

The Oregonian

Transportation plan calls for \$1.1B to reduce Portland-area traffic

By Anna Marum

May 10, 2017

SALEM -- Oregon lawmakers want to sink \$1.1 billion into fighting congestion in the Portland metro area, arguing that reducing traffic there will benefit the rest of the state.

Higher gas taxes and other vehicle fees would fund projects to address traffic bottlenecks on three Portland-area highways: Interstate 5, Interstate 205 and Oregon 217.

The proposal calls for the local government, Metro, to split the costs with the state. Half the funding would come from statewide tax increases, with the other half coming from gas tax revenue, registration fees and perhaps tolls from residents in Multnomah, Clackamas and Washington counties.

The proposed investments were unveiled Monday as part of the Legislature's \$8.2 billion transportation package. Lawmakers hope to refine their rough plan into a bill over the coming weeks.

Sen. Rod Monroe, D-Portland, who helped craft the transportation package, said the state's need is dire.

"Our roads and our bridges are deteriorating," he said. "Most of our bridges were built more than 70 years ago, and many of them are crumbling."

Proposal details

Funding for the transportation proposal would come from three sources:

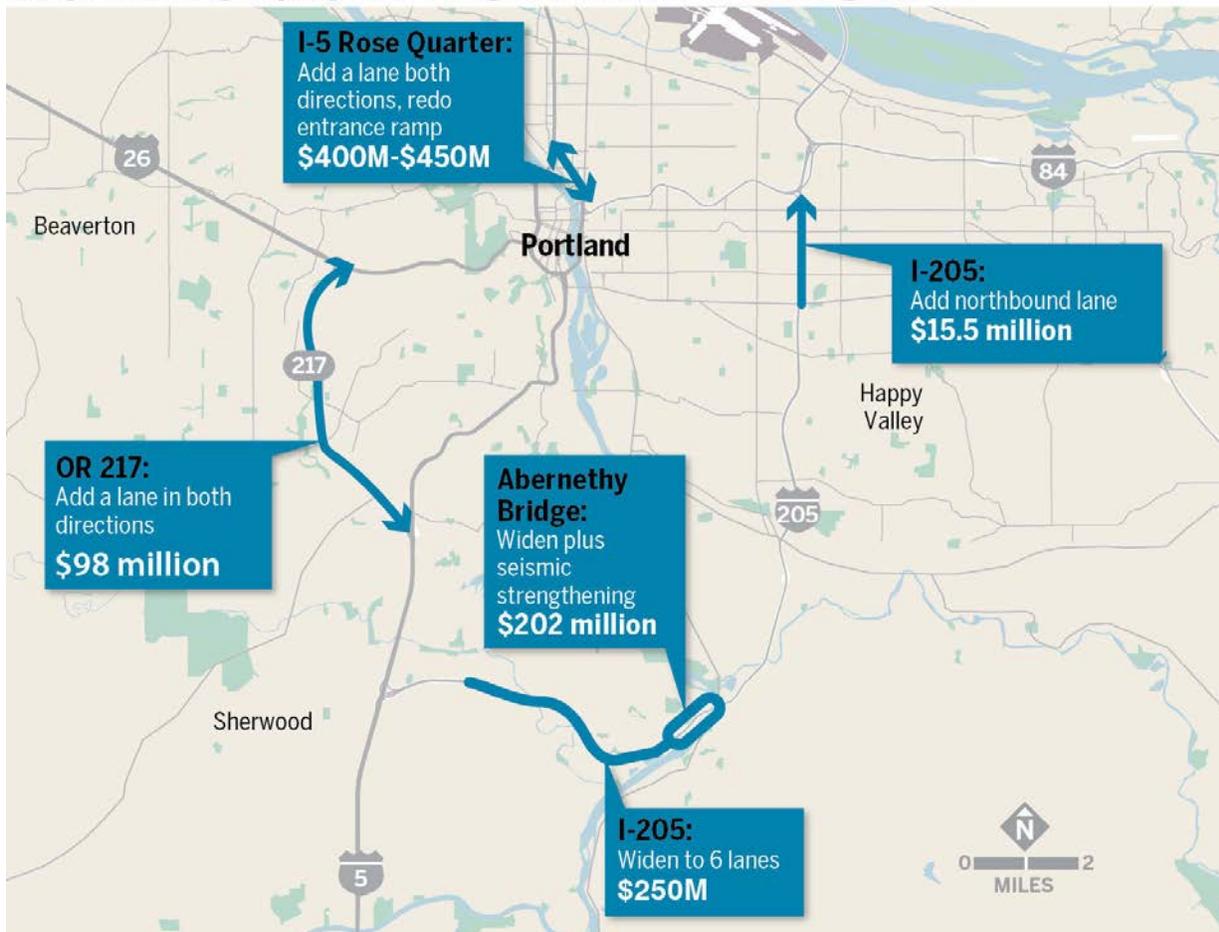
- >> Increased gas taxes and higher title and registration fees will pay for statewide road maintenance and preservation
- >> Local funds and a sales tax on new vehicles, and possibly tolls, will pay for congestion relief on I-5, I-205 and OR 217 in the form of wider roads and added lanes
- >> An employee payroll tax, a sales tax on new bikes and possibly a tax on contractor materials would pay for improvements to public transit and bike and pedestrian routes throughout the state

