

The Oregonian

Portland street fee redux? Not anytime soon

*By Brad Schmidt
July 08, 2015*

Don't look for Portland Mayor Charlie Hales or Commissioner Steve Novick to revive last year's polarizing street-fee campaign anytime soon.

Reluctant to dive back into the most divisive debate of his mayoral term, Hales on Tuesday said he is content to wait for the Oregon Legislature to eventually pass a statewide transportation-funding package – and that could take two more years.

Hales initially put Portland's street-fee discussion on hiatus in January, saying he wanted to give lawmakers a "clean shot" at action, and he planned to jumpstart the conversation "soon" after lawmakers adjourned.

Lawmakers ended their five-month session Monday without striking a transportation deal.

"But that doesn't mean it's dead," Hales said in a statement to The Oregonian/OregonLive on Tuesday. "Gov. Kate Brown, Senate President Peter Courtney and Speaker of the House Tina Kotek have all said they want to keep trying. I believe they will, and I have faith they'll succeed."

It's unlikely lawmakers will revisit the topic until 2017. Hales' office offered no timeframe for moving forward with a local funding plan.

Hales' decision is the latest example of city officials shifting the contentious street-fee debate to the backburner, even as the tab to fix Portland's paving problem grows. In easily unnoticed moves, leaders have stopped calling attention to their mounting transportation backlog and their paving accomplishments with the same fervor of the 2014 campaign.

Delaying city action – and distancing themselves from the street-fee drama – may also prove politically beneficial for Hales and Novick, each up for re-election in May 2016. Recognizing that an unpopular proposal could be damaging, Novick initially quipped that voters "can throw us out" if they are "really mad at us."

To be sure, Hales and Novick secured extra breathing room thanks to a \$49 million general-fund surplus in the just-begun fiscal year. The City Council directed about \$20 million of that toward transportation efforts.

While many street-fee critics have offered guarded praise for Portland's realigned spending priorities, Robert McCullough, a prominent energy consultant, remained doubtful Tuesday about Hales' latest wait-and-see approach.

"Waiting for someone else to fix your problems is always a good plan," he said with a laugh. "I wish him all the luck in the world. But I suspect we're going to have to solve this on our own."

Different years, different approaches

City officials have taken noticeably different approaches to showcase transportation successes and shortfalls, depending on the intensity of their political campaign to pass a street fee.

In April 2014, for instance, Novick invited reporters to the side of busy West Burnside Street to highlight a new report tracking the annual deterioration of Portland roads.

At the time, 48 percent of busy streets and 54 percent of residential roads were in poor or very poor condition. Bringing roads up to city standards was estimated to cost about \$1 billion over 10 years.

Novick said the report offered governmental transparency about Portland's crumbling infrastructure "without the dollars needed to keep them working today."

Now 15 months later, the Portland Bureau of Transportation has yet to issue a new annual report. Officials say staffing changes and editing have slowed the process.

A separate citywide report tracks the deterioration. As of December 2014, the share of busy streets in poor or very poor condition increased to 49 percent, while the share of residential roads inched up to 56 percent.

Dylan Rivera, a transportation spokesman, said he didn't know if officials would hold a media conference to release their new report, expected within weeks.

"We had a pretty good turnout last year," he said. "Hopefully people are still interested in the issue."

City officials also didn't highlight progress on their annual goal to complete paving and preventative-maintenance efforts on 100 lane miles of road.

On June 30, 2014 – the last day of the fiscal year – Hales and Novick invited reporters to watch construction crews pave a road in the Lloyd District.

They boasted about exceeding their 100-mile preservation goal: crews paved 47 lane miles, repaired 3 lane miles of badly damaged road and applied a sealant to 53 lane miles.

"We want to show you that we're serious about taking care of the streets that we own," Hales said at the time.

Then, in a made-for-TV-moment, Hales jumped atop a street paver and personally laid down some asphalt.

This year, officials completed essentially the same work. Rivera said the city repaved 56 lane miles, rebuilt 3 lane miles of wrecked road and applied fog seal to 44 lane miles of road – a total of 103 miles, the same as last year.

