

## The Oregonian

### Charlie Hales 'very proud' as sweeping urban renewal changes OK'd

By Brad Schmidt  
April 01, 2015

In one of the crowning achievements of Mayor Charlie Hales' first term, the City Council on Wednesday approved sweeping changes to half of Portland's urban renewal districts.

The reforms are expected to boost momentum for redevelopment of the South Waterfront District and Portland's Central Eastside. And the plan should eventually provide Portland, Multnomah County and local schools with millions of dollars more for general services - so long as city officials don't make more changes later.

Hales made urban renewal a cornerstone of his 2012 mayoral campaign, criticizing city officials who too often used districts as ATMs to fund projects without considering budget tradeoffs.

After more than a year of planning, the City Council supported each of Hales' six changes - with Commissioner Amanda Fritz voting against one amendment and Commissioner Dan Saltzman abstaining from two votes because his family owns property in the area.

"I'm very proud of this moment," Hales said.

Urban renewal works by freezing the tax base within districts created by the City Council. Taxes paid to the city, county and schools remain flat. But as property values increase through redevelopment, the city borrows money to pay for projects within the district and then pays off debt from taxes above the base. The money isn't returned to general government services until a district closes and all debts are paid.

"There is a huge incentive for the city to overuse urban renewal, frankly," Commissioner Steve Novick said. "And the idea that we're acknowledging some limits, and scaling back, is an extraordinary thing which people should recognize."

Here's a breakdown of what it means:

**More money for general services:** City officials estimate that Portland, Multnomah County, the library district and schools will receive about \$197 million more over the next 30 years - worth \$88 million in today's dollars - for their respective general funds.

The bulk of the benefits won't be apparent until after 2030, however. For example, Portland is projected to get about \$61 million more because of the changes, but cumulatively just \$6.4 million of that will be tallied between now and 2030.

If the City Council makes changes later - such as increasing district spending limits or the time frame to issue debt - those long-term benefits may not materialize as projected. Conversely, tax jurisdictions could see even greater benefits if the Zidell family redevelops its property in the South Waterfront.

**Education district:** In large part, Hales has former Mayor Sam Adams to thank for his plan. In June 2012, Adams and the City Council approved a new Education urban renewal district with a debt limit of \$169 million - which Hales at the time said he supported.

But after taking office, Hales worked to kill the downtown district centered around Portland State University. By eliminating the 109-acre district now, city officials won't be able to dig into debt, creating a projected benefit of \$189 million over 30 years for local governments.

**North Macadam:** The City Council added 45 acres to the 402-acre North Macadam urban renewal area (35 of them from the Education district, largely to keep promises to Portland State University). They also extended the deadline to issue debt from 2020 to 2025 but did not increase the existing debt limit of \$289 million.

Officials had warned of limited options to spur development in the fledgling area, which includes the South Waterfront, without changes. The moves are projected to cost government jurisdictions about \$93 million in lost tax revenue over 30 years - a figure that's likely overstated because it doesn't include anticipated redevelopment of the Zidell family's 30 acres in the South Waterfront.

**Central Eastside:** At Hales' urging, the City Council increased the debt limit from \$105 million to \$126 million and extended the deadline for borrowing by five years, to 2023. Officials also increased the size of the 692-acre district by 16 acres to capture the soon-to-open Clinton light rail stop.

One of Hales' key campaign donors, light-rail general contractor Stacy and Witbeck Inc., has been stockpiling land at the stop and would like to redevelop it. "It's a terrible place to wait for a train today," Hales said. "If we do this right, it'll be a great place sometime soon."

Fritz cast the day's only vote in opposition, saying the urban renewal district was created in 1986 and shouldn't be extended.

**River District:** Portland's most successful urban renewal area will shrink in size from about 351 acres to 315, removing about 36 acres - much of it former rail yard redeveloped by Hoyt Street Properties. The Pearl District has changed so remarkably, and tax values increased so dramatically, that the City Council was able to put about \$360 million of new value back on the tax rolls. That means more immediate annual tax revenues for the city, county, library and schools.

**Willamette Industrial and Airport Way:** Neither change is significant. The City Council voted to stop collecting urban renewal taxes for the 756-acre Willamette district, which has underperformed since its inception in 2004. Because the district has stalled, the change will have little impact. The City Council also removed about 971 acres from the Airport Way district, cutting its size in half. But because of rules tied to the 1986 district, virtually all of the value has already been returned to taxing jurisdictions and debt will be repaid by 2020.

**Affordable housing:** All of the changes will increase affordable-housing spending by a modest \$3.5 million over 30 years. The biggest debate centered on the city's lackluster progress in the North Macadam district, where just 209 rent-restricted units have been built amid high-end condos and apartments. The City Council supported a resolution from Commissioner Nick Fish committing \$47 million for 270 more units in the district to serve residents earning up to 60 percent of the region's median income.

But affordable-housing advocates didn't endorse the plan and said the city should do more to meet goals originally set in 2003.

"While I accept that we have fallen short, and we always have to do more, I also want to acknowledge and celebrate this moment," said Fish, adding that the commitment for 270 more units is "a hell of a start."

## Portland may allow Uber to return with 'surge pricing,' special rules

*By Joseph Rose  
April 01, 2015*

As Uber prepares to re-start its controversial ride-hailing service in Portland this month, a task force appears ready to push for a deregulation experiment that would remove the city's long-standing cap on taxi permits.

In theory, the change would allow local cab companies to compete with Uber drivers using their private vehicles as de facto taxis. However, a coalition of six Portland cab companies said the end of metering out taxi permits in the city would have the opposite effect.

"Supply will outweigh demand," said Kelliann Amico, spokeswoman for the Transportation Fairness Alliance. "The smaller companies won't be able to compete. It will put them out of business."

The cab companies have plenty of other reasons to be concerned about draft recommendations from the citizen Private For-Hire Transportation Innovation Task Force.

The list of recommendations obtained by The Oregonian show that ride-hailing companies such as Uber and Lyft would, in many cases, be allowed to play by a different set of rules.

For example, current rules prohibit taxis from charging more than \$2.60 per mile for each fare. That wouldn't change. But Uber would be allowed to activate its controversial "surge pricing," which jacks up fares when demand spikes.

Under the proposal, however, Portland Bureau of Transportation Director Leah Treat would be granted unilateral power to prohibit the pricing "during periods of abnormal market disruption."

The clause appears to be an emergency brake to protect Portlanders' pocket books during an earthquake, storm or other citywide emergency. In December, Uber was widely criticized for charging four times the usual per-mile rate and a minimum of \$100 per trip as people attempted to flee Sydney, Australia, during a hostage siege involving Islamic extremists.

