

The Oregonian

Portland reconsiders public money for political campaigns

By Brad Schmidt

September 8, 2016

Portland taxpayers may once again cover campaign costs for political hopefuls if incumbent Commissioner Amanda Fritz has her way.

Fritz wants to dangle the promise of public money to candidates who agree to limit campaign contributions and spending.

The program — dubbed Open and Accountable Elections — would provide a sizable public match for private contributions and could cost taxpayers up to \$2 million overall in a busy election cycle.

Fritz said she hopes a new public campaign finance system will better connect candidates and voters while reducing the impact of major donors.

"There's going to be a lot more people throwing house parties and inviting you to come and listen to the candidates," said Fritz, who won election in 2008 using the city's previous campaign finance system.

Fritz expressed optimism Wednesday that she'll secure City Council support for the program this year — without referring it to voters for approval. Portland's old public campaign finance program was short-lived, with voters narrowly killing it off in 2010.

Unlike the past system, which provided qualifying candidates with a set sum of up to \$350,000 for city commission races or \$450,000 for mayoral races, Fritz's new proposal would give a bigger boost to candidates who prove successful at raising private money.

As envisioned, the city would match the first \$50 of a private contribution with six times as much, or \$300. That means one \$50 contribution would net a candidate \$350.

But to qualify, candidates also would be required to limit individual contributions to \$250. (Under that scenario, the first \$50 would still receive a \$300 public match, meaning a \$250 contribution would net \$550).

Qualifying candidates would also be required to cap overall campaign spending at \$550,000 for a commission race (\$250,000 in the primary and \$300,000 in the general election) or \$950,000 in a mayoral contest (\$380,000 in the primary and \$570,000 in the general election).

Not everyone would qualify, either.

As a basic requirement, commission candidates would first need to raise at least \$2,500 from 250 individuals, while mayoral hopefuls would need to secure at least \$5,000 from 500 people.

"The aim is to make sure that candidates who qualify for public money do have significant support," Fritz said.

Scandal helped undo Portland's last iteration of the program. Campaigns from 2006 were marred by a signature-forging conviction and questionable expenditures. Amid the recession, voters ended the program by a margin of 1,600 votes out of more than 210,000 cast.

Fritz said there would be strict rules against nepotism and wining and dining. Qualifying candidates would also need to update campaign finance disclosures weekly.

"I think we've learned a lot," said Fritz, adding that the new proposal is modeled after a program in New York City.

Fritz will hold a public forum Thursday to review her proposal. It's at the Matt Dishman Community Center, 77 N.E. Knott St., from 7 p.m. to 8:30 p.m.

Fritz said she plans to bring her proposal to the City Council later this year, although she's not sure if it'll happen before the Nov. 8 general election, when Commissioner Steve Novick is up for re-election.

Time may be of the essence. Fritz counts Mayor Charlie Hales, who leaves office at year's end, as "strongly supportive."

The Portland Tribune

City ponders police oversight reforms

By Nick Budnick

September 8, 2016

It might seem antithetical for a place jokingly known as “the city that meets.” But Portland may have reached its limit on public input — when it comes to cases of alleged police misconduct, at least.

City of Portland officials are proposing to eliminate public comment at certain public meetings that involve complaints against individual police officers.

The move is part of a larger package of changes to the Portland Police Bureau and the city's civilian review office, called the Independent Police Review unit.

The changes are intended to streamline and standardize police discipline, such as by ensuring all complaints directed at officers are investigated.

City officials say they are trying to get the change in place before an October court hearing that will check on compliance with the 2012 U.S. Department of Justice settlement that resulted in federal oversight of Portland police. The feds have complained about delays in the “byzantine” Portland system.

The changes would realign how complaints are handled, giving a stronger role to the civilian investigators at Independent Police Review (IPR). Other changes include allowing citizens making complaints a chance to plead their case directly to police bureau commanders on the police bureau's disciplinary review board.

The package is set to be considered by the City Council on Sept. 14.

While most of the changes are driven by the city's settlement with the U.S. Department of Justice, the one reducing public comment is not.