The plan relies on a proposed 9-cent-a-gallon gas tax and \$15 vehicle registration fee in the Portland metropolitan area. Both would be phased in over five years and would raise an estimated \$494 million over the next decade.

That new local revenue would help pay for several of the largest proposals to reduce traffic congestion in the tri-county area. Portland drivers would pay that tax on top of the [local gas tax voters already approved](#) last May, and on top of statewide increases to the charges in the proposal.

Both political parties agree that the state's infrastructure is in critical need of investment after decades of underfunding. The statewide gas tax has increased just once in the last 20 years.

Proposed major projects to fight Portland-area congestion



Source: Joint Committee on Transportation Preservation & Modernization

MARK GRAVES/STAFF

But Republicans warn that the myriad tax increases included in the plan will not be popular among voters, and say an overhaul of the low-carbon fuel standard is critical in gaining GOP support for the plan.

Because it includes tax hikes, the proposal will need a three-fifths approval in both chambers of the statehouse. That means Democrats will need to get at least two Republicans on their side.

The last transportation package passed in 2009, funded partially by increased gas taxes. A proposal [failed in 2015](#) when a bid to trade Oregon's new clean fuels law for new carbon cuts fell apart at the end of session. This proposal is about 20 times larger than 2015's.

Getting creative

The most expensive Portland-area congestion relief project would add northbound and southbound lanes and redo an entrance ramp on I-5 near the Rose Quarter, at an estimated cost of up to \$450 million. Similar widening projects on 217 and I-205 would cost \$98 million and \$250 million respectively, and an I-205 bridge project would cost \$202 million.

Then there are the more creative proposals to ease traffic.

A \$10 million pilot project would allow the state to try out a system of moveable barriers, which can add and reduce lanes to accommodate morning and afternoon commuters. Oregon used the

system in the past on highway construction projects. It is also used to reduce congestion on the Golden Gate Bridge and on Interstate 15 between Los Angeles and San Diego.

"Think how many times you're on one side of the road and you look on the other side of the road and everyone's doing 70 (mph) and there's plenty of space," said Chris Sanders, senior vice president of [Lindsay Corporation which produces the system](#).

The proposal also calls for the state to invest \$35 million on "active traffic management" -- essentially systems of electronic road condition signs -- for I-5 and I-205. Some signs are already in place along the highways, but the proposal would add to those systems.

Don Hamilton, a spokesman for ODOT, said the systems can reduce collisions by alerting motorists to slow moving traffic, slick roads or crashes, thus preventing pileups. In the first year after such a system launched on Highway 217, crashes declined by more than 20 percent.

"We've seen real success," Hamilton said. "When we can reduce the number of fender benders, we're bringing real efficiency and improvement to people's lives."