There was no show for the cameras, however. In fact, the Transportation Bureau hasn't highlighted the numbers in any way. Officials provided them in response to a request from The Oregonian/OregonLive.

Rivera said the city is proud of its maintenance work but officials didn't highlight the efforts because of scheduling associated with the Fourth of July holiday.

"Is it as big of a news story the second year you do something?" Rivera said. "Maybe, maybe not."

2016 at the earliest

The Oregon Legislature was never going to solve all of Portland's problems.

Had lawmakers taken action, Portland officials would have secured only a fraction of the \$40 million-plus they wanted for road repairs and safety improvements. But any increase in state funding would have decreased the amount of local money needed from residents and businesses, possibly making the street fee an easier political sell.

Democrats made a statewide transportation package a top priority but efforts fizzled amid pushback by Republicans and inaccurate statistics about carbon reductions. The prospects for immediacy now appear dim.

Dana Haynes, a spokesman for Hales, was unfazed Tuesday in his optimism that the Legislature would eventually respond. He took essentially the same approach as two weeks ago, when lawmakers announced they wouldn't approve a transportation deal in 2015.

Haynes said Tuesday that legislators could pursue a special session later this year.

But Courtney, the Senate president, said Tuesday he floated the idea of a special session. "That balloon got shot down real quick," he said.

Haynes said the Legislature could also revisit statewide transportation funding during the short 2016 session, particularly given the priority placed on it by Brown, Oregon's new governor.

Brown and many other lawmakers will be running for re-election next year.

"I'd be as shocked as you if she came back and said, 'Eh, we're going to wait two years,'" Haynes said.

But Kotek, the House speaker, said a transportation-funding bill wouldn't return until "2016 at the earliest."

"It takes a lot of dialogue to build a transportation package," she said Monday, minutes after the Legislature adjourned. "Whether that's 2016 or 2017, I hope to have the discussion. We'll have to see how that goes."

Either way, Hales is pleased with the city's extra financial commitment to transportation and said the city isn't sitting idly.

Hales said he is prepared to be patient.

"We will wait, we will pave, and we will continue to have faith in our leaders in Salem," he said.

Denis C. Theriault and Ian K. Kullgren contributed to this report.

With its tech project stalled and a not-so-new leader on the way, the city's BDS struggles: Editorial Agenda 2015

*By The Oregonian Editorial Board
July 07, 2015*

Next Wednesday will be Groundhog Day for Portland Commissioner Dan Saltzman. That's when he again takes the reins to the city's Bureau of Development Services and faces the strange task of completing what he in part started more than two years ago: a paperless permitting system to speed developers and residents pursuing projects.

Problem? The ambitious technology project has fallen so behind in completion that its original deadline of May 2015 was pushed to January of 2016 and now has no known date for being functional. Originally pegged at \$8.2 million, the interactive, computer-based project is expected to surpass recent cost estimates of \$11.8 million – but who really knows? Meanwhile, the uptick in Portland's economy and surging pace of building only intensify pressure to alleviate paperwork slowdowns as well as top-heavy workloads among BDS employees.

Saltzman was pulled aside recently by Mayor Charlie Hales and asked to take over BDS from Commissioner Amanda Fritz, to whom Hales had assigned the bureau just two years ago but with whom he has had marked political differences since. Running for re-election in 2016 and making his BDS move in time, perhaps, for the paperless system to actually go live, successfully, Hales acted without notice or consultation with Fritz.

Indeed, Fritz, in an interview with Brad Schmidt of The Oregonian/OregonLive, said she did not anticipate a reshuffling of bureaus only to hear two hours later that the mayor would return BDS to Saltzman – a reassignment to a City Council peer that seemed designed to maximize Fritz' embarrassment. Nobody could hear Hales yell she blew it, but his action certainly signaled it. The opera seemed to comport more with student council newbies than professional, elected trustees of a prominent mid-size American city.

Saltzman told the editorial board of The Oregonian/OregonLive this week that he had received no charge to undertake or first-tier priorities to establish as BDS' new overseer. "I've received no such instructions," he said. He also said he'd begin by reviewing BDS operations thoroughly before establishing priorities. "I want to reserve the right to delve in," he said.

