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Portland weighing rules on lobbying by political consultants

By Brad Schmidt

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Campaign consultants and lobbyists may need to work under stricter rules at Portland City Hall next year.

Portland Commissioner Nick Fish hopes to rewrite city lobbying regulations to set parameters on what political consultants can and can't do, particularly regarding the clients they advise.

"The commissioner is very interested in better defining the relationship between political consulting and lobbying at the city," Fish aide Jim Blackwood said.

The issue surfaced this year when campaign consultant Mark Wiener, who advises three of the City Council's five members, lobbied City Hall on behalf of ride-hailing company Uber. Wiener's clients – Mayor Charlie Hales and Commissioners Dan Saltzman and Steve Novick – voted in favor of a deal; Fish and Commissioner Amanda Fritz did not.

Mayoral hopeful Ted Wheeler on Monday pledged that no paid consultant or member of his campaign staff – or his mayoral staff, if elected – would be allowed to lobby the mayor's office on private business if he wins the 2016 election. Wheeler previously vowed sweeping changes to lobbying rules that would apply to the entire City Council.

"I will do whatever it takes to make sure that it is illegal for campaign consultants to lobby the candidates that they have and will continue to support when they're elected to public office," Wheeler, Oregon's treasurer, said in an interview this month.

Wheeler called on Hales to follow his lead. Hales did not immediately respond to a request for comment.

It's not yet clear how new rules might work. In Portland's small political sphere – where some firms advise clients, help with polling and lobby on policy issues – gray areas may emerge.

"This has a lot of complexity to figure out," Blackwood said.

In the case of Uber, Wiener brokered a key meeting Dec. 13 among Hales, Novick and company representatives at Wiener's home in Portland's Eastmoreland neighborhood. Lobbying reports show eight subsequent lobbying contacts by Wiener with various city officials from March 31 through June, including members of Hales' staff.

Records show that Wiener also advised Hales politically. In February, Wiener emailed Hales to discuss options for campaign polling tied to Hales' re-election bid, hoping to distinguish voters' preferences on "issues that are 'important' and mission critical."

"There is an appearance of a conflict of interest," Fish told Willamette Week, which first reported Wiener's lobbying role, "when someone who is representing a company like Uber also represents the person they're trying to influence."

Portland's lobbying rules, enacted in 2006, require companies to report lobbying activities and expenses each quarter. City officials must publish their calendars, including meetings with lobbyists, and report any gifts. But nothing dictates whether campaign consultants can lobby clients.

The issue has come up elsewhere. In New York, a lawmaker in 2013 tried unsuccessfully to pass a "firewall" bill.

Portland officials are looking to San Francisco, which has particularly stringent rules.

San Francisco, like Portland, requires lobbyists to register with the city. But it also requires campaign consultants to file disclosures listing clients and payments.

Campaign consultants are prohibited from lobbying current clients or clients they advised in the past five years.

Wheeler's pledge would cover four years, or one full term in office. It could have real ramifications for one of his campaign consultants.

Wheeler adviser Jake Weigler lobbied city officials on behalf of private water company Veolia North America in 2013. At the time, Weigler worked as communications director for political firm Strategies 360.

Lobbying forms show Weigler met with Hales' staff twice, Novick once and twice with Fish. Fish reported only one meeting on his public calendar.

The other meeting was listed internally as campaign-related, Blackwood said, although it's not clear if that meeting was miscategorized.

Weigler later formed his own consulting company, Path to Victory.

Fish hired Weigler to help run his 2014 re-election campaign, paying Weigler more than \$10,000.

Under Wheeler's pledge, Weigler could still provide political consulting services but he would be prohibited from lobbying the mayor's office until 2021.