Tolling

Lawmakers are interested in requiring tolls on some roads, both to raise revenue and to influence drivers' behavior, such as discouraging people from driving during rush hour.

Travis Brouwer, assistant director of the Oregon Department of Transportation, said federal law generally precludes tolls except on new bridges and new roads or highway lanes. However, some federal pilot programs could offer options for expanded use of tolls in Oregon.

In the past, Oregon has mostly used tolls to pay for new bridge construction and could do so again, Brouwer said.

Lawmakers aren't relying on any tolling revenue in their transportation funding plan, however. Brouwer said it will take extensive computer modeling to figure out how much revenue tolls might raise, since some drivers would inevitably take alternate routes to avoid them.

Monroe said the improvements to I-205 and I-5 could open the door for tolling. The additional lane proposed on I-205 between the Abernethy Bridge and Stafford Road is one candidate, he said. Another possibility that might work for parts of I-5 southbound, he said, is "congestion tolling," or tolling during the busiest parts of the day.

"Tolling in Oregon is almost like the sales tax and self-service gasoline," he said. "It's something that we really resist."

Outlook

Even if the plan passes the Legislature and is approved by the governor, voters may still have a chance to reject parts of it, such as tolling or increased gas taxes, if referred to the ballot.

Monroe said he and his fellow lawmakers on the transportation committee are trying to avoid a referral by working with special interest groups representing truckers, car dealers and drivers.

"That's my hope," he said, "and the hope of the committee is that we don't need to be putting this on the ballot."

The joint transportation committee will meet Wednesday, giving lawmakers the chance to voice concerns over parts of the plan.

Minority law enforcement leaders bring concerns to Portland's mayor, police chief

By Maxine Bernstein

May 9, 2017

The presidents of two minority law enforcement organizations came to Portland Tuesday to meet with the city's mayor and police chief and share their concerns that high-ranking minority officers are being treated unfairly while under investigation.

Two police captains, Kevin Modica and Derek Rodrigues; a police lieutenant, Mike Leasure; and an officer, Tim Evans, remain on paid administrative leave while each are under internal investigation.

Another civilian police bureau employee, Elle Weatheroy, the police diversity and equity manager, was transferred out of the chief's office to another unit after she was [the subject of a harassment complaint](#).

"When you're talking about folks at that level of the organization, you have an obligation to either get them back to work or out of the organization," said Perry A. Tarrant, president of the National Organization of Black Law Enforcement Executives.

Tarrant, an assistant chief for Seattle police, spoke in Portland City Hall Tuesday after emerging from a 3 p.m. meeting with Portland Mayor Ted Wheeler and Chief Mike Marshman.

Tarrant and Cindy Rodriguez, president of the National Latino Peace Officers Association, were alerted to the concerns by current and retired Portland police officers, including retired officers Marci Jackson and Vince Elmore, Tarrant said.

The mayor and chief told them they don't believe there's a disparity in how minority officers are treated while under investigation. But the chief and mayor agreed with the outside law enforcement representatives that the amount of time it takes to investigate a complaint involving an officer is too long, and the process of paying them to remain off work for months is broken.

The four minority officers on paid leave are among 10 officers currently on leave.

Chief Mike Marshman, who recently [returned from two and a half weeks of forced paid leave while under investigation stemming from a bureau complaint](#), said the time away from the bureau is difficult and too long.

Cindy Rodriguez, who recently retired from Las Vegas Metro Police Department after 27 ½ years of service, said officers in her department were not taken off the job unless they were being investigated for a felony or something "so egregious." For lesser offenses, the officer would be transferred to a different unit while an investigation ensued, she said.

[Modica and Rodrigues have been on paid leave](#) more than two months. Their inquiries appear to be tied to a [city Bureau of Human Resources investigation that began last year into an administrative assistant's complaint](#) that former Police Chief Larry O'Dea and other high-ranking police supervisors failed to report discriminatory remarks allegedly made to her by the Police Bureau's diversity manager, Weatheroy.