Amico said the recommendations support the cab companies' concerns about the city creating an unfair playing field for Uber. "The scales are clearly being tipped in one direction," she said. "Whether or not you're a fan of regulations, they're put in place to protect the end consumer. But two very different sets of rules are being recommended here."

Bryan Hockaday, a policy advisor to Commissioner Steve Novick, said City Hall is not prepared to discuss the draft recommendations. "They're a draft," Hockaday said. "Things could still change."

Novick convened the task force in December to explore revamping city taxi regulations to possibly allow emerging for-hire transportation companies such as Uber and Lyft.

In turn, after two weeks of illegally picking up riders in Portland, Uber agreed to suspend its controversial UberX ride service -- which allows residents to hail and pay for private rides with the push of a smartphone button -- in Portland for three months.

UberX contracts with drivers who use their private vehicles as de facto taxis, which is illegal in Portland.

At the same time, the startup has said it expects the task force to come up with a new regulatory framework to allow it to operate this month -- or it will start rolling again the city.

The draft recommendations will be discussed at a task force meeting on Thursday. The Portland City Council is expected to vote on the revised rules on April 15.

Other recommendations include:

- Allowing app-based ride-hailing companies to pay a blanket annual fee for taxi permits, regardless of how many drivers are picking up riders in the city. Meanwhile, each traditional cabbies would still be expected to pay for his or her own license.
- Requiring Uber to carry liability insurance of "\$1 million per occurrence and \$2 million aggregate" for when a driver is involved in a crash with a customer in the vehicle. The companies would also be required to carry a liability policy of up to \$100,000 for crashes that happen between fares. Of course, with the insurance issue being addressed at the state level in the Legislature, the insurance piece may soon be settled for the city.
- Permitting Uber and Lyft to ignore rules requiring cab companies to make at least 10 percent of vehicles wheelchair-accessible for disabled riders. Instead, the companies' drivers would be required to redirect requests from disabled riders to a third party transportation service. The companies would also be required to pay the city a surcharge of 10 cents on each ride to subsidize transportation services for the disabled.

## **Portland bans use of insecticides believed to be harmful to bees on city property**

*By Andrew Theen  
April 01, 2015*

Portland banned the use of neonicotinoid insecticides, a wide-ranging classification of chemical pest killers, on city-owned property.

The City Council unanimously approved an emergency ordinance Wednesday, making the insecticide ban effective immediately.

"We're doing another good thing for the people of Portland, Oregon, the United States, maybe the entire world," said Commissioner Amanda Fritz, who introduced the policy.

Few question the efficacy of the insecticides, which have a long shelf life and quickly kill pests. But the chemical sprays persist in the environment, and opponents say they provide a clear and documented harm to bees, birds and butterflies.

Studies indicate the insecticides may be a factor in massive die-offs of bee colonies. In Oregon, state officials blamed the 2013 deaths of tens of thousands of bees on the improper use of the pesticides. Last month state officials banned the products from use on certain trees.

Fritz thanked her staff and parks officials for their work on the ordinance, but lauded the advocacy work of the Xerces Society, Audubon Society of Portland, Center for Biological Diversity and Beyond Toxics group for pushing the idea.

"These toxicants kill bees outright, so this ordinance is critical to protecting Portland's burgeoning local foods movement," Lisa Arkin, executive director of Beyond Toxics, said in a press release.

The ban does not apply to private property, although Fritz said last week the proposal was just a first step.

Lori Ann Burd, environmental health director at the Center for Biological Diversity said the ban would benefit the entire ecosystem. "Neonicotinoids kill the beneficial insects that form the basis of the web of life, like caddisflies and mayflies, which are important food sources for salmon and trout," she said.

Portland's ordinance also urges retailers to label insecticides products or other items that may contain the neonicotinoid chemicals.

The ordinance doesn't immediately apply to two rose gardens where the city will run a "pilot program" to find an alternated insecticide or method to kill-off rose midges, a pest that is more difficult to kill without the insecticides. The city must identify alternative methods by December 2017.

Portland's ban follows similar actions in Spokane, Seattle and Eugene. The U.S. Fish and Wildlife Service also pledged to ban the insecticides last year on more than 150 million acres of public land.

## **The Portland Tribune**

### **Upstarts and amateurs**

*By Steve Law  
April 2, 2015*

When Portland Mayor Charlie Hales and his wife Nancy arrived at a Ramadan celebration in Portland, he was puzzled by the sight of 43 taxis parked outside. Then it hit him: they were driven by Muslim immigrants who make up a good share of Portland's taxi work force.

As Hales explores ways to let the freewheeling Uber taxi service enter Portland's highly regulated taxi market, the mayor says he's concerned about upending the livelihoods of traditional cab drivers.

"Do we completely pull the rug out from under them? Do we drop their average wage \$5 an hour?" Hales recently told the Portland Tribune editorial board. "All hell could break loose," he said, if the city simply deregulates its taxi system to accommodate Uber, which allows people to turn their cars into taxis, hailed by customers via smartphone.

For some guidance and possible lessons from history, Hales and other city commissioners might want to consider Portland's past experience when a new transportation mode threatened to topple the existing system.

Exactly 100 years ago, hundreds of Portlanders turned their jalopies into do-it-yourself taxis, trolling for customers at downtown streetcar stops. Dubbed jitney drivers, they delivered people to work in less time than the streetcars, for the same nickel fare.

As with Uber today, Portlanders flocked to the new-fangled taxi service. They loved the novelty of riding in a car for the first time, much as people relish hailing a taxi with the Uber app on their smartphone, then paying for it with a few swipes or keystrokes.

Having a new way to get around town was liberating and even exciting, then as now — especially for people trying to carve out a living or earn a few extra bucks picking up passengers in their personal cars.

"Here was a chance for the common man to get into business," says Richard Thompson, a Portlander who authored four history books on local streetcar and rail systems. He was speaking of 1915, but he may as well have been talking about Uber drivers today.

The city's experience with jitneys raised some of the exact same public policy issues raised by Uber and similar companies today.

## **Selective about passengers**

Take Charles Jackson, the 634-pound man who made the pages of *The Oregonian* on Aug. 1, 1915, when jitneys refused to pick him up because of his weight.

Portland requires taxi companies to have 10 to 20 percent of their fleets equipped with wheelchairs so they can accommodate passengers with special needs. Uber, which declined interview requests, resists such mandates.

Linda Rabb, testifying at a recent city hearing on taxi regulations, suggested that Uber drivers, unlike regulated taxis, will turn down short-hop rides that aren't worth their time and trouble. "They're not going to worry about getting grandma to the doctor on time, because it's not profitable," Rabb said.

