

The Oregonian

Pay to park? Portland studying big changes citywide

By Brad Schmidt

May 15, 2015

The days of free parking in Portland could soon come to an end.

City officials are considering paid parking beyond the central city to help manage parking wars playing out in several bustling neighborhoods.

Transportation leaders say other big changes could be in the works, too, including higher meter rates downtown and, most notably, a potential permitting program for anyone who parks in Portland.

It's no secret that Mayor Charlie Hales and Commissioner Steve Novick – proponents of last year's ill-fated street fee proposal – want more money for street repairs and safety projects. But city officials insist their ideas are largely intended to manage parking demand and are only in some cases about increasing revenue.

"What can we do to address concerns about pressures in parking?" Novick said of neighborhood-level options. "And if some of what we do happens to generate some revenue, that's fine."

The Portland Bureau of Transportation is taking a sweeping look at city parking policies, with recommendations expected this fall. For now, Leah Treat, the city's transportation director, said it's too early to predict what will happen – particularly without hearing more from the public.

"We don't know where we're headed," she said.

Some residents are keeping a close watch, though, and worry that officials may dismiss more modest options in favor of dollar signs.

"I think the city's policy is to try to manage parking," said Allen Field, a Richmond resident on a parking advisory committee studying neighborhoods, "and they try to do that through financial means."

The most likely change appears to be an increase in downtown parking meter pricing. Hourly rates of \$1.60 haven't increased since 2009.

Treat said on-street parking is in high demand, and data suggest a price increase is warranted. But officials won't propose a hike beginning July 1, the customary timing. Instead, she said, a proposal may emerge this fall.

It's merely coincidence that meter increases would correspond with growing costs, Novick and Treat said. Last year, city auditors found that Portland's credit and debit system – in frequent use at meters – doesn't meet industry security standards. Now the Transportation Bureau is on the hook for an estimated \$4 million worth of fixes, according to budget documents.

"The fact that we are facing those costs would make it nice to have some more revenue," Novick conceded. "There's absolutely no denying that."

The most unlikely parking change, at least right now: a citywide permitting program, currently disallowed under state law.

The idea came up last year as Hales and Novick unsuccessfully tried to impose \$40 million-plus in new annual fees or taxes to pay for paving and safety projects.

Originally proposed by a citizen, the idea of a permit earned a hard look from city officials in March. The concept: All vehicles registered in Portland, plus any metro-area vehicle parked in Portland, would require an annual permit.

Rates for passenger-vehicle stickers could run \$34 the first year, according to city financial estimates obtained by The Oregonian/OregonLive through a public records request.

That could net the city \$11.5 million the first year, with revenues growing each later year, records show. And that's after adding more than 50 employees and spending \$9 million to \$10 million a year for staffing and enforcement.

"That would be real money," Novick said.

The city is lobbying to change state restrictions, Novick said. Any change, he added, could be included in a hoped-for transportation package in the Legislature.

Novick said the sticker option has merits because, unlike last year's street fee, which never could garner a third City Council vote, this option could be politically viable. Novick said he's more fond of other options. But, if nothing else, he likes it because city officials could put sizable charges only on commercial vehicles.

"We're hopeful," Novick said. "But we're not captured by irrational exuberance."

Treat said she likes the idea, too. It would do little to manage parking citywide, she said, but "it's a reasonable means by which we could get additional resources."

Officials are also considering paid parking in select neighborhoods.

Transportation officials are studying five areas –central St. Johns, Southeast Division Street, Northeast 28th Avenue, North Mississippi Avenue and the Hollywood District – in hopes of spotting trends and identifying options.

Consultants already completed parking analysis for 28th and Hollywood, and suggested options for the years ahead, including standardized time limits, strict enforcement or parking permits. They also suggest shared parking lots, where employers reserve spaces for workers in the daytime, then charge patrons to park after-hours.

A new report makes no mention of meters, but neither of the two completed study areas has become quite the magnet that Division and Mississippi have. And Novick, before winning a seat on the City Council in 2012, was particularly vocal about his desire for meters in busy areas such as Southeast Hawthorne Boulevard.

Novick said neighborhood parking is the top gripe he hears from residents. It's been exacerbated by city policies that encourage apartment buildings with limited parking requirements.

But the answer isn't mandating more parking, Novick said, because that would drive up housing costs and conflict with the city's goal of reducing carbon emissions.

Transportation officials say it's particularly important to devise neighborhood-level solutions as the city prepares to accommodate 120,000 new homes, apartments or condos over the next 20 years.

But so far, despite loud complaints about dense development, few residents have been willing to pony up money to discourage neighborhood parking.

Three years ago, city officials made it easier for neighbors to form a paid parking district with \$60 annual permits to fight commuter parking. Since then, only two groups – one in Brooklyn, the other in Northwest Portland – have filed paperwork.

Neither got enough residents to vote. A third group of residents in Buckman recently submitted paperwork. Ballots are due June 5.

Novick said any changes to neighborhood parking rules would include public input. But he wouldn't rule out the city imposing restrictions, if necessary.