That change concerns the hearings held by Independent Police Review when a citizen appeals the outcome of a police disciplinary investigation.

Such hearings have been a staple of Portland police oversight for more than a decade, reflecting that IPR and its predecessor office were intended to be Portlanders' window into how the bureau operates.

But lately the appeals hearings held by IPR's Citizen Review Committee have been raucous, including a March 30 hearing featuring a small group of audience members shouting and jeering, one of them throwing water in a committee member's face.

An earlier version of the changes being pushed by the City Council would have eliminated public appeals hearings entirely. But the city pulled back from that idea after it received a frosty public reception, including by members of an IPR review committee.

Under a revised draft of the changes issued last month, the public appeals hearings will continue using three-member panels of the IPR review committee.

City Auditor Mary Hull Caballero, who has been working with Mayor Charles Hales' office and the police on the changes, stressed that public comment still will be allowed at other meetings, just not the disciplinary appeals. "We're reserving public comment for a meeting where it is appropriate and issues raised can be fully discussed while at the same time protecting the integrity of the appeal process for community members and officers," Hull Caballero said in an email. She said because audience members don't have access to the disciplinary case file, "comment is often about unrelated matters."

Former City Auditor Gary Blackmer, who shepherded through the creation of IPR, said allowing comment in the first place was a political decision — one that he struggled with. But he said eliminating comment makes sense because the input of people with no knowledge of the case can create the appearance of a slanted or politicized disciplinary process.

"It undermines the credibility of the process," Blackmer said. "Think of it in a courtroom. Would you have members of the audience standing up and speaking as a part of the judicial process?"

Dan Handelman of Portland Copwatch, who has been commenting at appeals hearings for more than a decade, rejects the analogy, and says the change tilts the playing field against complainants. At appeals hearings, members of the public who've filed complaints typically have no advocate. In contrast, he said, "The police officer can get not only a lawyer but a union rep to come in and speak for them, and they don't have to pay a cent for it."

Handelman is not the only one with questions. Daryl Turner, president of the Portland Police Association, said he and his members don't support the elimination of public comment at public appeals hearings. "We're not opposed to the way it was set up," Turner said.

The police union just wants the city to curb audience behavior that has become "out of control," by ejecting people who are disrupting meetings, he said.

Turner echoed others, including Citizens Review Committee members, who say the changes have been too rushed. The police union, which has several concerns, has had little input. He thinks the council should consider postponing its scheduled hearing on the changes.

Fritz wants more Superfund cleanup

By Jim Redden

September 7, 2016

Commissioner Amanda Fritz has dissented from the city's position on the U.S. Environmental Protection Agency's proposed Portland Harbor Superfund cleanup plan.

The Monday after Mayor Charlie Hales and Commissioner Nick Fish sent the EPA a letter and set of comments saying the plan was good enough and should be approved before the end of the year with a few changes, Fritz sent her own letter to the EPA saying she supports the agency's Alternative G, which called for requiring more dredging in areas of high human use, high wildlife value, and along river banks.

"We are Portland. We can do better. I ask EPA to strive for outcomes related to the Willamette River Superfund cleanup that will make the future safer for Portlanders, including the fish that live or pass through our city. Thank you for your consideration of my comments, sent from an individual who has been highly involved in pursuing clean, healthy working rivers in Portland for 20 years," the letter reads in part.

You can read Fritz's letter at [here](#).

Fritz's letter caught Fish off guard. He is in charge of the Bureau of Environmental Service, which has been assigned the lead on the cleanup plan, and had believed the entire council supported the letter and comment sent to the EPA last Friday.

After receiving Fritz's letter, Fish issued a statement which said:

"The City's comments reflect community input, feedback from every member of Council, and the thoughtful analysis of City experts.

"We are surprised that Commissioner Fritz has a fundamental disagreement with the comments. And we are disappointed that she didn't discuss any of her concerns with us before submitting her letter to EPA.

