

The Portland Tribune

Bills Seek Tax Aid to Shore Up Levee System

By Steve Law

January 29, 2019

All Portlanders might help pay to protect the city from Columbia River floods, if lawmakers vote to authorize a new taxing district covering most of Multnomah County.

Oregon lawmakers are being asked to create a new Multnomah County utility and taxing district to shoulder the burden of protecting Portland from raging floodwaters of the Columbia River.

Since the early 20th century, that burden largely has fallen on property owners in the floodplain south of the Columbia River, who agreed to tax themselves to build, maintain and operate a 27-mile network of levees and associated pumps. One of those levees, a railroad embankment doing double duty, failed spectacularly 71 years ago, causing the Vanport Flood that wiped out Oregon's second-largest city.

Now those property owners, backed by a large intergovernmental team known as Levee Ready Columbia, are asking the Oregon Legislature to authorize a new flood-control agency for the 21st century.

"It's a mechanism to provide long-term flood safety management along the Columbia River to protect the resources behind the levee system and meet federal requirements," said Stephanie Hallock, a project manager for Oregon Solutions who helps coordinate the Levee Ready Columbia project.

Property owners — who created four tiny drainage districts decades ago to tax themselves when the area largely consisted of farms — say they can't do it alone any more, especially with a new federal mandate to recertify the levee system's safety. That federal mandate came with stricter safety standards, and the certification is essential for property owners to buy flood insurance.

Most Portlanders are unaware that the same railroad embankment that failed in the 1948 Vanport Flood is still doing double-duty as a levee — and recently was identified as the weakest link in the levee system. Replacing it will cost an estimated \$15 million to \$20 million.

Vast assets protected

The floodplain has been transformed since the days when the drainage districts were created, and the levee system now protects many vital assets: Portland International Airport, the Oregon Air National Guard base that defends the West Coast, the city of Portland's backup water supply, and abundant industrial, retail, hotel, freeway and residential properties.

So Levee Ready Columbia, which includes delegates from area cities, the state, business and environmental groups, figures the entire urban part of Multnomah County should be willing to help pay to protect those assets from floods.

Portlanders are about to find out whether the Legislature — and property owners on the hook to pay higher taxes — will concur.

Lawmakers are being asked, in Senate Bill 431 and House Bill 2008, to replace the four drainage districts with a new urban flood safety and water quality district that covers all of Multnomah County that's within the metro-area urban growth boundary. There's consensus that the four drainage districts are an antiquated way to pay for services that a wider area benefits from, including provisions that limit how much money they can raise via property tax assessments.

"We have to stick to the very restrictive strictures that were written into the statute, which is very narrow," said Reed Wagner, executive director for the drainage districts.

Initially, some in Levee Ready Columbia wanted to have property owners in the tricounty area pay for levee bond measures. But Metro and the Port of Portland, which have the power to put regional money measures on the ballot, balked. So the organizers went closer to the flood-prone areas, which might be more inclined to fork out money. Multnomah County's Board of Commissioners was reluctant to authorize a countywide utility district, so Levee Ready Columbia turned to the Legislature to authorize one with smaller boundaries.

"This is where we could get agreement," said Mike Jordan, director of the Portland Bureau of Environmental Services.

Revenue amounts not in bill

The bill submitted to the Legislature is silent on how much money the district could raise. That was intentional, because having the Legislature approve a tax could enable anti-tax forces to refer the bill for a statewide referendum, said Eryn Mitchell, public affairs manager for Levee Ready Columbia. Local advocates aren't in good position to run a statewide electoral campaign on what is mostly a regional concern.

Instead, the bill would give district leaders the authority to create a new utility fee for property owners within the floodplain, mostly the same ones who have been funding the drainage districts with property taxes.

The district also would be authorized to place bond measures before voters in the urbanized part of Multnomah County. Those bonds are envisioned to pay for some of the big capital improvements needed in the levee system, such as replacement levees and giant pumps that send excess water back to the Columbia River.

Levee Ready Columbia leaders say taxes for the bond payments will be modest, and those in the floodplain will continue to pay a much-larger amount to maintain the system.

To put the potential \$40 million to \$60 million bond measure in perspective, Jordan said his Bureau of Environmental Services spends three times that amount each year in capital improvements and maintenance of Portland's sewer and storm management system.

But Levee Ready Columbia leaders understand this may be a hard sell. House Speaker Tina Kotek, D-Portland, advised it may take two legislative sessions to pass.

That would be OK, said Jules Bailey, a former lawmaker and county commissioner who now is the convener of Levee Ready Columbia.

"That works from a timeline perspective," Bailey said. The U.S. Army Corps of Engineers recently got \$3 million to do an alternatives analysis of needed levee improvements, and doesn't expect to recommend a slate of solutions until December or January. After that, it may ask Congress to help fund the needed improvements.

Those improvements will be essential to get the levee system recertified.

Aside from the new taxing authority, jousting has begun over who would control the new utility board, and what its scope might be.