"Never say never," he said. "There might be some instances where we think it makes no sense not to have permits or meters. But what we are trying to do here is give people more options."

Gary Davenport, an Overlook resident and neighborhood advisory committee member, said he's hopeful solutions will emerge.

But he's also worried that committee members so far haven't gotten a say, asking something to the effect of "when do we get to talk?" at the end of an April meeting.

"We haven't had the opportunity," he said. "That's why I'm frustrated. There are tons of ideas."

Novick made it clear that no matter what happens, a street-fee-esque funding package is still his top priority.

And everything else -- be it higher downtown meter rates, permits for busy districts or a citywide sticker program -- isn't Plan B?

"In a word," Novick said, "no."

City-hired team releases first quarterly report monitoring Portland police compliance with DOJ reforms

By Maxine Bernstein

May 14, 2015

The city-hired team tasked with monitoring how Portland police are meeting federally mandated reforms cited some concerns about how the bureau develops policies and holds officers accountable.

In its first quarterly assessment report, the Chicago-based team of Rosenbaum & Watson urged the Police Bureau to avoid "any patchwork solutions" to its problems and instead think about "big picture" change.

The team recommended that the bureau find a reliable way to measure its use of force by officers and establish clear criteria for when force is excessive. The team is currently working with a bureau inspector to audit use-of-force incidents and ensure the reporting is done accurately, the 99-page report said.

Dennis Rosenbaum, who leads the team, said his group had concerns about the police bureau's records management.

On police training, the team suggested the bureau give more attention to "procedural justice" and "interpersonal skills" to improve police-citizen encounters. The bureau is now evaluating its training to determine if its officers are reacting to training positively, are learning and changing their behavior based on the training, the report said.

The team said it's confident that the bureau's administration is committed to significant, positive change, but there is "much work still to be done."

"PPB appears to have a history of patchwork solutions to problems. Too often the data systems, policy responses and training elements have been the victim of a 'Band-Aid' style of problem solving, wherein problems are addressed but rarely solved," the report said. "Rather than rely on a 'stop the bleeding' approach, more strategic planning is needed in general, but especially around data systems."

The report, made public at 5 p.m. Thursday, is also being presented to a community oversight advisory board.

The reforms stem from the city's settlement agreement with the U.S. Department of Justice, approved by U.S. District Court Judge Michael H. Simon last August. The agreement followed a federal investigation that found Portland police had a pattern of using excessive force against people with mental illnesses.

The compliance team found that a move by Legacy Health, with support from other partners, to open a psychiatric ER center by August 2016 in Northeast Portland "encouraging," according to the report.

The bureau's training of "enhanced crisis intervention officers," coupled with the work of its Behavioral Health Response Team of officers and crisis workers who do follow-up and intervention with people who come into frequent contact with police, could become a model for the rest of the nation if it's carried out well, the report said.

"We recommend they detail both successes and setbacks in order to continuously improve mental health crisis response in Portland and contribute to mental health response model nationwide," the report said.

The team found police policies have been developed with "limited input" or "outside perspective." It's also seen instances where Portland police policy and training were inconsistent.

"We feel the current process for policy development within PPB falls short in several regards," the report said.

The team noted that the public had little input into the creation of a new discipline guide for officer misconduct. The team recommends that the bureau be more inclusive of the Portland community when reviewing the discipline guide.

"This is a matter of considerable importance to the community," the report said.

Other recommendations include:

-- Enhance community policing by creating monthly "beat" meetings where officers and community members can get together to solve neighborhood problems and encourage officers on foot and bike patrols to do the same.

-- Have officers' rely less on "investigatory stops (and searches)" that the team said have been shown to be biased by race and ethnicity in other cities.

-- Use body-worn camera footage to increase public confidence in police and as a training tool for officers,

-- Engage in a "truth and reconciliation" process with minority communities and those living with mental illness, acknowledging past mistakes while making a commitment to work together in the future.

The report also is posted at COCL-COAB.org.

The public can comment on the report until 5 p.m. on June 13. Comments can be emailed to the Compliance Officer Community Liaison team at atrosenbaumdwatsonllp@gmail.com, or mailed to: Quarterly Report Comments, 421 SW 6th Avenue, Suite 500, Portland, OR 97204.

A town hall also will be held on the quarterly report on May 28, at Montavilla United Methodist Church, at 232 N.E. 80th Ave.

Former Oregon Chief Justice Paul DeMuniz withdrew last month from Portland's compliance team. His replacement has not been named yet, said Amy Ruiz, an assistant to the team.

The Portland Mercury

To the Island Go the Spoils

The Port of Portland Wants More Leeway to Dump on West Hayden Island

By Dirk VanderHart

May 13, 2015

THERE'S NO MORE hotly contested expanse of wild in Portland than West Hayden Island.

For decades, the grassy, tree-strewn 800-acre plot in the Columbia River has been a nexus for bitter feuding. Its owner, the Port of Portland, has repeatedly sought authority to build a new shipping terminal there. Neighbors and environmental groups have pushed back with all they have, urging conservation.

The fight's well known. Less so is the fact that the Port of Portland has been spreading solid waste on idyllic West Hayden Island for more than a decade.