"The proposed clean-up plan is not perfect, and we have outlined our concerns in our submission. However, on balance, we support EPA's approach, and we are eager to get to a final decision. After 16 years of study and debate, it's time to start cleaning up the river."

The proposed EPA clean plan is estimated to cost \$746 million. Alternative G is estimated to cost \$1.76 billion.

It is unclear what different Fritz's letter will make — or even what role the letter and comments sent by Hales and Fish will make. The EPA accepted comments on its plan through Sept. 6 and has not scheduled any further public discussion of it. The agency either will or will not announced a final plan — called a Record of Decision, or ROD — by the end of the year. If the ROD is not approved by the end of the year, approval of the final plan could be delayed by months or years because of the 2016 Presidential election. The next President will appoint a new EPA Administrator, who will likely make many staff changes.

Environmentalists, many community members, Native American tribes, and the League of Women Voters of Portland agree with Fritz that far more of the Superfund site should be cleaned up than the EPA proposed and the city supports. A more limited cleanup is supported by the State of Oregon, Port of Portland, the IBEW and the Columbia Pacific Building and Construction Trades Council, other community members, and most harbor businesses,

including those who joined together in the Lower Willamette Group to help finance and conduct many of the early studies of pollution in the site.

To read an earlier story on the city's letter and comments, go to pamplinmedia.com/pt/9-news/321188-200953-city-says-superfund-cleanup-plan-good-enough-get-moving

To read an earlier Portland Tribune story on the position held by environmentalists and many community members, go to portlandtribune.com/pt/9-news/321058-200687-environmentalists-community-want-epa-to-adopt-a-much-more-aggressive-superfund-cleanup-plan-

Council extends housing emergency for one year

By Jim Redden

September 7, 2016

The City Council unanimously voted to extend the Housing State of Emergency for an additionally year.

The current state of emergency expires on October 7. Mayor Charlie Hales originally proposed extending it three years, but the other members of the council all felt that was too long. He and they amended the proposed extension to one year last week, and approved it on 5-0 vote on Wednesday.

Among other things, the declaration is intended to give the city flexibility when it comes to siting homeless camps and shelters. A 3 to 2 majority of the council relied on it when they approved opening a temporary homeless shelter in a vacant warehouse on industrial property at Terminal 1 on Aug. 1. A coalition of harbor businesses and others is preparing to challenge that decision at the state Land Use Board of Appeals.

The amended version also requires the recently created city-county Joint Office of Homeless Service to report to the council every six months on its efforts to reduce homelessness and the need for the emergency to continue. The first report will happen after State Treasurer Ted Wheeler replaces Hales as mayor on Jan. 1, 2017.

The Portland Mercury

Ted Wheeler and Steve Novick Ask to Be Removed from "Harbor of Hope" Website

By Dirk VanderHart

September 8, 2016

Both Mayor-elect Ted Wheeler and City Commissioner Steve Novick have asked that their names and photos be scrubbed from a list of "supporters" of a proposed homeless campus at city-owned Terminal 1.

As of yesterday, a website for the Harbor of Hope proposal—a "multi-purpose campus" that would include shelter space, permanent housing, and services for the city's homeless—had listed both Novick and Wheeler as supporters.

That page, under a tab titled "Our Team", seemed to have gone public prematurely (it contained boilerplate Latin writing where there should have been actual descriptive text), but it also suggested that project boosters Homer Williams, Dike Dame, and Don Mazziotti were counting on the two men's support.

Today, the "Our Team" tab has disappeared, and both Novick and Wheeler say they're not there yet.

"Homer at one point asked if I could be listed as a supporter of his effort to raise money for a temporary shelter," says Novick, referring to a 400-bed shelter Williams and his partners are hoping to set up at Terminal 1 in coming months. "I said sure."

Novick was one of three commissioners to vote in favor of using Terminal 1 to shelter the homeless in a contentious vote last month. But he says his appearance on the Harbor of Hope site made it appear he supported the grander facility Williams and others have proposed—a model based on a San Antonio operation called Haven For Hope. "I said in light of that, I probably shouldn't be on it," Novick says.

