

## The Portland Tribune

# Mayor invites Black Lives Matter protesters to meet with police chief

*By Jennifer Dowling and KOIN 6 News Staff  
September 23, 2016*

Chants of “No justice, no peace. No racist police,” “Black lives matter” and “Hands up, don’t shoot” rang out as hundreds of protesters marched through the streets of Portland Friday in response to the shootings in Tulsa and Charlotte.

Black Lives Matter protesters gathered at Vanport Square Studio around noon Friday to bring attention to recent shootings and racial injustice.

Throughout the afternoon, the group marched through the streets, blocking traffic in Northeast Portland for several hours and at one point walking through the Lloyd Center Mall.

When they got to the Burnside Bridge, protesters stopped and laid down in the middle of the bridge for a “die in” and moment of silence to honor those killed in the recent police shootings.

The movement made its way to Portland City Hall, where the group went inside and continued chanting. The group hoped to speak to Mayor Charlie Hales, chanting “let’s go Charlie” and “bring out Charlie” outside the mayor’s office door.

The building closed at 5 p.m. but protesters remained inside for over an hour waiting to hear from Hales. The mayor spoke to leaders of the protest and addressed the crowd.

“Black lives matter. I believe that. They matter to me and they matter to a lot of people in this city,” Hales said. “We are heartsick and we are outraged by what’s happened around the country and we don’t want it to happen here.”

Hales promised to meet with leaders on Tuesday at 4 p.m. along with the police chief, Mike Marshman.

Hales heard reports of what he called inappropriate reactions from members of the police bureau during the protest and encouraged anyone who experienced excessive force from police to file a complaint. He said on Tuesday, Marshman would be able to report back about those complaints.

Protest organizer Gregory McKelvey with Don’t Shoot PDX explained what he witnessed.

“I haven’t see anybody be arrested,” McKelvey said. “I have seen people be pepper sprayed for absolutely no reason. I’ve seen three or four people get assaulted by the police...With don’t shoot PDX we are always 100 percent peaceful, any kind of violence detracts from our message.”

Police in riot gear and on bikes attempted to keep the protesters flowing safely and out of the way of traffic. In the heart of downtown, protesters sat down on the MAX tracks despite police threats that those blocking traffic would be subject to arrest for disorderly conduct.

McKelvey said knows the protest is disruptive and inconvenient for people trying to get through Portland, but “if we were just standing on the sidewalk, no one would have to talk about this.”

Organizer Teresa Raiford told KOIN 6 News the protest is in direct response to the shootings in Tulsa and Charlotte. She also said the killing of Larnell Bruce in Gresham, now being prosecuted as a hate crime, needs to be talked about more.

The group is also handing out information about white supremacist groups in the area. Earlier this month, Black Lives Matter protesters gathered at a federal building before marching through downtown Portland.

## **Willamette Week**

### **Portland's Push for Gender-Neutral Bathrooms Is Bolder Than You Thought**

*By Beth Slovic*  
*September 25, 2016*

Last week, the city of Portland officially converted about 600 gender-specific, single-user bathrooms into all-user, gender-neutral facilities.

But it also launched a pilot project by turning one multi-user bathroom—the one pictured above in the Portland Building—into a gender-neutral space, too.

Until next year, when the Portland Building undergoes a major renovation, the city will be gathering feedback from employees and the public on what it's like when sitters and standers pee together.

"Our goal is to expand choice," says Commissioner Nick Fish, who pushed for all-user restrooms with Commissioner Amanda Fritz. "This is just another option...We hope to learn whether it works."

The urinals will remain in the bathroom because the building codes require that they stay. Fish says the city put larger privacy shields around them instead of removing them.

Anyone who's not comfortable with the setup will still have access to bathrooms segregated by gender on all other floors of the downtown building.

Meantime, Fish called the conversion a "modest experiment" that could change how bathrooms are designed at the new Portland Building.

"I don't know where it's going to lead us," he says.

### **Mark Wiener Registers, Then Immediately Unregisters, as Steve Novick's Consultant**

*By Beth Slovic*  
*September 23, 2016*

Mark Wiener, the powerful Portland political consultant who helped broker the city's peace deal with Uber and became the subject of questions about his double roles, is just following the rules.

This month, as required under a new city ordinance that asks political consultants to report their work on behalf of the city's elected officials, Wiener did just that. In detail. And maybe with just the slightest hint of irritation.