Fritz said she did not expect a reshuffling of bureaus only to hear two hours later that BDS would be taken away.

Of course: Delve.

But a first priority should be completion of something Saltzman had a hand in starting during his first tour with BDS, from 2011 to early 2013; something that stymied BDS managers under a persistently

concerned Fritz, and something that Hales conveniently neglected to mention in the latest switcheroo: Turn the tech project around and with it reports of persistently sagging morale within BDS. Hales was correct last September in saying, after hearing from the city's chief technology officer on the subject of personnel shifts among the paperless project's computer consultants, that "there's a lot of potential financial risk here."

Saltzman, meanwhile, is correct in describing BDS as the agency that "makes urban living possible." But part of BDS's operational challenge is its constitutional connection to the economic pulse of the city: The bureau had more than 300 full-time-equivalent employees in fiscal 2008 compared to a post-recessionary 160 in 2011, Schmidt reported, though numbers have crept back up since.

Months, not time, will tell whether the BDS assignment serves a purpose other than to punish Fritz – this despite the mayor's contention that he is better aligning bureaus with commissioner expertise and portfolios. Descriptions by the city's technology experts of problems in developing the paperless permitting system are dire and likely accurate: Talk of a completion deadline is by now fruitless when the real question remains: What will it take to get the thing running and running right?

Repeat: What will it take? Saltzman should have answers soon.

The Portland Tribune

City's thin blue line is getting thinner

*By Jim Redden
July 7, 2015*

The Portland Police Bureau has lost 190 positions since 2001, according to city personnel figures recently obtained by the Portland Tribune through a public records request.

Among those are 95 sworn positions, including rank-and-file patrol officers. These decreases have occurred while the population of the city has increased by nearly 74,000 people.

The figures support complaints by Portland Police Association President Daryl Turner who said officers are struggling to respond to a spike in gang violence and to increase traffic enforcement as required by the city's new Vision Zero accident-prevention policy. The union filed a grievance on July 16 charging that patrol shifts have fallen below minimum safety levels, endangering both officers and city residents daily.

"We're just one catastrophic event away from an officer or an innocent civilian being killed," says Turner, who worked as an officer before being elected to head the police union.

Deanna Wesson-Mitchell, Mayor Charlie Hales' policy adviser on police issues, says she cannot legally comment on the specifics of the grievance. However, Wesson-Mitchell says Hales will determine the best future size and shape of the bureau through the ongoing public engagement process that is part of the city's excessive force settlement with the U.S. Department of Justice.

"We are discussing what exactly the community wants the police bureau to look like," Wesson-Mitchell says.

In the meantime, Wesson-Mitchell admits the number of authorized Portland Police Bureau positions has gone down over the years. She says the bureau is gearing up to increase hiring by adding 11 more employees to conduct background examinations on applicants in the near future.

Wesson-Mitchell says the hirings are not part of a plan to significantly increase the number of patrol officers, however. They are intended to help replace the 50 or so officers expected to retire this year.

"Background examinations are very time-consuming and we want to eliminate that potential bottleneck," Wesson-Mitchell says.

Budget vs. reality

The newly released information shows the number of authorized positions in the Portland Police Bureau has dropped from 1,361 in the 2001 fiscal year to 1,171 in the fiscal year that ended on June 30.

The number of sworn officers fell from 1,039 to 944 — a loss of 95 positions in 13 years. The number of sworn officers includes the police chief and other commanders who do not conduct regular patrols.

However, the bureau never fills all the budgeted positions. The number of live bodies has always lagged behind the number of authorized positions.

The Portland Tribune was only able to obtain information on filled positions from the 2005 fiscal year forward. Those figures show the number of filled positions in the bureau fell from 1,250 in 2005 to 1,127 in the 2014 fiscal year.

The number of actual sworn officers was even smaller. The bureau had just 994 of them in 2005 and only 915 of them on June 17 of this year.

The bureau currently has 39 sworn officer vacancies. Wesson-Mitchell says Hales is committed to preventing that number from growing even larger. That is the main reason for hiring the 11 new employees to conduct background checks.