The administrative assistant is of Pacific Islander descent. Weatheroy is African American.

Modica previously served as an assistant chief under O'Dea, and the administrative assistant who made the complaint had worked directly for Modica. Rodrigues was the captain of internal affairs under the former chief.

When Marshman was appointed chief in late June, he transferred Rodrigues out of internal affairs and reassigned Modica. Both Rodrigues and Modica also were questioned by the city's Independent Police Review Division that investigated why they and other assistant chiefs at the Police Bureau never initiated an internal investigation into O'Dea's off-duty shooting of a friend last year.

Marshman, who was under investigation stemming from a complaint that his executive assistant signed his name on a training log for a training the chief didn't attend, was [returned to work based on a city human resource manager's summary of the investigation](#), not the completed investigative report. His executive assistant, Leasure, who signed Marshman's name on the training log, remains on paid leave.

Tarrant and Rodriguez said they also offered the mayor and chief technical assistance from their organizations to help the bureau hire and retain more minority officers. The city is currently conducting a national search for police chief.

Willamette Week

Commissioner Chloe Eudaly and Portland Advocates Prepare to Launch a Climate-Change Tax on Corporations

*By Rachel Monahan
May 9, 2017*

The key debate in the Oregon Legislature this year is whether to impose a tax on businesses, months after voters rejected a similar idea at the ballot box.

But WW has learned that state lawmakers aren't the only ones who want to hike business taxes.

In Portland, City Commissioner Chloe Eudaly has joined forces with environmental and social-justice advocates on a potential 2018 ballot measure: a 1 percent city tax on the local gross receipts of businesses with national sales over \$1 billion, if those businesses do at least \$500,000 in annual sales in the city of Portland.

The proposal would spend the tax revenue it raises on renewable energy projects—like solar panels and community food gardens—in low-income neighborhoods, with a promise to create jobs for women and people of color.

Eudaly's office sent the proposed measure to Portland revenue officials and city attorneys last month. WW obtained it this week through a records request. It does not say how much money it would raise, but backers say it would raise upwards of \$10 million annually.

"Housing is my main issue," says Eudaly. "It could definitely be argued that climate change is at least as urgent, if not more. Who cares if you have safe, stable, affordable housing if you are living in the midst of environmental devastation? This could be a huge boost to these efforts."

The proposal shows that left-wing advocates have new levels of access at Portland City Hall since Eudaly's election—and Eudaly is giving them a bully pulpit.

The proposal is a joint effort by the climate-change group 350PDX, environmental group Sierra Club, longtime environmental lawyer Brent Foster and the NAACP of Portland. And it is likely to boost the political ambitions of Jo Ann Hardesty, who is president of the NAACP of Portland and is mulling a bid for the City Council in 2018, against either Commissioner Dan Saltzman or Nick Fish.

Hardesty, who is acting as the public face of the proposal, says the measure could help meet the city's climate-change goals while providing renewable energy projects for housing.

"The first year, we could retrofit every low-income multifamily unit within the city of Portland," Hardesty says. "Portland has a chance to become a national model to make sure we're addressing both [climate change and racial justice] simultaneously."

Staff for Portland Mayor Ted Wheeler and Fish said the officials didn't yet know enough about the proposal to weigh in.

Commissioners Amanda Fritz and Saltzman did not respond to requests for comment.

The proposal, which backers have dubbed the Portland Just Energy Transition, reads like a Christmas wish list for progressive Portland voters: It taxes big businesses to help end the city's energy dependence on fossil fuels while boosting economic and racial justice, all in one package that could be passed by the City Council or go before voters as soon as May 2018.

But the proposed measure also has the potential to upend the difficult negotiations underway in Salem to address the state's \$1.5 billion deficit.

House Speaker Tina Kotek (D-Portland) this week introduced a plan to make up that expected shortfall with taxes on the gross receipts of companies doing business in Oregon.

If Democrats, who control both houses but don't have the necessary super-majorities to pass a tax, can't win Republican votes, they could refer a tax measure to voters.

