

# The Oregonian

## Editorial: Mayor Wheeler, Slow Down on Regulating Protests

*The Oregonian Editorial Board*  
*November 13, 2018*

Portland Mayor Ted Wheeler was spot on when he recently described how increasingly violent protests in downtown are hurting the city's reputation, damaging the city's economy and leaving local residents feeling unsafe.

Yes, yes and yes.

And so it's understandable these disturbing conclusions led Wheeler to craft an ordinance that would provide him with greater power to regulate protests. Portland Police Chief Danielle Outlaw, echoed his concerns in a hearing last week, saying she's powerless to prevent violent protests and is left only with the tools to react after the fact.

"The community is fed up," she told City Council. Indeed, the proposal Wheeler hopes to put to a vote on Wednesday is exactly what some residents and business owners have called on him to introduce for months.

But this ordinance is not the answer.

For several reasons, Wheeler should put this vote on hold, accept help from interested community members and craft an improved, long-term solution that will keep order while also passing constitutional muster.

Last week's hearing illustrated the true depth of this problem. The furor isn't simply about Patriot Prayer and antifa facing off in bloody brawls on public sidewalks. Some Portlanders, and even a City Council member, question how fairly police use the tools they already have, and aren't prepared to provide them with more. The city desperately needs an answer, but the wrong answer will only dig us deeper into this dark hole.

Numerous constitutional experts have raised issues with a key element of Wheeler's so-called "time, place and manner" regulations. As The Oregonian/OregonLive's Gordon Friedman reported, the policy would allow the mayor, who also serves as the police commissioner, to decide where, when and how protests could be held if three standards are met: The group has a history of violence; participants' or bystanders' safety is at risk; the probability of violence at the event is high.

Yet courts here and across the country have consistently stated that past behavior can't be used to strip people of their First Amendment rights.

Former Mayor Charlie Hales tried something similar when he blocked Joe Walsh from attending City Council meetings based on the activist's disruptive behavior at earlier meetings. Walsh sued. And U.S. District Court Judge Michael H. Simon ruled that Hales' "prospective exclusions" violated Walsh's rights.

"In this case," Simon wrote in 2015, "mere speculation that some persons may make others feel unsafe or engage in additional disruptions is an insufficient basis upon which to erect a governmental power to bar those who wish to express their views from participating in public debate."

Already, ACLU of Oregon leaders have said that while they agree recent protests - and police response to them - are concerning, they'd be among the first to challenge Wheeler's proposal.

This ordinance provides "too much power to a police official -- to a city official's judgment," said Kimberly McCullough, ACLU's policy director. "How will these judgments about groups of protesters be made? Will there be a list? How will you get off the list?"

A handful of law professors have cited similar concerns and a prediction that the ordinance would likely be quashed. The ordinance provides the mayor vast power and yet we still have many unanswered questions. Even other council members have basic questions, in part because they said Wheeler crafted the policy without consulting them.

McCullough and other advocacy groups have pledged assistance in researching other lawful tools to prepare for and address protests. Wheeler should accept the offers from the ACLU, the National Lawyers Guild and the Urban League, and solicit help from local business leaders and organizations. A diverse group of community members should increase the quality of the final product and ensure buy-in from those groups and their members. While this process will take more time, a sense of urgency shouldn't be lost as Wheeler's concerns about increasing violence are valid.

The mayor deserves credit for driving hard on a solution. Yet if he doesn't push pause, Wheeler's attempt to rise to this moment of needed leadership could undermine the work he's done so far.

Commissioners Chloe Eudaly and Amanda Fritz have said they'll vote against the ordinance. Commissioner-elect Jo Ann Hardesty also panned the plan and called on the council to hold off until she joins them next year.

So even if Wheeler has the votes today -- which remains a question - Eudaly, Fritz and Hardesty could join forces in January and repeal the regulation. That would take us back to the starting gate after having turned away potential partners who have an interest in making this policy strong, effective and fair.

Portland needs leadership that will bring us to thoughtful and equitable solutions. We should be willing to wait a little longer to get them.