"I am not working on Mr. Novick's current campaign in either a paid or professional capacity," Wiener wrote in a Sept. 15 disclosure form submitted to the city's independent auditor.

"On September 9, 2016, I was at a dinner that included Mr. Novick and the subject of his campaign came up in conversation," Wiener continued. "I do not believe the content of that conversation constituted political consulting services as defined by the ordinance, but based on the wording of the ordinance and the associated rules and guidance from the auditor I am not certain of it. Therefore, I am registering in an abundance of caution."

Does he think the rules go too far?

"No inference should be drawn," Wiener tells WW. "I simply wanted to clarify what the rules require to ensure that I am compliant."

Wiener subsequently submitted a second disclosure form, dated Sept. 16, officially saying he had terminated his consulting for Novick.

Novick's relationship with Wiener is, apparently, a subject of interest to the candidate as he faces re-election in November against lefty bookstore owner Chloe Eudaly.

In a recent poll commissioned by the Novick campaign, respondents were asked whether they cared that Novick had employed Wiener in the past. (Novick's campaign declined to discuss why it had asked about Wiener—or what the poll results showed.)

Commissioner Nick Fish, who drafted the ordinance, says the first round of reports, including Wiener's, make him feel proud. "This is a big win for transparency in government," he says.

Portland already requires lobbyists to report their contacts with elected officials. The idea behind Fish's new rules was to give voters the opportunity to crosscheck the city's lobbying reports with its consultants reports to see when and how political consultants are also lobbying their clients on behalf of third-party interest groups.

Wiener's paid work on behalf of Uber is part of what inspired the new requirements. As a political consultant, Wiener helped get Mayor Charlie Hales and Commissioners Dan Saltzman and Steve Novick elected. He then went to work for Uber, helping the ride-sharing company reach agreement with city officials to operate in the city. Hales, Saltzman and Novick provided the three necessary votes. (Fish and Commissioner Amanda Fritz voted no.)

Last January, Portland Auditor Mary Hull Caballero dinged Uber and Wiener for not disclosing his lobbying work on behalf of Uber.

Around that time, Novick said he regretted telling Wiener it was OK with him if he worked for Uber. "I thought that if Uber had someone who knew the city well, maybe they'd help them understand they were making a mess of things," Novick told WW last December. "Mark is a guy who definitely fits that description. Although he wasn't currently advising me, his involvement in consulting for city electoral candidates gives people pause, and that's entirely fair."

## Daily Journal of Commerce

### Update: CBA debate overtakes City Hall

*By Garrett Andrews*

*September 23, 2016*

The Portland City Council held procedural votes Thursday to close out two construction projects used to test-drive a policy geared to help meet minority hiring goals. Dozens of union members attended the hearing in support of Community Benefits Agreements, describing the good works performed through the CBA pilot project and objecting to an independent report that aired issues with it.

With the city awarding more than \$200 million in construction contracts annually, Portland commissioners say more needs to be done to live up to past resolutions regarding equitable contracting. Right now, the city is putting together an inclusion plan that would apply to all major city projects across all bureaus, and CBAs are a hot topic.

CBAs are contracts tying project developers and stakeholders to equity goals. Supporters include several notable nonprofit organizations and members of the city's Equitable Contracting and Purchasing Commission. However, some people in the minority contracting community consider CBAs union-friendly – project labor agreements by another name. Opponents include Nate McCoy, who represents 33 minority-owned construction firms as head of the National Association of Minority Contractors' Oregon chapter, and longtime minority contracting activist James Posey.

Throughout the nearly four-hour hearing, Commissioner Nick Fish – a former labor lawyer whose Water Bureau oversaw the pilot project – played interlocutor with panelists, attempting to zero in on points of contention, while continually reminding the room of common goals. He often referred to subjects of his questions as “my friend.”

Fish has told the DJC he supports a modified form of CBA – a community benefit plan (CBP) – that features heavy union participation but is also open to minority-owned open-shop firms.

“The single difference between the CBA and the CBP is whether you're a signatory or not,” Fish said to Willy Myers of the Columbia-Pacific Building Trades. “Given your deep commitment to getting the outcomes, why does that matter to you?”

“It's not the signatory nature; it's also the meaningful oversight, the group of professionals in the room to identify and course-correct any deficiencies in this agreement,” Myers replied.

“So if we had the same people in the room without the signatory, would you participate at the same level?” Fish asked.

“You're not going to get the same people in the room without a signatory,” Myers said.