Last November, voters rejected Measure 97, a \$3 billion tax on corporations, by a 59 percent to 41 percent margin.

Observers say a Portland-only tax would further complicate current efforts to address taxes statewide.

Ryan Deckert, a former Democratic lawmaker and now the president of the Oregon Business Association, expressed concern.

"That just makes zero sense," Deckert says. "This would be a total sideshow to a really important conversation that's happening in the Capitol right now."

Hardesty says Portland should proceed regardless.

"Because we know the federal government is not going to come to our rescue anytime soon," she says, "we can't wait for the state to get its act together to figure out what they're going to do."

Eudaly dismisses talk of competition at the ballot box by emphasizing that the tax is just 1 percent.

"Given that this tax targets large corporations that are already subject to very low corporate taxes and [will] receive double digit tax breaks from the Trump administration, even if legislation went through at the state and local level, it would still only partially offset the Trump tax breaks," says Eudaly. "I frankly don't think that's a legitimate concern."

The Portland Revenue Division and city attorneys are still weighing the economic impact and legality of raising the city's business license tax for large companies.

Proponents are seeking to address some of the weaknesses that sank Measure 97, even though it passed overwhelmingly in Multnomah County by a margin of 57 percent to 43 percent. The Portland measure would exempt business revenues from groceries or some medicines, using company tax returns.

That's a key difference from Measure 97, which faced criticism for taxing essential items.

John Horvick, political director of polling firm DHM Research, says the measure could appeal to Portland voters, but could face resistance if twinned with another, statewide tax proposal.

"Even in liberal Portland," Horvick says, "there is a limit to any community's appetite for passing taxes."

The Portland Mercury

Hall Monitor: From the Pot Shop to the Cop Shop

By Dirk VanderHart

May 10, 2017

WHEN YOU TORE into this column with your typical voracity last week, reader, you got a pretty good preview of events to come.

You'll recall I wrote about [looming squabbles](#) of Mayor Ted Wheeler's first budget, and settled on three—Wheeler's proposed homelessness spending, his \$600 million plan for infrastructure projects, and a new public elections program—that seemed particularly ripe.

I was mostly right! In the last week, Wheeler has [squared off](#) with Multnomah County Chair Deborah Kafoury—in a courteous but tense exchange—over the \$25 million he's budgeting for shelters and other homelessness help. (Kafoury thinks it should be more.)

He's also heard concerns from Commissioner Nick Fish about that massive infrastructure proposal, which the commissioner notes hasn't seen any meaningful discussion before council.

And it appears he'll allocate \$250,000 to the Open and Accountable Elections program slated to begin in 2019. He'd first suggested putting off payment entirely.

BUT! There is one interesting tidbit I missed completely: People aren't too happy with how Wheeler wants to spend your pot taxes.

Amid the trauma of the November election, Portlanders approved a 3 percent local sales tax on recreational cannabis. Combined with a 17 percent state markup, that means cannabis users now pay a 20 percent premium to buy within city limits.

There were good reasons to support the tax. City Council had dreamed up [all sorts of interesting ideas](#) for how the projected \$3 million a year could be used.

For months, Commissioner Amanda Fritz went to community meetings and endorsement interviews, pledging the money for purposes as varied as DUI training for cops, drug treatment, road safety projects, help for minority- and woman-owned small businesses, and "economic opportunity" for communities that have been disproportionately affected by pot prohibition.

Then Wheeler, the police commissioner, opted to put most of the money into the Portland Police Bureau.

The mayor's budget includes nearly \$2.4 million in pot taxes to be spent on the bureau's Service Coordination Team, which works with addicts, and DUI training.

Another \$500,000 would be spent in a "participatory budgeting" process where community members could suggest noble recipients of cash. But that small piece wasn't enough to win over Fritz or Commissioner Chloe Eudaly.

“Some small businesses have some very big concerns, as do I,” Fritz said at a budget hearing on Tuesday, May 9. She suggested dumping the bulk of money into police would be tantamount to “not doing what we said we were going to do.”