Same basic deal with Wheeler. Spokesperson Michael Cox tells the Mercury that Portland's next mayor is supportive of Williams and co.'s idea.

"While that's the case, the designation on the website didn't accurately capture his position on the issue," Cox says. "He believes the Haven For Hope model shows tremendous promise and that we should analyze whether that model should apply to Portland."

Both Novick and Cox said the now-scraped portion of the website appeared to be an oversight, not an opportunity to mislead the public. And it's possible the elected officials will find reason to become Harbor of Hope supporters in the future. Novick and Wheeler are planning to take a trip to San Antonio next month to take a look at the Haven for Hope facility.

"After that, I should have a better sense of whether the whole concept is something we should emulate," Novick says.

Portland's Oldest Buildings Just Got Harder to Demolish

*By Dirk VanderHart
September 7, 2016*

FOR AROUND 14 years, the City of Portland has made it too easy to demolish old buildings.

It's not the Mercury saying that, or the ever-growing contingent of groups railing against changes to their neighborhoods. It's the City of Portland.

In a low-key "service level update" sent out by the Portland Bureau of Development Services (BDS) on August 31, the city announced a change long sought by advocates: Most property owners who have a piece of land on the city's Historic Resource Inventory (HRI) will have to wait 120 days to demolish those properties going forward.

That 120-day period is required by state law, the city freely acknowledged in its announcement. But since 2002, it hasn't been enforced in Portland. Instead, the city has allowed people to remove their buildings from the HRI and get a permit to demolish them the very same day.

As of September 1, that's no longer the case. The newly enforced delay will apply to the 2,745 "ranked" buildings on the HRI, which prioritizes properties based on their likely historical significance and leaves lower-priority sites without a formal ranking. Thousands more potentially historic buildings won't be affected (and a four-month waiting period often does nothing to dissuade demolitions).

Even so, some preservation advocates were ecstatic about the announcement.

"This sudden change in policy may be the single largest victory for historic places to come out of city hall in a decade," Peggy Moretti, executive director of pro-preservation group Restore Oregon, said in a statement. "It's not a cure-all for the demolitions chewing up Portland's older neighborhoods, but the delay period affords important breathing room."

Others had a different reaction: plotting a lawsuit.

A small clutch of Sunnyside neighborhood activists who've been railing against demolitions plan to use the city's rule change as an admission of years of wrongdoing. They say they'll take the city on in court to create a new system for preserving properties.

"This drum that we've been beating says, in essence: 'The state law is clear. You've painted yourself into a corner. What are you going to do about it?'" says Meg Hanson, who helps run a group called the Close the Loophole Coalition (CLC) that has argued Portland's been egregiously breaking state law since 2002. "The next step is to see if we can build on that momentum, now that we've got some credibility."

The HRI was created in 1984 as a guidepost for buildings that might warrant historic protections. And while a 1995 Oregon law gave owners unprecedented power to remove historic labels from their land, the city for years required a delay before those properties could be demolished.

That changed in 2002, as the city was updating its building code. Suddenly, properties that had been found to have potential historic import could be bulldozed and replaced without opportunity for community input, in what many have since come to call a "loophole." But with its announcement last week, the city appears to acknowledge that that loophole needn't have existed, and that state law should have demanded a delay for demolitions.

More than 100 buildings were removed from the HRI from 2002 to the present, according to city records. Seventy-seven have been removed in the last four years alone.

The legal rationale for the city's change of heart isn't totally clear. BDS cited a recent Oregon Supreme Court case in its announcement, but that case touched on how owners may remove historic labels from their property, not the waiting period to demolish once they do.

In the past, BDS has said a 120-day waiting period wasn't necessary for properties removed from the HRI, because simply being listed on the inventory doesn't amount to a "historic designation," the terminology used in the state statute. It appears the city no longer has that opinion, but the development services bureau did not answer questions about its reasoning by press time.

Whatever the case, the city may be called to air that reasoning in court.