Supporters say that under a CBA, both union and open-shop firms will get opportunities.

“We know that if it wasn't for the CBA we wouldn't have gotten to work on the projects we've done,” said James Faison of Faison Construction.

Keith Edwards, board member of “prison-to-work” nonprofit Constructing Hope, said the CBA pilot project funded critical services for his group.

“The CBA has clearly shown that aggressive goals can be met and should be raised,” he said.

But advocates like Posey say unions have historically been unfriendly to minorities and women, and minority owners are better able to hire from their own communities without them.

A representative of the Oregon Bureau of Labor and Industries addressed the council to discuss why nearly one in three women and one in two African-American men drop out of four-year apprenticeships. BOLI has other alarming statistics; for instance, only 11 African-American men have completed carpentry apprenticeships in Oregon since 2010.

City officials have spoken against becoming “signatory” with unions through CBAs, and last week several raised concerns. Fred Miller, head of the Office of Management and Finance, and Michael Stuhr, head of the Water Bureau, are publicly airing concerns about CBAs, citing issues that emerged during the pilot projects.

“While the CBA provided benefits to the projects, the deficiencies identified in this report also had negative impacts on both the Kelly Butte Reservoir and Interstate Maintenance Facility renovation projects,” Stuhr wrote to the council in a report dated Sept. 2.

Stuhr wrote that the draft model CBA used on the pilot projects should not be applied to future projects, citing outcomes identified in an independent report by consulting firm Framework LLC.

Miller listed issues he sees with CBAs when he wrote to the council in a letter dated Sept. 6. They include the appearance of conflict of interest and a \$500,000 line item by the contractor for administration of the CBA pilot program.

Additionally, Christine Moody, the city’s chief procurement officer, and her boss, Ken Rust, the city’s chief financial officer, are renouncing a report given to the council last week by a volunteer commission supportive of CBAs – the Equitable Contracting and Purchasing Commission.

Moody defended some of her office’s equity efforts in a memo sent to ECPC Chairman Dante James, head of the Office of Equity and Human Rights. And she met personally with him Sept. 20.

“We think the ECPC presentation included some information that was inaccurate and unclear,” she wrote in the letter obtained by the DJC through a records request.

And in a Sept. 20 email to the city’s elected officials, Rust gave an overview of concerns raised in Moody’s report.

“We wanted to make sure council was aware of it, because the presentation was very confusing,” he told the DJC.

Rust said he didn’t want to take a position on CBAs, but felt the procurement office could have corrected errors in the ECPC’s presentation had it had a chance to review it. He suspected the errors were the result of inexperienced staffers transferring complex and incomplete information from one software program to another.

On Sept. 14, nearly a year after ECPC members met for the first time, they painted a dire picture of the city’s efforts to increase inclusion. Graphics showed white males dwarfing all other categories and backward movement in key areas.

“CBAs are a powerful tool for promoting the including of underrepresented people,” said Nicky Nicholson-Klingerman, an O’Neill Electric project administrator who addressed the council earlier this month on behalf of the ECPC.

A coalition supportive of CBAs issued its own postmortem of the pilot project: “The Community Benefits Agreement: A Proven Tool for Advancing Portland’s Commitment to Equity in Contracting and Workforce Diversity.”

ECPC member Maurice Rahming told the council at Thursday’s hearing that union hiring halls are better able to respond to calls for a diverse workforce than contractors, who currently aren’t being held accountable where diversity is concerned. He said CBAs get better results, as well as detailed data for helping officials understand the depth of the problem.

“If you remove (CBAs) you see almost a non-utilization of women and minorities; the gap is that great,” he said. “The reason you see such a drastic drop in the data last year is because the CBA projects were winding down.”

McCoy told the DJC that the data the ECPC used in its presentation didn’t reflect what he’d seen when he worked as a construction manager in the Housing Bureau.

“We didn’t have CBAs and we always hit the numbers,” he said. “The biggest overarching issue is that minority contractors that are smaller still have to compete in a big-boy system that is this low-bid process.”

Two major city projects now in preconstruction – Washington Park Reservoir improvements and the Portland Building reconstruction – have begun and aren’t employing “true” or “pure” CBAs.

Fish said the timing for focusing on the CBA issue was “perfect,” with a new mayor taking over in January and several big-ticket city projects on the horizon.

“I think we have to rethink that commission and bring some new faces in,” he said. “I think that will be an opportunity for the new mayor.”