

The Oregonian

City budget flap shows need for preserving auditor's independence: Editorial Agenda 2016

By The Oregonian Editorial Board

April 7, 2016

At a budget session last week, Portland City Auditor Mary Hull Caballero laid out in detail for city commissioners how, if forced, she would slash her budget to comply with the mayor's request to identify cuts. She explained the possible hit to some of the oversight work that her 50-person staff conducts, including investigating complaints of police misconduct, auditing city programs and running city elections.

And then Hull Caballero, elected in 2014 to the auditor position, listened as her fellow elected officials, who lead the agencies that her office scrutinizes, debated the merits of her recommendations. The oddity of the situation prompted Dante James, the city's equity and human rights director, to speak out, noting that there's something "out of whack" when the city watchdog's ability to fulfill her mission depends on those whose actions she has been elected to watch.

"I'm struck by the irony overall of this conversation," James remarked to commissioners during the budget work session. "The elected office has to come and ask the other elected office for money — as well as put up cuts that, I don't think, any of you had to do."

James pinpointed precisely the problem for the auditor: How do you preserve the independence of the office when even staffing and program decisions are subject to veto by those targeted by your oversight?

Hull Caballero is an elected official, just as the city commissioners and mayor are, with qualifications and duties defined by the city charter. Although her office is not a bureau, it was included in a directive by Mayor Charlie Hales directing general-fund bureaus to submit a 2016-2017 budget identifying 5 percent in cuts. Hales called for reductions in order to free up money for housing initiatives, but his office, as well as those of the four other commissioners, was exempted from offering such cuts.

It's not just the overall funding cut that is the issue, however. The city's budget office — another city agency that has previously come under the auditor's microscope — weighed in on Hull Caballero's proposals, agreeing with some and recommending against others that could greatly affect the office's ability to perform its core responsibilities.

For example, the auditor's office serves as an administrative home for the city's hearings office, which handles citizen challenges to land-use decisions, towing of cars by police and other city issues. Currently, the auditor's office must track and request payment for each case from the bureau where the dispute originated, an administrative nightmare that eats up staff time and costs. Hull Caballero asked for the city to fund that directly through the general fund and lift the burden of chasing down fees from bureaus. The budget office, however, recommended against

such a switch. During the work session, the budget analyst said he will look into other possibilities.

That's just one iteration of a complicated relationship where the auditor is both watchdog to bureaus and reliant on them.

"We're constantly bumping up against needing resources and where we are forced to ask permission from the very people we are also holding accountable," Hull Caballero told The Oregonian/OregonLive editorial board. "It just doesn't work."

The auditor said she's looking at how other agencies, such as the secretary of state's office, handle such conflicts for possible revisions to shore up her office's independence. But it's a difficult situation to solve, thanks in part to Portland's form of government, where commissioners fulfill both legislative and executive functions. Commissioners pass ordinances as well as serve as the top executive in charge of various city bureaus that are scrutinized by Hull Caballero's office.

Contrast that with Multnomah County, where the board of commissioners acts only in a legislative capacity. The elected auditor, Steven March, has the latitude to determine how to spend his budget, he told The Oregonian/OregonLive editorial board. Similarly, Metro's auditor presents the budget directly to the council rather than going through the finance office, said Hull Caballero, who previously worked in the Metro auditor's office.

There's still plenty of work ahead before the city's budgets are finalized. Hull Caballero may well secure all the funds she says are needed to fulfill the functions of her office, in the manner in which she wants. But city commissioners should consider the value of an auditor and look for ways to increase her independence.

Championing good governance requires being accountable to the voters — and voters alone.

EPA delays release of Portland Harbor cleanup plan

By Kelly House

April 6, 2016

Days before the anticipated release of a proposed cleanup plan for the heavy metal and PCB-laden Portland Harbor, federal regulators have abruptly pushed back the unveiling.

The plan, originally set for release next Monday, won't come out until the first week of May, officials with the U.S. Environmental Protection Agency said Wednesday.

Agency workers need more time to create the electronic portal where the plan and supporting documents will be published, an agency spokesman said.

"This will be the largest Superfund Administrative Record being made available online and doing so is presenting software challenges," spokesman Mark MacIntyre said.

But environmental groups involved in the 16-year process to clean up the superfund site in the lower Willamette River blamed a massive public records request from entities that could be tapped to pay for the cleanup work.

The Lower Willamette Group, a consortium of 14 companies and government entities who are listed as "potentially responsible parties" for the pollution, filed a request March 9, 2016, for virtually all Environmental Protection Agency records on the superfund since March 2012.

That includes "all documents, agreements, contracts, reports, analyses, memoranda, communications, emails, including email on personal accounts, transcripts, minutes, notes, bulletins, worksheets, schedules, calendars, drawings, photographs, renderings, figures, diaries, workpapers, presentations, data compilations, spreadsheets, databases, and communications created, received or obtained by EPA and under EPA's control."

The request is likely to produce thousands of documents.

An entity calling itself the Portland Harbor PCI Group, a group that until now has had no visible involvement in the process, filed a similar request a week later.