It's not the glowing, nefarious waste of movies. The port periodically dumps large amounts of mildly contaminated river bottom onto the island—in full view of, and compliance with, state regulators.

But a bill cruising through the Oregon Legislature this session is making West Hayden Island into something of a battleground again, as the Port of Portland pushes for special exemptions to state regulations dictating when and whether it's allowed to store these "dredge spoils" on the island.

The port says the nature of its work carving channels into Portland's rivers means it (and other ports) shouldn't have to comply with the same regulations as operations that generate similar waste.

Environmentalists disagree. If passed—a possibility that looks likely, given its speedy trip through the Oregon Senate—they say the bill would give the Port of Portland wide authority to stockpile vast fields of nasty sand.

"The Port of Portland acts like a private corporation, not a public entity," says Bob Sallinger, conservation director for the Audubon Society of Portland. "You're giving these ports carte blanche to create solid waste dumps."

Here's what we're really talking about: Since 2010, the Oregon Department of Environmental Quality (DEQ) has had special rules for mildly polluted industrial waste that can be put to some "beneficial use"—often as fill for construction projects. Obtaining a beneficial-use finding for solid waste is a good deal for producers and the public alike, since it cuts disposal costs and ensures landfills aren't filling up needlessly.

But there are rules for what can fall into this category. Waste producers have to prove to the DEQ that the material's only sort of polluted, and that its storage won't present problems for humans or animals. They also have to prove there's a "productive" use that waste can be put to—a provision intended to help ensure new waste dumps don't spring up everywhere.

All sorts of operations seek beneficial-use determinations. In 2011, Portland-based Columbia Steel Casting got permission to keep and sell hundreds of tons of slag waste for use at construction sites. The same year, particleboard manufacturer SierraPine got the DEQ's blessing to store plastic-tinged "wet scrubber mud" for later use as animal bedding. And time and again, the Port of Portland has gotten permission to take tens of thousands of cubic yards of lightly contaminated sediment from beneath the Columbia and Willamette Rivers—sediment it removes so ships can safely dock—and put it on a 102-acre plot of West Hayden Island.

The port's survived challenges from environmentalists and neighbors to do so, and a 2010 lawsuit over the dumping wound up being dismissed.

Now, though, the port says the DEQ's rules are too strict. While the Port of Portland's proposed legislation, Senate Bill 412, would keep in place regulations over the storage and allowed contamination of beneficial waste, it would also ensure that Oregon ports don't have to prove the stuff has any productive purpose on land.

"There may or may not be a productive use in any individual case," says Ian Whitlock, a lawyer for the Port of Portland. That shouldn't matter, he says, since the dredging supports a viable port. "If you listen to our philosophy, that question needn't be asked in the first place."

If the change seems unnecessary, consider the current state of the port's designs on developing West Hayden Island.

In July 2013, the port finally convinced the Portland Planning and Sustainability Commission to recommend city council annex the land, and zone it to allow for a new terminal. But that recommendation came with a poisonous requirement—that the port spend millions to make up for the loss of natural areas.

Port officials abandoned the prospect early last year, and city planning documents now suggest there probably won't be changes to the island for at least 20 years.

That creates a potential problem for the Port of Portland. The DEQ has repeatedly cited the likelihood of new development on West Hayden Island as the "productive use" that allowed tons of lightly polluted dirt there.

"We agreed, at that time, that given everything we knew, there was likely a future use of development," says Tom Roick, a DEQ staffer who played a lead role in crafting the beneficial-use regulations.

With that development now uncertain, Sallinger thinks environmentalists and neighbors have their strongest foothold in years for challenging the dumping. The port's bill would do away with that foothold.

"We think we have much stronger standing to say 'This use is entirely speculative,'" Sallinger says.

For its part, the DEQ has taken a neutral stance on the bill.

"We reached a compromise that we think is ultimately protective of the environment," says Palmer Mason, legislative coordinator for the agency.

But the DEQ's also worked to tighten its verbiage. In the legislation's initial form, there were worries ports would be able to skirt regulations on dredge waste altogether. The Port of Portland's tried that before—in a 2009 bill it pulled back so the DEQ could develop the very beneficial-use rules the port is now questioning.

This year's bill "was very similar to a bill five or six years ago," Roick says. "What it would have basically done is exempt dredge sediments from being considered solid waste."

The legislation, in its updated form, is narrower. And it's beating a speedy path to the governor's desk. SB 412 passed the Oregon Senate on April 28, in a unanimous vote. But that was before Sallinger and other conservation types got wind of the legislation. Sallinger says he's marshaling opposition to the provision, so that its trip out of the House isn't so easy.

"There is a reason why dredge materials are characterized as solid waste," he says. "If the ports are going to place these materials in a location, we think it's important that they're going to use them somewhere down the line."

That's fine with Senator Arnie Roblan, the Coos Bay Democrat who filed the bill at the port's request. He tells the Mercury that the legislation wouldn't much affect his district, and that he didn't need much of a sales pitch to file the bill.

"I felt comfortable letting the legislative process occur," Roblan says. "I do trust the process."