## **E-scooter Companies Ask Portland Not to Pull the Plug Next Week**

*By Andrew Theen  
November 14, 2018*

Three electric scooter companies have asked Portland not to go cold turkey on the two-wheeled transportation craze during Thanksgiving week.

Nov. 20 is the end of the line for Portland's four-month trial. But the three e-scooter companies with legal permits to operate in the city – Skip, Lime and Bird – believe things are going too well to pull the plug. The companies cite the scooters' popularity, the economic benefit to local residents and the fact scooter-riders are helping Portland achieve its climate goals by encouraging car-free transportation as reasons to keep scooters on city streets.

"Lime remains committed to this community until our last day of operation -- we hope that day isn't next week," Jeremy Nelson, Lime's general manager in Portland said in an email.

But the city says thanks but no thanks. All scooters will be gone Nov. 20.

“That’s always been the case,” said John Brady, Portland Bureau of Transportation spokesman. “We’ve always been really clear about that.”

Bird and Lime submitted letters to Portland transportation leaders and City Council offices asking for an extension. Skip, the third e-scooter company with a permit under the four-month program, has also asked city leaders to reconsider the permit timeline. The companies tried to drum up positive comments from users in the past week, and city officials say they received more than 600 because of the company’s efforts.

According to Lime’s letter, 30 people have full-time jobs in Portland because of the scooter trial. Those employees have pulled in a collective \$275,000 in wages so far. Another \$230,000 has gone to so-called juicers who charge the scooters overnight.

Lime also argued that by ending the pilot, Portlanders who have changed their commuting habits “will be disadvantaged.”

Mario Sandler, Bird’s senior manager for government partnerships, wrote a letter Tuesday calling the pilot “tremendously successful.” Bird estimates it has set aside \$46,000 to give to the city for bike lanes, and it estimated it had paid 700 Portlanders a collective \$413,000 for charging its scooters.

As of Nov. 8, the companies had logged 643,417 trips since first hitting city streets this summer. The average length of a ride was 1.2 miles, and scooters registered 745,729 miles on Portland streets.

Brady said the city will continue to gather data on the scooter pilot and hopes to issue a full report early next year. That report will guide future plans to bring scooters to Portland permanently, if the city’s political and transportation leaders see fit.

“We need to assess what we’re finding,” he said of the data. “We need to hear more from Portlanders, all of their experiences, both positive and negative.”

The transportation bureau announced later Tuesday that it fined Skip \$9,000 in penalties for not providing at least 100 scooters in East Portland and for violating a requirement to have at least 90 percent of the company’s scooter fleet deployed each day during the pilot program.

## **The Portland Tribune**

### **Mayor's Proposal to Curb Protest Violence Up For Council Vote**

*By Nick Budnick  
November 13, 2018*

#### **Despite concerns over violence, constitutional issues include power to group protesters by belief**

Mayor Ted Wheeler, trying to curb a trend of increasing violence during political protests in Portland, hopes to secure council approval this Wednesday on his proposal to regulate protests.

But in doing so, he risks not just political blowback, but likely legal action threatened by the American Civil Liberties Union of Oregon.

As members of the council prepare for the vote, they will wrestle with divided testimony they heard last week as well as Portland's increasing prominence under a national spotlight as home to brawls between white nationalists such as the Proud Boys group, and the antifascist protesters known as antifa.

"In recent years, we've become a magnet for agitators either with a history of or an expressed intent to be violent," Wheeler said to start the hearing on Thursday. "It makes people feel less safe in our community."

ACLU lobbyist Kimberly McCullough, however, testified that the ordinance would result in costly litigation — not mentioning that it would almost certainly be filed by her organization.

"I don't actually think this ordinance can be fixed," she said, when asked about the potential for compromise.

The idea: keep them separated

Currently, the city issues permits to protesters who ask for one, often limiting the duration of the protest and asking organizers to rework their route to minimize disruptions to traffic. When people don't ask for a permit, the Portland Police Bureau sometimes simply grants one unilaterally.

Under Wheeler's ordinance, however, the city would have greater authority to intervene, especially when it comes to unpermitted protests.

The proposed seven-page, 2,500-word ordinance can be summed up very simply: If the city gets word that two groups of protesters with a history of violent clashes are coming to the same area, officials have the authority to put a cap on the number of protesters and also separate opposing groups, moving them apart to keep the peace.