During a February 1916 winter storm in Portland, *The Oregonian* reported that the majority of jitney drivers refused to operate. Those who did abandoned the guaranteed nickel fare, charging 25 cents a ride or even \$1, for rides as short as a few blocks.

Portlanders were outraged, as are some when they discover Uber's use of "surge" pricing, when it abandons its ordinary low rates and jacks up prices unexpectedly during certain situations or times of the day. Critics also say Uber isn't accessible to people without smartphones, which might exclude many senior citizens.

## **Amateur drivers**

The unregulated jitney system raised some of the same public safety concerns now raised about Uber and its peers.

"Many who had complained for years about overcrowded streetcars during rush hour pushed eagerly into dangerously overcrowded jitneys, even occasionally flirting with death by riding on the running boards," wrote transportation historian Carlos Schwantes about the national jitney craze of 1914 to 1917.

Portland officials wanted to assure the jitney drivers were well-trained and could pass driving tests. Many residents feared that people going into unlicensed vehicles with unpermitted drivers could be robbed, or that women might be sexually abused.

In March of 1916, the Portland jitney drivers' union openly worried that bad apples were marring their trade's reputation, and talked about the need for limited regulations to weed out peers who were sexual predators and reckless drivers. "It is said there are drivers in the service who are unfit morally and as a result of escapades with women passengers are hurting the business," *The Oregonian* reported.

The Portland Bureau of Transportation is planning a pilot project that would allow Uber to enter the Portland market legally, and issued draft requirements for drivers. Those include city inspection of vehicles, accommodating people with wheelchairs, bureau-approved driver training, and barring drivers with felonies in the past 10 years or more than four traffic violations in the prior year.

Uber, which disregarded Portland regulations in a previous bid to enter the market, declined to discuss its position on the draft rules.

"I don't see them kowtowing to Portland requirements," said Steven Entler, general manager of Radio Cab. "That's what they do everywhere else."

Yet many people rave about how easy it is to use Uber, and how it's more responsive than taxi companies that make people wait for long spells before being picked up. "I've never had to wait more than four minutes for a ride," said frequent Uber customer Deanna Simon at the recent hearing in Portland.

Jitneys earned similar praise when compared to the prevailing streetcar lines in Portland, which moved more slowly and had to pick up people at every stop where passengers were waiting.

## **Skimming the cream**

One of city officials' biggest concerns in 1915 was that jitneys were creaming off the easy-to-serve customers, eroding the streetcar system's revenue. Yet the streetcar had a city franchise — and obligation — to serve all neighborhoods on the system. By 1919, nearly 50 urban electric railway systems

across the U.S. were in receivership, and many others were teetering on the brink of bankruptcy, Schwantes wrote.

Some fear a similar downward spiral for taxi companies in a deregulated system, leaving seniors and other harder-to-serve people without reliable service.

Franklin T. Griffith, the powerful president of Portland Railway, Light & Power Co., complained of unfair competition from the jitneys. Griffith told the Portland City Council in September 1916 that the streetcar company paid \$22,000 a year in license fees to the city, and had paved 150 miles of city roads. Without paying a penny, the jitneys started operating on East Broadway right after the streetcar company paid \$55,000 to pave it, Griffith testified.

Taxi companies cite the prospect of unfair competition with Uber if it doesn't face the same licensing, background checks, insurance, vehicle inspections and handicapped-access rules they face.

Jitneys, like Uber today, were seen as the feisty newcomer breaking up an inefficient monopoly. "In many communities," Schwantes said in an interview, "taxis are probably not the best liked industry, so the Uber (driver) is seen as the little guy, the David and Goliath phenomenon."

Despite the many parallels between jitneys and Uber, there's a vast difference when it comes to political clout.

Jitney drivers were poorly paid and relied on strength in numbers to do battle against the streetcar company, a powerful monopoly that survives today as Portland General Electric.

Now it's the taxi companies that hope to influence City Hall by packing hearings with working-class taxi drivers, much like the jitney movement of a century ago. Uber, which has been valued on Wall Street as worth \$40 billion, can mobilize flocks of smartphone-wielding customers to pressure local governments. Though it retains that "David" image Schwantes was talking about, Uber has hired a fleet of top lobbyists around the country, including Barack Obama's campaign mastermind David Plouffe.

It remains to be seen how Hales and City Commissioner Steve Novick, who are leading the city effort to accommodate Uber, will bridge this divide. Hales has now claimed sympathy with taxi drivers, and Novick is a longtime champion of organized labor.

## Cleanup confidential

*By Jim Redden  
April 2, 2015*

The city is fighting the release of documents detailing how it has spent about \$50 million in sewer ratepayer funds to help clean up the Portland Harbor Superfund site.

The documents are being sought by attorneys representing ratepayers who question whether the Bureau of Environmental Services, which operates the city's sewer system, is the only Portland bureau potentially liable for the cleanup costs. If not, the lawyers wonder whether some of the BES funds spent to date are essentially loans to those other bureaus — and whether the City Charter authorizes BES to make such loans.

The fight is being waged as part of a long-running lawsuit over City Council-approved spending by BES and the Water Bureau, the city's two utilities. Although the case is not yet over, the judge hearing it has ruled that spending by the two bureaus must be reasonably related to their primary missions. Several previous appropriations by both bureaus are still being litigated, including the ratepayer funds BES has spent so far on the harbor cleanup process.

"We want to see whether BES is spending ratepayer funds to study or prepare to clean up properties where other bureaus have potential liabilities," says John DiLorenzo, an attorney for the ratepayers.

In February, the City Attorney's Office filed a motion with Multnomah County Circuit Judge Stephen Bushong requesting a stay in further proceedings related to the harbor cleanup spending. The motion, filed by Deputy City Attorney Terence Thatcher, argues Bushong should not involve himself in the cleanup spending issue because the process already is in federal court and is being negotiated between many parties in secret. According to the memo, the U.S. Environmental Protection Agency eventually will determine the liability for each of the parties being investigated for polluting the harbor, including the city.

“The court should delay review and analysis of Portland Harbor expenses until the Portland Harbor process has run its own course and there are official or otherwise binding decisions concerning shares of liability,” Thatcher’s motion reads.

At the same time, the motion concedes that other city bureaus could be liable for some share of the cleanup costs. The City Council eventually will decide how to allocate the costs among the bureaus once they are known, the motion says. Other bureaus mentioned in the motion and an accompanying affidavit include the Portland Bureau of Transportation, the Portland Development Commission, Portland Fire & Rescue, and the Water Bureau.

“The City Council has already announced that it will, itself, review city liability issues and cost responsibility at that time. At that point, once liability issues are better understood, the council will itself decide how financial responsibilities should be shared among the members of the city family. Once that happens, if the plaintiffs still believe that BES has paid more than its share of Superfund expenses, they can ask the court to review the council’s decisions,” Thatcher’s motion reads.