But Turner says simply preventing vacancies from increasing isn't good enough. He notes that Portland's population has been growing while the number of authorized and filled positions has been shrinking. The city grew from 531,600 residents in 2001 to 601,510 residents in 2014, the most recent year for which U.S. Census figures are available.

Turner testified on Hales' proposed budget on April 8, shortly after bureau commanders transferred six officers to the Gang Enforcement Team because of an increase in gang-related violence. At that time, Turner said the bureau needed 700 more officers just to reach the national average of 2.7 per 1000 residents.

Instead, the council only approved adding five more officers, in addition to 12 nonsworn positions. A short time later, the council adopted the Vision Zero policy that calls for eliminating all fatal and serious injury traffic accidents. One provision is increased traffic rule enforcement.

Today, Turner says the council should commit to hiring 300 additional officers by 2020, increasing the filled sworn positions to more than 1,200.

Community input

Wesson-Mitchell says Hales is not yet prepared to commit to a specific future figure for sworn officers. She says that is something that will be shaped by the public involvement requirements of the city's settlement with the U.S. Department of Justice over excessive force allegations against the police.

"Community outreach and engagement is a key part of the settlement," Wesson-Mitchell says.

The settlement includes the appointment of a 15-member Community Oversight Advisory Board that is required to seek public comments and concerns about police policies, practices and accountability. The COAB also is required to advise the police chief, police commissioner (currently Hales), and the council on community relations and police accountability issues.

According to Wesson-Mitchell, even if Hales and the council want to substantially increase the number of officers patrolling Portland streets, the hiring process takes approximately two years, including the time applicants must spend at the Oregon Public Safety Academy to become certified.

Turner says the city could reduce that time by rehiring retired Portland officers. According to Turner, retired Portland officers frequently go to work for other cities.

"That would reduce the hiring time a lot, and the returning officers would already know the city," Turner says.

Wesson-Mitchell says Turner's suggestion is worth considering, although it is currently complicated by voter-approved changes in who provides disability and retirement benefits to older and newer Portland officers. She is researching whether the council would need to pass an ordinance to eliminate the obstacle.

The Portland Mercury

The City Almost Forgot to Prioritize Affordable Housing on its Excess Land

*By Dirk VanderHart
July 8, 2015*

The City of Portland wants to get rid of property, and it wants you to know it's getting rid of it.

At a city council hearing last week, Portland financial officials trotted out a new plan—in the works since 2013—focused on transparency, and ensuring the city does a better job of giving notice when there are "surplus" pieces of public land up for grabs.

It was a feel good, if dull, bit of policy—until it became a wake up call about the city's housing crisis.

It turned out the policy staffers had been working on for more than a year would have created a new path to get rid of all sorts of property without so much as a suggestion that all that property might best be used to assuage the city's affordable housing shortage.

"I don't even think the question was asked," says John Miller, executive director of the Oregon Opportunity Network, who attended last week's hearing. "There was a breakdown along the line."

Miller showed up at the hearing with Cameron Herrington, an anti-displacement worker with the group Living Cully. Both men were alarmed that the city would neglect to prioritize its own land holdings as potential havens for cheap housing.

"We have an affordable housing crisis on our hands in Portland," Herrington said at the hearing. "We have ongoing displacement of communities of color, and the threat of mass displacement of other communities in coming years. To us it's a no-brainer."

By that point, the danger was largely averted. Housing Commissioner Dan Saltzman came to the meeting ready to introduce amendments that would force the city to prioritize affordable housing, green space, or "community development" when it's offloading property it no longer needs.

"These are all keen areas of interest," Saltzman said. "Particularly affordable housing."

The new property policy was created in response to outcry over the sale of a plot of land in Southwest Portland. It's coming back before council this morning, and works like this:

When bureaus identify that there's a piece of land they don't need, they can flag it as "excess," and let other bureaus know it's available. If no other bureau wants the property, the city has to let nearby neighborhood associations, other government entities, and anyone who subscribes to a city notice process know that it's considering ridding itself of the land. There's a minimum 45-day notice period, where the city must accept public comment.

If, after that notice, the city still wants to get rid of the property, city council can vote to declare it surplus, and set about selling it.