However, to preempt criticisms of such a broad power, the ordinance states that "any such redirection shall be to a location that is reasonably close to, sufficiently approximates, or reaches substantially the same audience as the original location."

City officials give the example of putting one protest in one park, while counterprotesters would be moved a block away.

As amended by Commissioner Nick Fish, the ordinance would have a six-month "sunset," allowing it to be revisited next year.

### **Constitutional complications**

But despite the limitations on the proposed new powers — such as a requirement for clear documentation of decision-making, and reporting to the public whenever the ordinance is invoked — the idea has raised numerous objections. They are all based on the First Amendment of the U.S. Constitution, which guarantees the freedom of speech and the right to assemble.

Courts have upheld officials' ability to regulate the time, place and manner of protests, such as with permits. But they've required that restrictions be neutral when it comes to the opinions being expressed.

In this context, separating protesters and counterprotesters a block apart creates all kinds of problems, McCullough said. Rather than being neutral about the content of speech, police likely will "end up drawing lines based on people's political opinions."

Adding to the likelihood of successful legal challenge, she said, the ordinance appears to be vague and overbroad, and concentrates too much power in the hands of one person, Wheeler.

Dan Handelman, a volunteer with the groups Portland Copwatch and Peace and Justice Works, added that large groups of people will be penalized based on the past violent acts of a few: "That's guilt by association."

Many at last week's hearing, including Commissioner Chloe Eudaly, noted that it's almost always the counterprotesters who are hurt during police crowd control efforts. Meanwhile, white nationalist demonstrators seem to have a more cordial working relationship with police.

Commissioner-elect Jo Ann Hardesty testified that she has been "extremely disappointed" in police handling of out-of-town "hate groups" taking over Portland streets.

After the hearing, one city official, on condition of anonymity, noted that the Proud Boys get permits for their protests, while the counterprotesters often do not — making them more likely to be the subject of police attention.

That may be, said Handelman, but "even when you get a permit that doesn't guarantee the police won't attack you."

### **Proposal draws support**

At the council hearing last week, state Rep. Janelle Bynum noted that the protests downtown have drawn cops away from the rest of the city, contributing to delayed response times and inequities in services from police.

Some business representatives testified in support as well. Steve Faulstick of Travel Portland said "Portland is a brand as much as it is a place," adding that national media coverage of violent protests is putting Portland's reputation in jeopardy at a time when conventions bring in millions.

The tenor of protests in Portland has changed over the years. Ten to 15 years ago they were often jubilant, celebratory affairs moving through the streets with music and drumming. Today, protests are often scary, with attendees essentially clad for combat in armor and helmets.

"I don't dispute that what the mayor is trying to address is a new and difficult problem, at least new in recent years," said the ACLU's McCullough.

Handelman also credited Wheeler for "good intentions" in trying to curb violence that he said is largely being fomented by white nationalists.

Handelman said if there's been a change, it likely stems from a "more scary" political environment emanating from the White House.

Currently, Wheeler and Commissioner Dan Saltzman are supporting the idea, and Eudaly and Commissioner Amanda Fritz are opposed. It's unclear how Fish will vote, and the vote on Wednesday could yet be delayed.

## **Seraw To Be Honored on 30th Anniversary of Death**

*By Jim Redden  
November 12, 2018*

### **Tributes and events mark the killing of the Ethiopian refugee by racist skinheads in Southeast Portland on Nov. 13, 1988.**

Ethiopian refugee Mulugeta Seraw is being remembered on the 30th anniversary of his death in Portland.

Seraw was killed by a racist skinhead in Southeast Portland on Nov. 13, 1988. His death is being marked by a series of tributes and memorial events.

Oregon U.S. Sen. Ron Wyden has introduced a congressional resolution that says Seraw's death forced Portland and the state to confront racism. It says the 28-year-old Seraw was typical of refugees who come to America seeking a better life for themselves and their families.

"This horrific case galvanized the city, as well as the State of Oregon, to stand up to hate crimes and acts of violence by the neo-Nazi movement in the Pacific Northwest. While this brutal slaying happened 30 years ago, it remains fresh in the minds of many who lived through that time and for people who still experience discrimination and hate today," reads the resolution.