Portland’s cost to help clean up the Portland Harbor Superfund site could be substantial. One study says the total cost could range between \$180 million to \$1.8 billion, depending on what approach the EPA finally directs. Because of that, Thatcher argues in his motion that the BES funds spent to date could save sewer ratepayers more money in the future.

### **Who’s to blame for pollution?**

Thatcher’s motion was accompanied by an affidavit from him outlining the history of the Portland Harbor Superfund process. Together, they provide insights into the lengthy and complex process that has been largely conducted behind closed doors. Among other things, the documents say that although the city is helping to finance the cleanup process, it has not admitted any liability for polluting the harbor. The city also is trying to figure out how to prevent contaminants from properties away from the harbor from reaching it through the sewer system.

As summarized in the motion, the EPA listed the Portland Harbor on the federal Superfund National Priorities List in December 2000. The listing identified hazardous substances in sediments along approximately six miles of the Willamette River from the St. Johns Bridge to Swan Island. The “study area” was later expanded to stretch from near the confluence of the Willamette and Columbia rivers to just downstream from the Steel Bridge.

The Oregon Department of Environmental Quality also was designated as having a role in the process.

Prior to the listing, the EPA sent letters to the city and around 150 other entities notifying them of their “potential liability” under federal environmental laws. Portland received three letters in January 2000. One named the city as a potentially liable party based on BES’s past or present ownership and operation of sewer and stormwater outfalls discharging into the Willamette River. Another letter cited the BES water quality laboratory near the St. Johns Bridge. The third letter identified Portland Fire & Rescue for past operations of a fire-training facility in Linnton.

In February 2001, the City Council approved a resolution expressing its interest in having the city play a leadership role in determining the cleanup and natural resource restoration strategies for the harbor and river. The resolution designated BES as the lead agency for managing the city’s participation in the cleanup process, including negotiating with state and federal agencies, Native American tribes, and the other potentially responsible parties identified by the EPA. The BES also was directed to regularly report to the council on the progress of the cleanup process and the cost implications to the city.

Early in the process, Portland joined a coalition of 13 other potentially responsible parties called the Lower Willamette Group that assumed responsibility for moving site investigations forward through a September 2001 agreement with the EPA and the state of Oregon. According to Thatcher’s motion, except for public documents produced as a result of the LWG’s work, “its activities and coordination among its members is subject to a strict confidentiality agreement.”

In January 2008, Portland and more than 300 other landowners received new letters from the EPA seeking information related to the investigation of harbor contamination. The letters asked the recipients to identify and give detailed current and historical information concerning any property or outfalls previously or currently owned, leased or operated within the harbor study area. The city responded with documents on properties previously or currently owned by a variety of city agencies not previously identified by the EPA, including the Portland Development Commission.

According to Thatcher's motion, the new EPA letters did not name the recipients as potentially responsible parties. It says that "unless and until there is further analysis of all the material collected about all those properties, no one can know which, if any of them, have ever contributed to the contamination in Portland Harbor."

In 2009, Portland agreed with 73 other potentially responsible parties to participate in a nonjudicial liability allocation process. According to the motion, the goal is to develop a joint settlement offer to the EPA to implement remedies and settle claims for the participating parties' costs. One hundred other parties that declined to join in the allocation process itself nonetheless signed tolling agreements with the mediation parties to put potential claims on hold pending the outcome of the nonjudicial allocation process.

According to Thatcher's motion, this process also is subject to confidentiality agreements.

Also in 2009, the LWG members, including Portland, sued about three dozen companies that refused to join the allocation and refused to enter tolling agreements in federal court. The plaintiffs sought contributions and cost recoveries from the defendants for expenses incurred in responding to the Portland Harbor Superfund listing. Plaintiffs also requested that their case be stayed pending the outcome of the nonjudicial allocation process. In May 2010, U.S. District Judge Michael Mosman stayed the bulk of the proceedings until the EPA issues a Final Record of Decision for the Portland Harbor Superfund site.

### **Ratepayers on hook for cleanup**

According to the motion, between 2000 and 2014, BES has spent about \$50 million in ratepayer funds on the Superfund process. An additional \$2.6 million also has been spent from city insurance policies. The majority of the money — \$30.6 million — has gone to support the work of the Lower Willamette Group, which has produced a Remedial Investigation and Feasibility Study (RI/FS) for the cleanup that is currently under review by the EPA.

BES also has spent \$11.5 million to identify and investigate sources of contamination that could pollute the harbor through the sewer system after it is cleaned up. Much of this work on what is called "upland area" contamination has been done with the DEQ.

In his motion, Thatcher says the remaining money has been spent on such things as city staff expenses, other consultant costs, legal fees, and other process expenses. The motion also says the Water Bureau and the Portland Bureau of Transportation have contributed to the process, but it doesn't say how much. And the City Council recently spent \$2.65 million in discretionary general fund dollars on the process, the motion says.

The City Council formally acknowledged that other bureaus, in addition to BES, may be liable for some of the cleanup costs when it approved a resolution on Dec. 19, 2012. The resolution says if the city ultimately is held liable to pay costs and damages for harbor contamination, "the council will then assess how best to assign those costs to its various agencies, bureaus, or funds, taking into account the bases of liability and the council's authority under the charter."

Like Thatcher's motion, the resolution says it is not yet possible to determine the liability of each agency, bureau or fund.

In his response, DiLorenzo argues Bushong does not have to determine liability to decide whether BES has misspent ratepayer funds. Instead, DiLorenzo says Bushong merely needs to direct BES to say how much it has spent studying properties that are or were owned by other city bureaus.

"Certain of the properties that are the subject of those inquiries, such as the city of Portland outfalls, may well relate to the provision of sewer services. Those properties may or may not have contributed to Portland Harbor contamination. Many of the properties, such as the Linnton Oil Fire Training Grounds facility, plainly do not relate to the provision of sewer services. Those properties, likewise, may or may not have contributed to Portland Harbor contamination. The city properly may spend sewer funds on the former category of properties in order to avoid or limit its Superfund liability for sewer activities, but may not utilize sewer funds for the latter category," DiLorenzo argues in his response.

## **Audit faults management of city properties**

*By Jim Redden*

*April 2, 2015*

Portland needs to do a better job tracking and selling the property it owns, according to a city audit released Thursday.

City Auditor Mary Hull Caballero says Portland lacks a comprehensive inventory of city-owned properties and is not periodically reviewing its real estate holdings. Because of that, the city is unable to proactively and strategically manage its properties and buildings.

And Portland does not have a citywide policy for disposing of surplus properties, according to the April 2 audit. As a result, surplus properties are disposed of inconsistently.

