversees the city's transportation bureau, backs the nonbinding policy vote.

"There are people who believe passionately that their favorite option would get a majority if it only went to a vote," he said in a release.

Novick called out supporters of various choices.

"The Oregonian editorial board can campaign for its favorite, the property tax," he said. "The progressive groups, such as AARP, Oregon Walks, and the Coalition for a Livable Future, can campaign for their favorite – and my favorite too – a progressive income tax."

Hales said the street conditions have made the matter urgent.

"People agree that we need to fix streets, and we don't currently have the funding to do so," he said.

The measure that gets the most "yes" votes during the advisory vote will merit a Council vote for adoption. The ballot's expected to offer between three and six options.

"From the beginning, I've said the options are 'Do this, do something else, or do nothing,'" Hales said. "And 'do nothing' isn't acceptable. That hasn't changed. We will ask the voters to pick from the array of funding options, and we'll adopt the one with the most 'yes' votes."

## **GoLocalPDX**

### **NEW: Street Fee Options To Be Referred To Voters In May**

*By Joanna Evoniuk  
January 7, 2015*

The Portland City Council will refer funding options for the Portland street fee to voters in May, according to the Office of Mayor Charlie Hales.

"We've held scores of public hearings and committee meetings," Mayor Charlie Hales said in a media statement. "We've heard what Portlanders have to say: Yes, to fixing streets. And yes, to taking it to a popular vote. But there is considerable disagreement about the most-acceptable way to pay for this community responsibility. So we will ask voters to pick the solution that is most palatable from an array of options."

A hearing at 6 p.m. on Thursday, Jan. 8, will lay out proposal details for voting options. The most likely options will include an increased gas tax, a progressive income tax and a local-option property tax levy, according to the mayor's office.

The city will then ask voters on the May 2015 ballot which option they prefer. The mayor's office said there could be between three to six choices on the ballot. The winning option will be scheduled for adoption by the city council.

A nonresidential fee for maintenance and safety will be adopted by the council, but not until the public choice for the residential portion becomes law.