On Tuesday, Seraw will be commemorated by a conference sponsored by the Urban League of Portland and Portland State University. It will be held from 9 a.m. to 2 p.m. on Nov. 13 at the University Place Conference Center.

Participants are scheduled to include Seraw's uncle Engedaw Berhanu and lawyers who brought a successful civil lawsuit against California white supremacist Tom Metzger after three skinheads linked to him pleaded guilty to criminal charges, including murder, for their roles in the incident.

Conference partners include the Ethiopian Community of Portland, SE Uplift Neighborhood Coalition, the Portland Bureau of Transportation, Portland's Office of Equity and Human Rights, Multnomah County, and other agencies.

Seraw was living in an apartment in the Kerns neighborhood when he and two friends were confronted by a group of racist skinheads who had been drinking on the night of Nov. 13. Seraw was beaten to death with a baseball bat during the confrontation by Ken Mieske, a member of a racist skinhead gang called East Side White Pride.

On Wednesday, the Urban League of Portland, SE Uplift Neighborhood Coalition, Transportation Commissioner Chloe Eudaly, and special guests will unveil commemorative street sign toppers to honor Seraw in the Kerns neighborhood. It is scheduled at 8:50 a.m. at Southwest 31st and Pine, where Seraw was killed.

Speakers will include members of Seraw's family and their attorney, Eudaly, and representatives of the Urban League of Portland, the Kerns Neighborhood Association, SE Uplift Neighborhood Coalition.

At 2 p.m. Wednesday, the City Council will consider a proclamation declaring each Nov. 13 to be Mulugeta Seraw Day in Portland. Among other things, the proclamation says Portland remains an unwelcoming city for minorities, despite the lessons learned from Seraw's death.

"Portland's progressive reputation often hides its lack of diversity, the safe space our demographics create for racial animosity, and the lived experiences of people of color in Portland," reads the proclamation introduced by Eudaly and Mayor Ted Wheeler.

## Willamette Week

# Portland's Mayor Points to Seattle as a Test Case for His Plan to Restrict Protests. How Did It Go?

*By Katie Shepherd  
November 14, 2018*

### **Stricter rules are no guarantee people will follow them.**

On Nov. 14, the Portland City Council will vote on a proposal by Mayor Ted Wheeler to let police tell some protesters when and where they may demonstrate.

The outcome is still in doubt. The City Council is divided, with undecided Commissioner Nick Fish the swing vote. The fate of Wheeler's plan probably hinges on whether the council thinks it's constitutional.

In response, Wheeler points to a test case two decades ago and 175 miles to the north. He has repeatedly cited Seattle's use of an emergency ordinance to shut down several downtown blocks during the 1999 World Trade Organization riots.

"We believe 100 percent it will be challenged in court," Wheeler says, "and we are confident it will be upheld."

Wheeler may get what he wants. But the results in Seattle show that stricter rules are no guarantee people will follow them. And then police will once again have to decide how to respond.

The mayor is right when he says federal courts upheld Seattle's restrictions and found they did not violate First Amendment rights of free speech.

But later, a federal jury found that Seattle police violated the Fourth Amendment—which bars unreasonable searches—when officers enforced the rule by making mass arrests and using tear gas on protesters inside the forbidden zone.

Seattle's police chief at the time tells WW that harshly enforcing the rule was a blunder he still regrets.

"I made the biggest mistake of my 34-year police career when I authorized the use of chemical agents against nonviolent, and indeed nonthreatening, demonstrators," says Norm Stamper, who resigned as Seattle's top cop because of the decision.

Looking back, Stamper says he should have allowed protesters to break the rules and stay put until they decided to leave on their own.

Tensions were high in 1999. The arrival of the WTO in Seattle set off massive anti-globalization protests. About 200 masked anarchists broke dozens of windows. The city wanted to prevent that destructive mob from damaging more property—so it banned everyone else, too. The city closed a 50-block area in downtown Seattle.

That led to local citizens being pepper-sprayed and mistakenly arrested as protesters. Police used tear gas, pepper spray and flash-bang grenades.