"We found there is no overall city strategy for real property management and there is little guidance regarding the identification and disposal of surplus real property. State law does not cover the identification of surplus real property and provides little instruction on how land sales should be carried out. There is no city guidance on how bureaus should identify surplus real property and little on how real property sales should be carried out," according to the audit.

[Click here to read the city audit.](#)

Although the city has recently begun compiling a central list of properties and two agencies have adopted surplus sale policies, the audit says more work needs to be done. It recommends continuing the work to compile the central property list, and developing a consistent citywide policy for identifying and disposing of surplus properties.

Mayor Charlie Hales agreed with the recommendation in his letter of response and said work will continue to implement them. He said the agency leading the project is the Office of Management and Finance, through its Bureau of Internal Business Services and Facilities Services Division.

"We agree it's important for the city to ensure the information it maintains about real property owned by city bureaus is accurate and complete," Hales said.

The audit was triggered by complaints from residents living near a surplus water tank in Southwest Portland who were upset to learn the water bureau had sold it to a private developer without adequate public notice in 2013. The audit found that although the Water Bureau had not followed best practices, the city was legally committed to complete the sale.

As a result of the controversy, Commissioner Nick Fish, who is in charge of the water bureau and Bureau of Environmental Services, recently had both bureaus adopt new policies governing surplus property sales guaranteeing more public notice. Fish was not in charge of the water bureau when the water tank, known as the Freeman Tank, was sold.

The audit found the city owns 15,652 acres of property. The largest amount, 8,786 acres, is owned by Portland parks & Recreation. After that comes the water bureau with 5,418 acres, the Bureau of Environmental Services with 846 acres, and multiple bureaus owning 367 acres together. All other bureaus own 81 or fewer acres of property.

## **City looks to turn more solids into biogas at Columbia plant**

*By Jennifer Anderson*

*April 2, 2015*

More of Portland's wastewater soon may be converted to compressed natural-gas vehicle fuel, which would reduce the use of diesel fuel and cut greenhouse gas emissions.

This comes as the Portland City Council approved a contract for final design of a \$10.9 million facility at the Columbia Boulevard Wastewater Treatment Plant in North Portland.

The Bureau of Environmental Services is exploring available grants and financial incentives to reduce project costs.

Currently at the treatment plant, solids removed in the the sewage treatment process are recycled into biosolids, a beneficial soil amendment.

The new project would involve constructing a biogas processing and storage facility and a vehicle fueling station at the plant.

That would allow the plant to re-use nearly all of the 600 million cubic feet of biogas it produces annually.

Once funded, construction could start early next year and the facility could be operational by 2017.

"Biogas is a sustainable, renewable energy source," city Commissioner Nick Fish said in a statement.

"This project will reduce our reliance on fossil fuels, reduce greenhouse gas emissions and save money for our sewer ratepayers."

The Treatment Plant has been moving toward 100 percent biogas reuse for years.

With even more biogas production, BES is considering selling it to a utility company, selling to area garbage haulers to fuel trucks, fueling city vehicles, or fueling trucks that haul biosolids for land application.

## **Sources Say: Hales policy approach: Ready, shoot, aim?**

*By Jim Redden*

*April 2, 2015*

City Hall watchers say the way Mayor Charlie Hales rolls out major policy initiatives is beginning to look something like, "ready, shoot, aim."

At least four times now, Hales has announced a major initiative, only to delay its implementation for further study. They include the still-unresolved street fee he proposed with Commissioner Steve Novick, the deployment of police body cameras now awaiting approval by the 2015 Oregon Legislature, the reconfiguration of urban renewal areas that had to be negotiated with affordable housing advocates, and the "ban the box" proposal sent to an ad hoc work group last week.

It's not unusual for proposed policies to undergo a lot of debate and changes before they are approved. The City Council is famous for its love of process, or "Portlandization," as Novick once put it. And Hales still hasn't drawn any re-election opponents who might question his decision-making abilities in the 2016 elections.

### **Our man in Salem**

Hales was among the witnesses at a House Judiciary Committee hearing last week on House Bill 2571 to set guidelines for the use of police body cameras, which he says is needed to clear a legal obstacle to their purchase and use.

Hales testified in favor of the bill, and also presented a dramatic video, taken by a witness with a cell phone, of the Feb. 17, 2013, incident in which convicted felon Merle Hatch was shot dead by police outside Portland Adventist Medical Center. Hatch was thought to be armed, but was found to be wielding a broken phone receiver. Police held their fire until Hatch ran at them, almost at the end of the three-minute video. (The video is on YouTube, and also is part of the committee hearing record.)

Also testifying was Therese Bottomly of The Oregonian, who spoke for the Oregon Newspaper Publishers Association in opposition to the bill. As currently written, it would add body cameras to an existing exemption from disclosure under Oregon's public-records law. The law already shields from disclosure video originating from vehicle-mounted cameras in police cars. Amendments are in the works.

### **Republicans ponder future**

The Oregon Republican Party recently emailed the PowerPoint presentation of the DHM Research poll results presented at the 51st Dorchester Conference to those who attended it.

They must be gluttons for punishment. The Republicans who gathered at the coast learned Oregonians don't think too much of their party. The most common free association responses to a question about the party were "out of touch," "weak," and "oppositional."

Then again, Dorchester historically draws moderate Republicans who know their party is struggling in Oregon and want to change its image. They were heartened by the fact that the Democratic Party was criticized, too. Although “good for Oregon” was the most common responses, others included “not doing enough,” “poor leadership,” and “big government.”

## **City OKs urban renewal shuffle after making concessions for low-income housing in South Waterfront**

*By Steve Law  
April 1, 2015*

The Portland City Council agreed to one final concession Wednesday to affordable housing advocates, clearing the way to grant final approval to Mayor Charlie Hales' plan to reshape the city's urban renewal program.

The council unanimously agreed to a resolution committing the city to break ground on an affordable housing project in the South Waterfront area by 2017 and to acquire a second affordable housing site in that area within the next eight years. Those two moves will help the city come closer to fulfilling a longstanding commitment to create ample affordable housing opportunities as it promotes redevelopment of the South Waterfront area. So far, the area along the river is dominated by mid-rise residential towers for affluent people, and housing advocates have taken the city to task for failing to meet its own targets there.

City Commissioner Nick Fish pushed for the new concessions, which require the city to build at least 200 units for people earning less than 60 percent of the city's median income at 2095 S.W. River Parkway. The city also is negotiating with the Zidell family to acquire another site for low-income apartments in the South Waterfront area. The family owns some 30 acres north and south of the Ross Island Bridge.

“I guarantee you, we have the sites to do this,” Fish said. “We will acquire a second piece of dirt.”