“I would prefer not to be part of another broken promise,” Eudaly added.

This particular kerfuffle doesn’t seem to have a neat solution. Wheeler is counting on the pot money to balance his budget, meaning if Eudaly and Fritz get their way, cuts elsewhere would be necessary. Barring major changes, it appears more than 80 percent of the local pot tax will be headed to the cops next year.

Put THAT in your pipe and smoke it, Portland. (Seriously. You’d be doing a service to our men and women in blue.)

The Portland Business Journal

Timbers expansion request, including a relaxed ticket tax, hits City Hall

*By Andy Giegerich
May 10, 2017*

The Portland City Council will dive into the Portland Timbers and Thorns proposed Providence Park expansion today.

Among the components of the \$50 million project they'll consider: a 10-year exemption from receiving ticket revenue on the 4,000 seats added via the expansion.

The team was still formulating the option [when it announced the proposed expansion last month](#). It is privately funding the expansion.

The strategy would add four new tiers of seating to the stadium's east side and ensure that the teams remain in Portland "for the long term," [Mike Golub](#), the team's president of business, said last month.

Pending approvals, construction would begin this fall and be ready for a rollout by either the 2019 or 2020 season.

A city report on the request, which commissioners will hear this morning, reveals it would have "no specific or direct impact on the city's long-term financial position."

The expansion is subject to a land use review that's set to begin Thursday.

[The Oregonian reports](#) that exempting the tax on the new seats created by the expansion would deliver the Timbers and Thorns \$200,000 more annually.

[Commissioners will field details of the Timbers/Thorns proposal](#) starting at 10:45 a.m.

Portland City Council to make move on Uber 'Greyball' subpoena

*By Suzanne Stevens
May 9, 2017*

Portland city councilors will consider a proposal at its Wednesday meeting that would get it closer to forcing [Uber](#) to turn over all documents related to the company's controversial Greyball technology.

As [the New York Times reported in March](#), Uber deployed the technology in 2014 in Portland and other markets where the service was not approved. Greyball helped Uber evade regulators by canceling rides hailed by individuals that Uber determined could be involved in a sting operation. The technology could also display fake cars making their way to fares on the Uber app, making it difficult for regulators to ID real Uber vehicles.

Portland requested all documents related to Greyball as part of its own investigation into Uber's actions, but City Councilor [Nick Fish](#) said the company didn't produce the paperwork. Now, Fish and fellow councilor [Dan Saltzman](#) want to issue a subpoena to get Uber's Greyball "playbook."

Fish and Saltzman have both expressed concerns about the use of Greyball to avoid regulators, but also to intentionally avoid certain neighborhoods or populations, a process Fish referred to as "redlining."

"To target East Portland, or the disabled or the senior who needs to ride a few blocks to pick up a prescription," Fish said. "We want to be sure the technology isn't used to eliminate those less-profitable fares."

To issue the subpoena, the council on Wednesday will consider [a change to City Code language](#) that would clarify the council's subpoena powers and how those subpoenas should be enforced.

"In order to legislate, we need to know how the business operates," Fish said. "We need to know how Greyball works so that we can understand how far it was pushed, to determine whether it's still being used (for redlining), and so that we can come up with provisions or codes to make sure it doesn't happen again."

During a visit to the Business Journal last week, Uber's Vice President of Communications and Public Policy Jill Hazelbaker denied that Uber had withheld or was slow to produce documents requested by the city.

"My perspective on it is having seen it on a global scale, with various inquiries from different officials, I actually think in Portland we tried to go above and beyond in terms of the amount of information that we could give to them," Hazelbaker said. "Remember, they were asking things about us quite early on in the investigation, into the internal investigation into Grayballing and where it was actually used, so we did try to get back to them with quite a lot of urgency."

Hazelbaker also said that the information that [Uber](#) provided is a "thorough synopsis of what the program was and how it was used and deployed. Not saying it was the right thing to do and clearly it was the wrong thing to do and it's not something we'd ever do in the future, but from my perspective we have been very forthcoming with the city."