The main points of that policy changed little in last week's hearing. But amendments Saltzman inserted could be key. First: When a bureau sends word to other city agencies there's a property up for grabs, the Portland Housing Bureau is now required to respond—even if it doesn't want the land. That's to ensure the offering doesn't get lost in the shuffle of day-to-day affairs.

Second, and most crucially, when city council votes to declare a property surplus, "the bureau and Commissioner in Charge shall consider proposing conditions for disposition of the real property for affordable housing, community, or open space use," according to a new clause in the policy.

The city's website lists 31 properties currently designated surplus (that doesn't include land owned by the city's two utility bureaus). The city doesn't even currently track how many properties it considers excess, according to Office of Management and Finance spokeswoman Jen Clodius.

It's not a one-to-one comparison, but failure to prioritize affordable housing projects on city-owned land has been the source of consternation lately.

In early 2014, the Portland Development Commission announced it was selling—at a steeply reduced price—a plot of land at NE Alberta and Martin Luther King, so developers could build a new Trader Joe's. There was immediate backlash from longtime neighbors, who'd watched for years as black Portlanders were priced out of the neighborhood.

The outcry ultimately killed the grocery store deal, and in its place the PDC has agreed to spend \$20 million on anti-displacement initiatives in the neighborhood, and use the would-be Trader Joe's lot for a development that includes affordable units.

As part of that \$20 million spending plan, the PDC proposes using \$3 million to purchase plots that can host affordable units. The PDC isn't a part of the proposed surplus property rules, but such "land banking" may be an important part of Portland's strategy to combat displacement. There's just not much money to do it right now.

"If we don't have the dollars, we have the land, is the point right now," Herrington said at last week's meeting. "So let's hang onto it."

SE Portland Neighborhood Associations Want City Hall to Account for Itself in R2DToo Move

*By Dirk VanderHart
July 7, 2015*

You can now tack on 20 of the city's neighborhood associations to the list of people concerned about the proposed relocation of homeless rest area Right 2 Dream Too.

The board of SE Uplift, a powerful coalition of mainly southeast Portland neighborhoods, voted last night to ask Portland Mayor Charlie Hales and Commissioner Amanda Fritz to better explain the planned move from beneath Old Town's Chinatown gate to a vacant, state-owned lot just east of the new Tilikum Crossing bridge.

"The vote last night was to support further discussion," says Robert McCullough, chair of the neighborhood coalition. "A letter's going out from our office probably today or tomorrow. It's gonna say we would like to roll up our sleeves."

McCullough took pains to stress his coalition's potential gripes have nothing to do with NIMBYism. Neighborhood associations are concerned about a lack of process, he says—casually invoking neighbors' hand in scuttling the proposed Mount Hood Freeway in 1974—and the fact homeless people living at the proposed site could be subjected to excess diesel emissions from nearby railways.

And, he says, members share the concerns articulated by the Central Eastside Industrial Council (CEIC), an influential business group that's made a case that the city's on the verge of perverting its own stringent zoning standards, leaving the door open to dozens of new homeless encampments throughout the city.

"Our agenda turns out not to be very NIMBY-like, interestingly enough," McCullough says. "If we had a sense that there were six options and this was the best one, we'd probably support it."

What the group is really asking for is that city staff account for itself. SE Uplift, like the CEIC, wants a written rationale for why a homeless camp should be allowed on a site zoned for industrial use, and a list

of other potential sites. McCullough stresses his group has the highest regard for R2Dtoo, but wants the city's take on whether Portland's homeless population—largely focused near the social services of downtown—will even want to live near OMSI (he acknowledged there are already homeless people living in the neighborhood). And it's interested in the outcome of environmental impact tests the city is conducting.

SE Uplift's involvement throws important heft behind CEIC's request to hit the brakes on the R2DToo move—largely because it's willing to go to the mat for its chosen causes. The group, and particularly McCullough, emerged as a central doubter in the recent "street fee" discussions, going to court and agreeing to pay thousands of dollars just to check the city's math. More recently, McCullough and his neighbors have waded into a hugely expensive land deal to save three towering sequoias.

"As you know, we've litigated in the past," McCullough says. "No one has proposed that."