Seattle defended its actions in court for more than five years and paid more than \$1 million in settlements with more than 150 protesters.

Nineteen years later, Portland faces its own street chaos.

Right-wing protest leader Joey Gibson has come to town more than a dozen times, looking for a violent response. Antifascists have met him at most of those rallies, leading to unhinged brawls that have sent people to the hospital.

Portland has allowed the protests to occur, almost unchecked, because city attorneys believe it is unconstitutional to bar protesters even if they have engaged in violence at previous events. The American Civil Liberties Union of Oregon agrees.

But street violence has the city on edge and officials on their heels. Nearly everyone agrees something needs to change.

Wheeler and Police Chief Danielle Outlaw have argued their proposal will keep police from using force to separate warring protesters. Such force has resulted in more than a dozen lawsuits in the past two years—and Outlaw says she doesn't want her officers wading into fights between extremist groups.

The ACLU has emerged as the harshest critic of Wheeler's plan.

ACLU legislative director Kimberly McCullough says the mayor's ordinance would be impractical to enforce. She points to the difficulty of identifying protesters and the fact that many of these demonstrations pop up without much warning.

"How do they know who is in what group? How do they know who goes to what park?" McCullough asks. "A lot of these protests, they're pretty spontaneous. How is this going to solve anything?"

The mayor's office says the fact that Seattle police were penalized for misusing the rule is actually a plus for Wheeler's plan—because it shows courts will monitor whether Portland police get it right.

"Even though it is legal under the Constitution, the police still need to apply it properly," mayor's spokeswoman Eileen Park says. "The fact that the ordinance is subject to an as-applied challenge is a strength and further safeguard because it allows a court to review how the policy is applied on the streets."

Mary McCord, a senior litigator at the Institute for Constitutional Advocacy and Protection who helped the city of Charlottesville combat white supremacist and militia groups, has endorsed Wheeler's proposal. She says she could identify "no facial constitutional infirmity in the ordinance proposed," and if the ordinance was applied strictly, it would probably be upheld in court.

Stamper, the former Seattle police chief, says making rules to keep protesters where police want them is a tricky balance. But he says no matter the rules, officers must wade in when fights break out—and arrest people who commit assault.

"Police do not have the luxury to say we're not going to engage in this violence, we're just going to let them have it out," he says. "That means early intervention. That means police moving quickly to put an end to the violence the moment it erupts. Far better to prevent it if you can, but it puts the police in America in the unenviable position of trying to prevent something that is not guaranteed to happen."



# E-Scooter Company Skip Fined For Breaking City Rules Requiring Service in East Portland

*By Elise Herron  
November 13, 2018*

**The company faces a \$9,000 fine for failing to serve East Portland.**

It's been a rough couple of months for e-scooter company Skip.

The company, one of three currently operating electric scooters under a provisional city pilot program license, was just fined \$9,000 by Portland Bureau of Transportation for failing to deploy scooters to East Portland.

The company also failed to make at least 90 percent of the scooters it has permits for—683—accessible to customers. Both are rules of operation that the company agreed to before entering Portland's market.

"We will hold e-scooter companies accountable for service in East Portland," Commissioner Chloe Eudaly said in a statement today. "E-scooter companies must show us that they can follow the rules set out by our program. It is unfair to Portlanders in East Portland for companies to fall short of reasonable public access requirements."

According to PBOT's statement, Skip is being penalized \$300 per day for each of the two violations, which occurred between Oct. 17 and Oct. 31.

Earlier this month, WW reported that Skip had been taking some of its scooters off the street during rainy weather.

Also last month, a Portland Uber driver filed a complaint against the company, seeking compensation for damages to his Subaru after two scofflaw Skip scooter riders ran a red light and crashed into his car.

Katie Florez, a spokesperson for Skip says, "We are enjoying participating in the PBOT e-scooter pilot, and value the opportunity to learn together as we work to make scooters a reliable part of everyday life in Portland."

She continues, "We regret that a hiccup in our operations led to a dip in the number of scooters we had available to serve all of our riders. The service disruption impacted all areas, including East Portland. We look forward to working with PBOT and the City of Portland to develop a long-term program that facilitates scooters as a reliable, permanent alternative to cars."