The city will have \$47 million in urban renewal funds, enough to build at least 270 affordable housing units in the South Waterfront area and acquire the second site, Fish said.

Hales' plan calls for changes to six urban renewal areas, including expanding the North Macadam Urban Renewal Area that covers the South Waterfront area. Fish took advantage of his position as a swing vote on that part of the plan to insist on more affordable housing there.

But that didn't quite satisfy a group of affordable housing advocates, including several former city employees, who said the city was forsaking its past commitments to create a mixed-income community along the South Waterfront.

“Unfortunately, the resolution doesn't go far enough,” said Debbie Aiona, action chair of the League of Women Voters of Portland. Aiona and others pressed the council to delay approving Hales' urban renewal redo until the affordable housing sites were fully secured.

Fish noted that the advocates' efforts had succeeded in procuring more urban renewal funds — now estimated at \$47 million — to subsidize low-income housing in the area.

“One year ago, we had no path forward and we had no money,” he said.

Fish evoked the memory of longtime low-income housing advocate Gretchen Kafoury, the former city commissioner, county commissioner and state lawmaker who recently passed away. Kafoury's last public appearance came in recent testimony before the Portland City Council on the South Waterfront housing issue.

“As Gretchen would say, that's not enough,” Fish said, “but it's a hell of a start.”

For Hales, Wednesday's vote was more of a finish than a start. It paved the way for final approval of his sweeping reorganization of urban renewal, which he called an effort to “right size” the program. For too long, Hales said, urban renewal was used as an “ATM” by the city, keeping property off the tax rolls to fund development projects. Indeed, the city was butting up against a state cap on how much land can be kept off the tax rolls.

His plan closes down fledgling urban renewal areas near Portland State University and the industrial waterfront, putting that property fully back on the tax rolls. It shrinks the boundaries of two highly

successful urban renewal areas in the Pearl District and Airport Way, putting much of that property back on the tax rolls. And it expands urban renewal in the central eastside and South Waterfront, largely to take advantage of new development opportunities along the new Orange MAX line and near the Knight Cancer Research Center. Some of the land that was taken off the rolls near PSU was added to the North Macadam Urban Renewal Area.

Commissioner Amanda Fritz opposed expanding the central eastside district, but that was the lone dissenting vote on Wednesday.

Hales reorganization initiative also shifts urban renewal money from the Pearl District to Old Town/Chinatown for office, retail and middle-income housing projects.

The endeavor figures to be one of Hales' signature achievements in his first term as mayor. It will shift an estimated \$197 million in property taxes to the city, Oregon schools and other local governments in the next few decades, instead of spending that money on urban renewal. Next year, \$6 million will go back to those taxing districts.

## **Portland bans 'neonicotinoid' pesticide**

*By Jennifer Anderson  
April 1, 2015*

The Portland City Council on Wednesday voted to ban the use of neonicotinoid pesticides, which the city currently uses at the International Rose Test Garden in Washington Park and at Peninsula Park.

Parks Commissioner Amanda Fritz introduced the ordinance last Wednesday, with support by advocates including the Xerces Society, Audubon Society of Portland, Center for Biological Diversity and Beyond Toxics.

Neonicotinoids are one of the most widely used pesticides in the world, but have recently been found to be a major threat to pollinator health.

The Oregon Department of Agriculture documented seven bumble bee death incidents related to the application of neonicotinoids on trees since June 2013, six of which happened in the Portland metro area.

Portland Parks & Recreation currently relies on neonicotinoids to control the pest known as the rose midge, found only in the Rose Test Garden and Peninsula Park.

The neonicotinoid used to control the pest is called "imidacloprid," and applied in a granular form to the top layer of the soil.

The ordinance calls for a phased elimination of the neonicotinoid pesticide at these locations over time, while alternative pest control methods are developed.

In the meantime, the city will continue "limited and judicious use" of the pesticide.

The ordinance calls for some immediate action:

- Parks staff will provide a plan to Fritz within four months to phase out all purchase of commercial nursery stock, trees and other plants treated with neonicotinoids.
- City bureaus and offices will purchase plants that are neonicotinoid-free.
- Parks staff will develop a phase-out plan with goal for complete phase-out by Dec. 1, 2017 unless otherwise justified.

### **Alternatives sought**

In the meantime, the search for alternative methods begins.

"Neonicotinoids kill more than pollinators — they kill beneficial insects in the garden and the soil that help manage pest outbreaks," the ordinance reads.

Parks still will evaluate alternatives to address pests, including organic methods such as mulches, non-toxic sprays.

They'll also develop a management plan for the rose midge, not just for successful rose management "but as guidance to the general public, showing that successful pest management is possible with practices that protect bees and other pollinators."

A pilot project will test the viability of using alternatives to neonicotinoids to manage the rose midge and other pests in the park system.

The pilot will include test beds at Peninsula Park or other locations with rose gardens will include consultation from experts at Oregon State University, businesses, nonprofit groups, government agencies and others.

Parks staff will monitor the test plots and report back two years after planting. If it's successful in combatting the rose midge and other pests, staff will do a cost-benefit analysis.

If the pilot is successful, Parks will convert all city rose garden beds to neonicotinoid-free methods, requesting increased funding for the new method in the city budget if necessary.

If the pilot is unsuccessful, neonicotinoid pesticide use may continue on a site-by-site basis as the ordinance allows.

## **Willamette Week**

### **Portland City Hall May Allow Uber's "Surge Pricing"—Except in Emergencies**

*By Anna Walters and Aaron Mesh  
April 1, 2015*

Uber is rolling back into Portland this month. And it looks like the company will be allowed to bring its controversial "surge pricing" with it.

Draft recommendations from Portland officials, who are creating new rules for ride-hailing companies Uber and Lyft, show the city plans to mostly allow Uber's "surge pricing"—which hikes fares when demand is high.

The exception? Portland will bar surge pricing "during periods of abnormal market disruption"—in other words, citywide emergencies.

But the city will otherwise allow Uber and Lyft to charge passengers whatever they like—while keeping current rules that keep taxis from charging more than \$2.60 per mile for each fare.

Cab companies, which have for months decried Uber's return, say this is another case of the city creating an uneven playing field.

"What the task force is suggesting is taxi companies continue to play by the same rules while writing a whole new set of rules for Uber—which are lighter," says Kelliann Amico, spokeswoman for the Transportation Fairness Alliance, a coalition of six Portland cab companies. "It's unfair. All we're asking for are legal and level recommendations. What the task force is suggesting is completely contradictory to that."

Uber regional manager Brooke Steger declined comment on the task force's recommendations, but says "dynamic pricing allows for reliability during times of high demand."