Environmental groups participating in the cleanup process are calling it a deliberate stall tactic.

"This is the kind of tactic we expect out of hardcore polluters that are doing anything possible to delay, disrupt and intimidate," said Bob Sallinger, conservation director for the Audubon Society of Portland.

Travis Williams, whose Willamette Riverkeeper has lobbied for an aggressive cleanup plan, added that "at the very least, the request shows tone-deafness as to where we are in the process."

A spokeswoman for the Lower Willamette Group disputed their claims. The companies and public entities that comprise the Lower Willamette Group – including the city of Portland – need the records to document how the federal agency arrived at its proposed plan, spokeswoman Barbara Smith said.

"This is a pretty standard way of requesting documents," Smith said.

After years of deliberation over the best way to deal with the contamination in the lower 11 miles of the Willamette River, the release of the draft cleanup plan is a major step toward a resolution. The public is expected to have 60 days to comment before federal officials review their concerns and release a final plan in the coming months.

Depending which cleanup methods the federal agency orders, the effort could cost anywhere from several hundreds of millions to more than \$2 billion.

The federal agency hopes to settle on a final plan before 2017, before a change in presidential administrations that could threaten further delays.

The three-week delay is a big deal to Audubon and other interest groups that have been preparing their members to submit comments next week. Sallinger said the sudden schedule change could cause many people to miss their chance to weigh in.

He said when he pressed federal officials about rumors that the timeline might change, they told him the records request was consuming staff time that otherwise would have been dedicated to the cleanup plan release.

While EPA officials maintain the request is not behind the holdup, they acknowledged the challenge it presents.

"It'll certainly be a lot of documents and it will take a while to process," MacIntyre said Wednesday.

Arguing Portland city leaders should have recused themselves from the Lower Willamette Group's records request, in light of the burden it would place on the Environmental Protection Agency, Audubon and Riverkeeper sent the city a request of their own. Borrowing language from the Lower Willamette Group's request, it seeks all city documents pertaining to Portland's involvement in the Lower Willamette Group.

Williams said the request was meant to shed light on the city's role in the superfund deliberations, but "there was a bit of a comedic nod in there as well."

Willamette Week

Is Portland's Tap Water Toxic?

By Marty Smith

April 7, 2016

In more than one city, the tap water is toxic. How about our water?

—Thirsty

Your question is a little vague, Thirsty, but I'm just going to assume you're asking about lead, the headline-grabbing Donald Trump of water-supply adulterants.

Childhood exposure to lead is believed to result in reduced intelligence, shorter attention spans, difficulty deferring gratification and lack of empathy toward one's fellow human beings. If you want to look around at the current state of American culture and say "hmm," I'm not gonna call you paranoid.

In Flint, Mich. (let's be real, that's what you're thinking about), lead found its way into drinking water through the use of lead pipes, which are great for clobbering Colonel Mustard in the dining room, but lousy for not poisoning people. Portland's municipal water system, lucky for us, has no lead pipes. (The last lead components were removed in 1998.)

However, the Water Bureau doesn't own the plumbing in your house—you could have anything in there. Actual lead pipe is pretty rare, but plenty of houses plumbed between 1970 and 1985 used lead solder to connect copper pipes.

With the belt-and-suspenders caution of an agency that gets blamed every time someone drops their cellphone in the toilet, the Water Bureau actually tries to help out with our slipshod plumbing, adjusting the water's pH to reduce the amount of lead it picks up by 70 percent. (Flint skipped this step, with less-than-optimal results.)

The pH adjustment helps keep 90 percent of those at-risk M*A*S*H-era homes from having elevated lead levels in their water. If you're worried about your own pipes, you can get a free lead test kit from Multnomah County's leadline.org.

If you do have lead in your plumbing, you can greatly reduce exposure just by letting water run for 30 seconds before using it and buying lead-rated filters for drinking water. Be lead smart! If your kids still grow up to be dumb, shortsighted jerks, at least we'll know it's just due to lousy parenting.

GoLocalPDX

Portland Parks & Rec to Begin Grant Pool Renovations

By GoLocalPDX News Team

April 8, 2016

Parks and Recreation Commissioner Amanda Fritz and Portland Parks and Recreation Director Mike Abbate held a press conference earlier this week to address Grant Pool renovations and the first Parks Replacement bond project to begin construction.

"Grant Pool's mechanical systems were in such poor condition that PP&R would have had to close the pool for the entire summer if these repairs were not performed this year. Thankfully, rather than going all summer without a place to keep cool, the community will be able to enjoy Grant Pool for much of the 2016 summer," Parks and Rec said in their press release.

The Play Gap

In Portland, only four of five people have access to a park or natural area within a 15 minute walk.

In 2014, voters supported a \$68 million Parks Replacement Bond that took aim at over 30 critical needs.

"At the same time, PP&R faces a \$248M funding gap for major maintenance needs over the next ten years. Further, PP&R anticipates \$472M in unfunded growth needs during that period," the press release states.

Those numbers bring the total to a \$720 million funding gap over the next decade which the press release states Commissioner Fritz will continue to work on with the Council and the community.