The city's pilot program ends Tuesday, Nov. 20, at which time all scooters will be taken offline.

"In early 2019," today's statement notes, "PBOT will share findings and data from the pilot program, and seek public input on next steps for e-scooter service in Portland."

# Civil-Rights Advocates Proposed An Alternative To Portland Mayor's Protest Restrictions

*By Katie Shepherd  
November 13, 2018*

## **City Council will vote on Mayor Ted Wheeler's protest ordinance on Nov. 14.**

Advocates with three civil-rights groups—the Western States Center, CAIR-Oregon and the Oregon Justice Resource Center—sent their own plan for stopping violent street clashes to Portland Mayor Ted Wheeler's office last month.

They presented their alternative plan, WW has learned, with the hope that Wheeler would abandon his attempt to expand police powers to control violent protests.

The groups say they met with the mayor and his staff on Oct. 18, just after Wheeler proposed his ordinance to restrict when and where violent protesters can gather. They asked him to consider a broader approach to counter the white nationalism and far-right extremism that has sparked violent clashes on Portland's streets. They offered to fund the efforts with private dollars.

He did not accept that suggestion, they say. And tonight, those three groups are going public with their rejected recommendations, on the eve of a pivotal City Council vote on the mayor's plan.

"The mayor's office is very committed to the ordinance," says Amy Herzfeld-Copple, a board member for the Western States Center. "We felt like the ordinance has always been the wrong solution, although we certainly recognize the mayor is acknowledging a crisis and asking for support."

Wheeler's office could not immediately be reached for comment tonight.

For nearly two years, Portland has regularly seen political rallies that devolve into street brawls. Police have struggled to keep right-wing protesters and their leftist opponents from fistfights, spraying each other with bear spray, and using flag poles and retractable batons as weapons.

City Council will vote on Wheeler's ordinance tomorrow, Nov. 14. The mayor's proposal has the backing of Police Chief Danielle Outlaw and her command staff, who say it will give them more tools to control violent extremists. It's unclear whether the ordinance will pass tomorrow; the City Council is divided, and Commissioner Nick Fish says he's still deciding what to do.

Last week, commissioners heard criticism from civil rights advocates who believe it is unconstitutional and will lead to people's rights being violated.

OJRC executive director Bobbin Singh says the mayor missed an opportunity to collaborate with civil-rights leaders.

"We came to the mayor and we said to him 'Our objective is to make the city look strong,'" says Bobbin Singh, OJRC executive director. "We want to lift up the mayor and make him look strong on this issue. We see that the city could use a win. He could use a win. And we wanted that."

Singh calls tomorrow's ordinance vote a "lose-lose" scenario.

"If it passes, it has divided the civil rights community and the city," he says. "If it loses, it just reaffirms what the alt-right has said about [Wheeler], that he is a weak mayor and this is a weak city."

The advocates' proposal suggests a three-pronged approach using education, law enforcement training and creative litigation strategies to put a stop to nearly two years of violence at rallies held by the right-wing group Patriot Prayer, which seeks a violent response from antifascists in Portland's streets.

The Western States Center suggested hosting a symposium for city officials and employees to teach them about the aims and tactics of extremist groups like the far-right men's fraternity called the Proud Boys. It suggested a similar event for local journalists.

CAIR-Oregon said it could connect Portland police with experts on law enforcement and monitoring white supremacist groups—including former FBI agent and current Brennan Center for Liberty fellow Mike German and Dr. Jamille Harrell-Sims, who spent 16 years in local law enforcement and now gives implicit bias and trauma-informed training to police.

"We think there's a huge amount of ignorance on the city, county and state level in terms of understanding how these groups operate and what their goals are," says CAIR-Oregon spokesman Zakir Khan.

In the third prong of the proposal, the Oregon Justice Resource Center offered to start a task force to explore possible ways to limit right-wing violence using existing laws against paramilitary operations.

"The rise of the alt-right and the activities of related paramilitary groups is a direct attack on our values, democratic institutions, and community," the proposal concludes. "This phenomenon is complex and nuanced. The OJRC, Western States Center, and CAIR-Oregon are committed to working with the City of Portland in advancing strategies that demonstrate an appreciation of these complexities and the magnitude of the threat."