City Commissioner Steve Novick's office declined comment on the rules, saying the changes will be discussed at a public hearing Thursday.

Portland City Council is expected to vote April 15 on letting Uber back into town. Mayor Charlie Hales brokered a deal in December that forced Uber to leave—but the mayor pledged the company could return in April.

The latest draft of the rules for Uber and its competitor Lyft give power to city transportation director Leah Treat to bar surge pricing during "periods of abnormal market disruption." The rules give Treat leeway to decide what those times are.

Uber has taken criticism worldwide for surge pricing—hiking its fares during big events like the Super Bowl, or disasters.

After surge pricing pushed minimum charges to \$175 per trip during a 2013 snowstorm in New York City, Uber promised the state attorney general it would cap fare increases during weather disasters.

Last December, Islamic extremists held customers at a downtown cafe hostage in Sydney, Australia. Uber used surge pricing to jack up its fares fourfold to a minimum of \$100 per trip. Critics worldwide decried Uber's price gouging during the crisis.

## The Portland Mercury

### Understand the Box

#### Four Things a City Workgroup Should Sort Out About "Ban the Box"

*By Dirk VanderHart  
April 1, 2015*

MAYOR CHARLIE HALES walked into council chambers late last month ready to improve the lives of Portlanders with criminal records.

After months of discussion with advocates and business owners, Hales was raring to expand a city policy that dictates when employers can ask about applicants' criminal histories—a suggestion many agree will help ex-convicts get jobs. An ordinance was all drawn up, and Hales parried the suggestions of Commissioners Amanda Fritz and Dan Saltzman, who thought a workgroup should be convened to tweak the law.

"It's a fairly straightforward policy call," the mayor told Fritz at the March 25 hearing. He figured the minutiae could be worked out once the "bare outlines" were enshrined in city code.

Then something interesting happened. One by one, a group of business representatives started criticizing the proposed ordinance. In particular, staffers at the Portland Business Alliance (PBA) and Oregon Restaurant and Lodging Association (ORLA) thought the city had pushed back criminal inquiries too far—after an applicant had already been offered the job.

"We are growing more and more concerned, frankly, with what we see before us," said Marion Haynes, head government affairs staffer at the PBA. She went on to cite problems with the ordinance's timing, and said the verbiage was overly protective to applicants.

And now? We're getting a workgroup.

Hales closed the meeting by announcing he'd take a month or so to let interested parties hash out the "ban the box" law, so named because similar policies around the country prohibit the boxes that applicants must check if they have a criminal past.

It's a foregone conclusion that Portland will adopt some form of the law. Everyone agrees it would help applicants shed the stigma of past mistakes long enough for an employer to get an honest take on their qualifications.

But there are questions. In particular, the workgroup Hales convenes might want to look at these four things.

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#### Can Portland actually "ban the box?"

The Portland City Attorney's Office doesn't think so. Because of Oregon's free-speech protections, the city's lawyers say Portland can't forbid employers from including the checkbox on job applications.

"If someone wants to bring us a legal opinion that says it's possible to actually require an employer to ban the box, then I'll be interested in hearing that," said Hales. "But it is our understanding, and our city attorney's understanding, that it is not legally permissible. That's why our ordinance is written differently."

Rather than an outright ban, the city's draft ordinance sort of sidesteps any mention of the nefarious "box," making it a violation of city code "if an employer accesses or inquires into a person's criminal history" prior to making a job offer.

When should employers be allowed to ask about criminal past?

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This is shaping up to be the central struggle of the "ban the box" discussion.

As drafted, the law says employers in most cases can only access an applicant's background after making a job offer. Then, if it turns out there are past convictions, the employer has to assess the nature of those convictions, when they occurred, and how they will apply to the job in question before turning the applicant away.

Failure to follow the procedure could result in a \$1,000 fine.

In their testimony before council, Haynes and ORLA Executive Director Steve McCoid said the city had gone too far. They want to be able to ask about an applicant's background during job interviews to better screen potential problems.

Haynes, in particular, sought to paint Portland's proposed plan as an outlier that outstripped similar laws around the country.

But that's not the case according to people who study ban the box laws. Of roughly 100 policies around the country, nearly a third allow background checks only after a job offer, according to research by the National Employment Law Project (NELP). It's true many of those policies apply only to public entities—not to private businesses as Portland is considering—but not all.

Advocates argue waiting for background checks until an offer is made is the strongest possible policy. NELP attorney Michelle Natividad Rodriguez says it clears up what can be a muddled issue: If applicants are offered a job, they know they're the most qualified candidate. If they are then denied employment after a background check, it's obvious their criminal past is to blame.

"By no means is Portland going out on a limb," Rodriguez says.

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### **What if applicants volunteer the information in an interview?**

The first draft of Portland's law gives employers permission to talk about criminal history if a person volunteers it during a job interview. That's a provision business interests are pleased with, but that advocates at NELP and Urban League of Portland would rather see eliminated.

The problem, they say, is that people with past convictions are conditioned to offer up that information.

"What they're told is 'you need to be upfront and transparent,'" says Rodriguez. "It actually sidesteps the entire law."

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### **How are we going to enforce it?**

That's unclear. Right now, the city wants the attorney's office to field and investigate complaints. Then, if it turns out there's evidence a business broke the rules, the office would bring the employer before a code hearings officer.

The problem is, the city's not incredibly well staffed for that task. City Attorney Tracy Reeve told city council her office lacks the staffing of other cities.

"We have not historically had good enforcement of investigation capacity," she said. The city attorney's office has requested \$180,000 for a new "equity and civil rights enforcement" position in next year's budget that could improve matters.

Hales, meanwhile, hopes the city won't need to bring the \$1,000 hammer down very often.

"Most people support the goal," he said. "I think we won't be doing a lot of enforcement."

## Hall Monitor

### Giving Up on Giving Up

*By Dirk VanderHart*  
*April 1, 2015*

FIVE MONTHS AGO, a memo quietly threatened a low point for Portland housing policy.

The six-page document, authored by a high-level Portland Housing Bureau employee and sent to eight interested parties, warned that the city's already tepid goals for developing cheap housing in the South Waterfront were likely out of reach.

For years, the neighborhood had sent shimmering glass condo towers skyward while modest promises to add nearly 600 "affordable" units into its blocks went mostly unfulfilled (a crushing recession didn't help). Suddenly the housing bureau thought we'd have to curtail those as well, chopping its ambitions by around 150 apartments.

It might have been a sighing, shrugging-of-the-shoulders moment in this city. Instead it turned things on their head.

Today, Portland might be on the verge of tripling the number of affordable apartments in the South Waterfront from just over 200 to more than 600.