The CLC's Hanson says her group hasn't hired an attorney, but thinks finding one will be easy after the city's policy change last week. "We're going to giftwrap this lawsuit," she says. "We believe it's a suit we can win."

The plan isn't to sue out of spite. Hanson says her group wants to force the city to create a "municipally funded community land trust" that would "purchase property to restore or maintain."

She says the CLC will also file an appeal with the Oregon Land Use Board of Appeals to challenge current demolition permits issued on former HRI properties that have skirted the waiting period.

The city's seen increasing outcry over property demolitions in its soaring real estate market, but it wasn't until last year that the loophole allowing immediate demolitions of potentially historic buildings received widespread scrutiny.

The inciting incident? Word that two century-old buildings downtown—the Hotel Albion and Ancient Order of United Workmen Temple—had been snatched off the inventory, and demolition was imminent. The buildings are slated to be replaced by a boutique hotel.

"The value of a property isn't only to that individual owner, it's to the community," says Restore Oregon's Moretti. She objects to a system where "important properties like the Workmen Temple are up for demolition, and the community that's impacted by that loss has absolutely no say in that at all."

Still, Moretti says her group isn't likely to participate in the CLC's planned lawsuit against the city: "I don't think that that will be productive."

That's fine with Hanson, who says she'll look for support from around the country as she moves forward with the fight. Asked how many people belong to her group, Hanson declined to say.

"Whether we're big or small doesn't matter," she says, "because we carry a very, very pointy stick."

Hall Monitor: R2DToo, Rushed

*By Dirk VanderHart
September 7, 2016*

NO TIME would have been ideal, but last week's inevitable smackdown of city council's attempt to move Right 2 Dream Too (R2DToo) came at an especially disheartening moment.

If you missed it, the Oregon Land Use Board of Appeals made the only common-sense finding it could have in light of a challenge to officials' decision to move R2DToo to a Central Eastside plot. It invalidated the city's specious argument that claimed the self-managed homeless rest area didn't qualify as a "mass shelter," and should therefore be allowed to operate on industrial land.

That means R2DToo can't relocate from Chinatown to SE 3rd and Harrison, as had been the plan since last year. The ruling throws one of Portland's most notable successes for addressing homelessness into disarray and uncertainty, just as campers are being pushed from the Springwater Corridor, skirmishes over a proposed shelter at Terminal 1 are heating up, and a million other things make the city appear rudderless on this intensifying issue.

But it turns out the timing might not be all bad.

R2DToo made clear after last week's decision it will press on in its quest to move to the Central Eastside, since more than \$800,000 reserved for that purpose has already been spent or allocated. [PDF]

"It would be a shame to let that go down the drain," the camp's attorney, Mark Kramer, told me last week.

R2DToo, it appears, will seek to kill the part of the zoning code standing in its way. Kramer says he's talking with city officials about modifying the rules to "permit certain houseless encampments to be sited on industrial lands, which includes the SE 3rd and Harrison site and would include other sites."

Such code changes aren't easy. They need to traverse the city's land use process, which requires giving official notice and a public hearing before the Portland Planning and Sustainability Commission before city council can even consider the matter.

Here's the potentially convenient part: That process is already well under way for a slate of rule changes surrounding mass shelters.

Next week, the planning commission will consider zoning tweaks that would enable homeless shelters to sit closer to each other and take in more people, among other things. It'll make a formal recommendation for council consideration later this year.

The changes are contained in the type of package R2DToo needs if it hopes to move to the Central Eastside. The question is whether city officials will make a move to plug in new rules that could benefit the camp.

"That might be an option," says City Commissioner Amanda Fritz, a longtime R2DToo ally. Others confirm that possibility has been floated.

But as of press time, the city's Bureau of Planning and Sustainability had no plans to insert R2DToo provisions into its proposed code change, said Chief City Planner Joe Zehnder.

It's possible, he noted, such a change could emerge when the package goes before city council, though it would face a high barrier of complying with state and Metro planning goals.

Whatever the city decides, it needs to happen soon. R2DToo's supposed to be out of its current home by Halloween.