The groups say the approach they are suggesting would equip local officials with more information and knowledge about hate groups, which would empower them to use existing laws to combat political violence without risking people's First Amendment rights.

"We still hope we can do that," Singh says. "We don't want this proposal to be ditched."

## **The Portland Mercury**

### **City's Plan to Limit Cars in Central Portland Includes Massive Investment in Parking**

*By Blair Stenvick  
November 13, 2018*

A plan to improve transit options and decrease the number of cars in central Portland just received a last-minute addition—one that would include investing in more parking options in the city center.

Central City in Motion (CCIM) is an 18-project plan from the Portland Bureau of Transportation that's been a year in the making. CCIM promises pedestrian crossing improvements, redesigned roadways that will better accommodate busses and trucks, and safer biking options in downtown Portland and the Central Eastside, among other things.

The Portland City Council is scheduled to adopt a final CCIM report and implementation plan on Thursday. It will also consider a just-added CCIM parking supply strategy report—one that

essentially recommends the city invest in more parking spots, despite CCIM's focus on making the area more bike, public transit, and pedestrian-friendly.

"CCIM, rightly in my opinion, removes on-street parking in order to make it possible to move many more people in the central city," said Tony Jordan, founder of transportation advocacy group Portlanders for Parking Reform. "This is more equitable, safe, and in line with our goals to reduce car trips."

But PBOT's new CCIM parking strategy report—just released Friday, less than a week before its scheduled adoption—lays out nine potential strategies for increasing parking in the city center.

Many of those suggested strategies would serve as temporary transitional measures to keep the area's number of parking spaces the same, as the city center is expected to lose an estimated two percent of its parking spaces due to CCIM projects. But three proposals would likely add more permanent parking spaces to the area.

One of those proposals suggests the city invest \$14 million in capacity improvements for the city's five public parking garages, called "SmartPark" garages. Another calls for the city to enter public-private partnerships with developers to add up to 200 new publicly accessible parking spaces, estimated at \$50,000 a space. And yet another proposal suggests entering similar partnerships with fellow public entities, such as Multnomah County or Portland Public Schools.

According to Jordan, the purpose of projects like CCIM is to improve Portland's "mode-split goals"—that is, make it so that fewer people are driving and more people are taking transit, walking or biking on any given day. The newly released parking strategy report, Jordan predicted, would undermine those goals.

Marshall Runkel is the chief of staff for Commissioner Chloe Eudaly, who is the council's newest PBOT liaison. He told the Mercury that "just like the public, our office hasn't had a chance to dig in to [the report.]"

Runkel added that he expects the council will need more than one hearing before it adopts both CCIM and the accompanying parking strategy. But the first hearing will happen this Thursday.

"We've definitely got a lot of work to do in the next couple days," he said.

## **The Portland Business Journal**

### **Scooter Co. Fined For Lack of East Portland Service**

*By Andy Giegerich  
November 14, 2018*

A San Francisco-based e-scooter company must pay fines for violating terms of Portland's pilot program.

The city said Skip must pay \$9,000 after failing to provide at least 100 scooters each day in East Portland. It also hasn't deployed at least 90 percent of the e-scooters for which it has permits, as required by the program.

At least 20 percent of the company's scooters must be deployed in East Portland.

Commissioner Chloe Eudaly said the fine illustrates the importance of providing the scooters in an area that's "historically been underserved by the transportation system."

Said Eudaly, "E-scooter companies must show us that they can follow the rules set out by our program. It is unfair to Portlanders in East Portland for companies to fall short of reasonable public access requirements."

The penalties were assessed for each violations over 15 days, at \$300 a day between Oct. 17 and Oct. 31.

Skip also didn't deploy e-scooters on some days because of rainy weather. The city didn't punish the company for the decision.

Portland's e-scooter pilot program ends Nov. 20. The city will seek input on whether to take next steps for the program in early 2019.

The city is set to allow up to 2,500 scooters under the pilot program. Additional applications are under consideration, and officials want to leave room under the cap for more companies.