The latest hope? Sources say the Portland Development Commission (PDC) is perhaps weeks away from a deal to buy a piece of the largest chunk of vacant land in Portland's central city—an acre plot on 33 riverside acres currently owned by the moneyed Zidell family. The land could host up to 200 brand-new affordable units.

"They're heading into the final stretch with Zidell," says Commissioner Nick Fish, who's been working with Commissioner Amanda Fritz's office, the PDC, and others to reach an agreement. He anticipates a deal—in the \$3 million to \$5 million range—within the month.

Not all of Portland City Hall is quite so optimistic, but if Fish is right, it's a neck-snappingly quick change of tune at a time when growing income inequality and rising rents are sending Portlanders fleeing for the bargain housing of the suburbs. The affordable housing numbers being bandied about—including an additional 200 new units already promised by the PDC—could put the city well over its old goals for housing priced at a maximum 60 percent of median family income. (They wouldn't, notably, achieve what most people agree the real goal should be, which is to have a South Waterfront that reflects the economic makeup of the city as a whole).

It's also a testament to a little old-school activism.

"That memo was the spark that lit the fuse," says Fish. "Affordable housing has now crashed the urban renewal debate."

Fish is quick to throw credit to people who've been advocating for cheap housing forever. Debbie Aiona of the League of Women Voters became an awfully squeaky wheel when the housing bureau was talking about chopping housing goals. So did Gretchen Kafoury, the former state legislator and city commissioner who was pushing for more affordable housing in South Waterfront just weeks before her death last month.

"Believe me, I know how hard this is," the Oregonian quoted Kafoury testifying before city commissioners in late February. "But I still don't think this is enough."

Zidell deal or no Zidell deal, council's on the verge of making a commitment Kafoury might have cheered.

Fish recently convinced Mayor Charlie Hales to postpone a vote on a series of tweaks to the city's urban renewal strategy so he could introduce an April 1 resolution more or less committing the city to buy an acre of land in or around South Waterfront for affordable housing.

It's the same deal, of course, that Fish says is on the verge of taking place.

But if that falls through, it's also a promise, at a time when it'd be lovely to think promises still mean something.

## Violators Will Be Prosecuted

### Portland's Finally Enforcing Restraining Orders. Will We Keep It Up?

*By Shelby R. King*

*April 1, 2015*

IN NOVEMBER 2014, Ian Elias shot and killed his ex-wife, 46-year-old Nicolette Elias, in her Southwest Portland home before turning the gun on himself.

The murder-suicide that orphaned the couple's two young children might have been preventable: Ian Elias wasn't legally allowed to possess firearms.

Less than six months prior to the incident, a Multnomah County judge signed a temporary stalking order against him. One condition of that order was that Elias surrender any guns he had.

No one checked to make sure he complied.

It's impossible to say whether taking Elias' gun would have prevented the killings, of course, but the Multnomah County Sheriff's Office and the Portland Police Bureau (PPB) are dedicating manpower to make sure a similar "what if?" scenario doesn't play out again.

Last fall, Portland City Council approved a supplemental budget request, funding two officers and one sergeant whose focus would be enforcing the conditions of domestic violence restraining orders, including confiscating offenders' guns. The months-old program has been successful enough that Multnomah County Sheriff Dan Staton has included a similar request—funding one deputy to focus full-time on restraining order compliance—in next year's budget.

"Having that extra deputy would allow us to dedicate the same resources outside of Portland city limits," says Multnomah County Chief Deputy Linda Yankee. "If we get it funded, the county would be able to work with police to get guns away from people who aren't supposed to have them."

If county commissioners approve roughly \$147,000 in funding, Yankee says the sheriff's office will fill the new position by July 1.

Similarly, Portland City Council will decide during upcoming budget talks whether to permanently fund the three positions created last fall. Since receiving \$228,000 for the two officers and sergeant, the police bureau has relied on overtime payments for restraining order enforcement. But if the council approves the latest requests, the city will hire three new employees, says Captain Derek Rodrigues, head of the PPB's Family Services Division.

"We're fully preparing for the city council to fund these positions," Rodrigues says. "These officers will be enforcing compliance, period, allowing us to follow up on a lot more cases."

The decisions come at a time of crucial need.

From July 2013 through June 2014, Portland police received 1,137 reports of suspects violating restraining orders—official commands issued by courts to prevent a defendant from carrying out threats. Officers investigated just 151 of those, despite having sufficient reason to believe a violation occurred in 75 percent of the reported cases, according to Annie Neal, a program director with the Multnomah County Department of Human Services' Domestic Violence Coordination Office.

"Restraining order violations that don't include other crimes often don't get followed up on because police have so many other issues to investigate," she says. "This program is helping us identify offenders who are slipping through the cracks."

Neal believes so strongly in the fledgling program that she signed up to speak to Portland City Council last month, rattling off grim stats associated with domestic violence.

Some examples: In Oregon, 66 percent of intimate partner homicides are committed with guns, according to the Oregon Health Authority. In Portland, domestic violence makes up 40 percent of all reported violent crime and is the cause of one in four homicides, Neal says. And the risk of homicide increases by 600 percent when domestic violence perpetrators have access to a gun.

"Two of the biggest known risk factors for further violence and potentially lethal domestic violence are violations of restraining orders and access to guns," Neal told city commissioners at the March 25 hearing.

Every month, the Multnomah County District Attorney's Office, police, and the sheriff's office receive a list of defendants with restraining orders who haven't yet surrendered their firearms. Until the new police detail began, though, cops had no formal mechanism in place to make sure offenders complied. Even if they did follow up on orders, offenders aren't always easy to find.

"Oftentimes the person doesn't list a home address, or the address is for their significant other where they're no longer allowed," say Multnomah County Sheriff's Lieutenant Ned Walls. "On the last list I saw there were something like 85 people. About 75 didn't have a correct address."

Since the project began last fall, Portland police have received referrals for at least 136 cases in which the offender failed to comply with gun dispossession orders. They have made about a dozen arrests and seized "a handful" of guns, Neal says.

"This is really about increased safety for the victim," she says. "When we've got law enforcement looking for high-risk indicators, hopefully they're able to catch offenders before a homicide occurs."

Neal's plea for continued funding has at least one ally on city council. The issue is one of Commissioner Dan Saltzman's "top priorities" for this budget cycle, says Shannon Callahan, a policy director in Saltzman's office.

Saltzman also recently sent a letter in support of Senate Bill 525—which would prohibit gun ownership by individuals who have active restraining orders against them, or who have been convicted of domestic violence.

"The risk of death or injury to a victim is greatest when a victim leaves an abusive relationship or shortly thereafter," he wrote. "Local law enforcement officers should be able to enforce the law and keep firearms out of the hands of abusers."