Hales and Fritz unveiled the proposed move in late April—a day after announcing it to the CEIC. City staffers had spent a year and a half scouring the city for suitable homes for the homeless encampment, and they said the central eastside plot was the best they'd found.

The move was presented at the time as a foregone conclusion. In 2013, Fritz had obtained an opinion from the city's Bureau of Development Services (BDS) that R2DToo could be classified as a "community service," a designation that made it suitable to set up shop on a wide variety of city lands. The CEIC has questioned that finding, though, and is asking (along with SE Uplift) for a fresh evaluation of the encampment's fitness on the new site. At very least, the group has suggested, the encampment would have to file for a building permit, since the city is planning showers and restrooms on the plot. That could open up the move to lengthy process.

The questions are made more interesting by Commissioner Dan Saltzman's sudden stewardship of BDS, which will have a big say in this process. Saltzman has been R2DToo's biggest foe on city council, overseeing thousands of dollars in fines levied on the camp before Fritz smoothed things over in 2013.

A call to Hales' office about SE Uplift's vote hasn't been returned, but spokesman Dana Haynes said last week the move was on track for late summer. Once the city's environmental review process is complete, officials will need to negotiate a deal to purchase the site at SE 3rd and Harrison from the Oregon Dept. of Transportation.

Daily Journal of Commerce

Fritz off, Saltzman on Bureau of Development Services

*By Beverly Corbell
July 6, 2015*

There's been a switch on the city council oversight. Portland Mayor Charlie Hales announced on his website that Commissioner Amanda Fritz will now oversee the Office of Neighborhood Involvement and Commissioner Dan Saltzman will oversee the Bureau of Development Services.

The switch basically returns Fritz and Saltzman to the bureaus they were in charge of when former Mayor Sam Adams was in office, prior to Hales assuming the office.

Dana Haynes, a spokesman for the mayor's office, said Hales made the change because of recent discussions related to the 2015-16 budget process, which will begin in January.

Fritz, who has overseen BDS since 2013, also has Parks and Recreation Bureau under her purview, and heading up the two departments "seems like a very organic fit," Haynes said.

Saltzman heads up Fire and Rescue and the Portland Housing Bureau, Haynes said, and adding the BDS to his plate also seemed logical. The changes were a result of "multiple conversations" with council members and the mayor's announcement came as no surprise to either commissioner, Haynes said.

Fritz was unavailable for comment regarding the bureaus switch.

Haynes said there “is no greater champion” for the neighborhood involvement office than Fritz, and having her head up the department would continue the work she previously did with the department.

“In Portland the neighborhood process is codified and kind of a farm league for going on up to council and city leadership,” Haynes said. “Fritz and Hales came up through neighborhood associations and it’s really organic with (Parks and Recreation).”

Haynes said the mayor’s decision was not influenced by a controversial memo Fritz issued in February for BDS to “raise the bar” on single-family project reviews that put added restrictions on so-called “skinny” houses.

Saltzman said Fritz had recently backed off from that directive, but he wants to build on the work she has done with the BDS. He also plans to work closely with the Portland Housing Bureau to examine proposals to increase the supply of affordable housing.

“We also need to consider the quality of life for people in affordable housing and strengthen inspections to make sure people are living in decent housing,” he said. “We also want to create a solid steady path for those who intend to develop and those who have concerns about development.”

Also on Saltzman’s to-do list is changing density bonuses that encourage affordable housing. At present that includes incentives for eco-roofs and bike storage, which Saltzman said should be eliminated because builders are building them anyway to meet market demand.

The first step in changing the affordable housing incentives will be a resolution that Saltzman will introduce at 2 p.m. during a Thursday City Council meeting.

“The resolution says the council wants to (change the incentives) and directs those (the housing bureau and BDS) to come up with proposals no later than January of 2016,” he said.

According to the proposed resolution, Portland’s city center is projected to gain 30,000 new households by 2035 with more than 80 percent earning below 80 percent of the median household income and “additional tools are needed” to meet the demand, according to the resolution. Among those “tools” is looking at FAR (floor area ratio) incentives for increasing affordable housing.