The Port of Portland, which operates Portland International Airport and other industrial properties in the floodplain, is lobbying to be a voting member on the board, as the largest affected property owner.

The Audubon Society of Portland, which has tangled with the port on development of West Hayden Island and other issues, is adamantly opposed, and wants more community representation on the board. "The way that it's set up sort of perpetuates control by the existing agencies," said Bob Sallinger, the society's conservation director.

Levee Ready Columbia proposed a middle position, that the port be given a non-voting member on the board.

Sallinger and others are pushing to grant the proposed utility a broader mandate to do environmental restoration and habitat management in the district. To enlist Portlanders to pay for flood control, they'll want to see their money also go to protect salmon, wetlands, water quality and other environmental attributes, Sallinger said. "In order to get buy-in, you're going to have to have a vision that is compelling."

Jordan also supports a broader mandate, noting the city already is doing significant environmental work in the Columbia Slough, a series of wetlands just south of the river.

But some are pushing to have a narrower scope on flood control, which has been hard enough to fund.

Sallinger is concerned that the Army Corps now is in a lead position, and its approaches to flood control often have been "environmentally destructive," he said.

The congressional bill providing the \$3 million mandates that the Army Corps' main objective is "flood risk management," said Valerie Ringold, chief of the planning and economics section for the agency's Portland district.

But the Army Corps will evaluate environmental solutions as part of its four alternatives, Ringold said.

While Levee Ready Columbia would welcome federal money to pay for major capital improvements of the system, there's nothing to preclude a short-term strategy to get the system recertified and a long-term strategy that looks at broader environmental goals, Bailey said.

Despite some disagreements, "We don't want the levees to fail," Sallinger said.

"No one wants another disaster in Portland."

Willamette Week

The Nonprofit NuLeaf Project Is Working With the City of Portland to Help Cannabis Entrepreneurs of Color Strengthen Their Businesses

By Tiara Darnell

January 29, 2019

Securing the funds from Prosper Portland last summer and awarding the first of many more grants to come this winter was a full-circle moment for NuLeaf.

Last week marked a milestone in the era of recreational cannabis.

On Jan. 21, Prosper Portland, the city of Portland's economic and urban development agency, awarded \$30,000 each to two Black-owned cannabis businesses, the delivery service Green Box and Green Hop dispensary in Northeast Portland. It was the first time any municipal cannabis program in the U.S. had used tax revenue from weed sales for that purpose.

The funds were administered by the NuLeaf Project, a nonprofit dedicated to providing individuals from communities of color the resources to thrive in the legal cannabis industry—and, in effect, begin to reverse some of the damage wrought in those communities by anti-drug policies in the U.S.

"I hope people see that the city is investing in these communities," says NuLeaf executive director Jeannette Ward Horton, who founded the nonprofit with her husband, Jesece Horton of Saints Cannabis. "Every city and state needs to, because it's the city and state—and the prisons—that reaped from these communities economically by arresting Black men and women. These are your own citizens, and this is how you help repair that."

NuLeaf's mission is befitting of a couple who both have direct experience running afoul of the law for cannabis-related offenses.

Both have also contributed significantly to restorative justice efforts, locally and nationally. They were instrumental in the creation of the Minority Cannabis Business Association and advancing its agenda of economic empowerment for communities impacted by the War on Drugs. And both contributed significantly to the development of the language of Measure 26, allowing for the allocation of cannabis tax money to fund record expungement and workforce and business development, particularly for women- and minority-owned enterprises.

But even with their extensive experience, when the city of Portland called for applications for grant money in March last year, the Hortons, then new parents, hesitated before stepping forward.

"There was this internal battle," Ward Horton says. "Are we this type of leader? Are we really the experts? Are we capable of doing this with everything else we have going on? In Portland, it felt like we had been doing this work for a really long time and we certainly needed to get our butts in there and to make a play for [the grant]. We certainly had to try."

Securing the funds from Prosper Portland last summer and awarding the first of many more grants to come this winter was a full-circle moment for NuLeaf. But work remains: During this latest round of funding, the nonprofit was unable to fund two of the top four applicants because the businesses are located outside Portland city limits and are therefore ineligible for municipal funds.

Even with recently secured private donations, the Hortons acknowledge more needs to be done to close the gap between predominantly white venture capitalists and the Black entrepreneurs they chronically underfund.

Beyond grant funding, NuLeaf is also extending its educational services arm, NuSchool, to the businesses in its program in an effort to close the resource gap typical of cannabis industry entrepreneurs of color. All participating business are required to go through the NuSchool program, which provides owners with a 360-degree audit to strengthen areas in need of improvement, while also building on their technical know-how by connecting them to mentors and community members that can offer long-term advice and support.

Ward Horton says NuLeaf is eager for the state of Oregon to do what California has yet to fully deliver on.

"They've already passed legislation at the state level," she says, referring to California's recently passed social equity program. "They've made a lot of noise, but they haven't actually done anything. We can get things done faster here. Why don't we beat them and invest in these communities?"

OPB

Portland Leaders Set February Vote On Joint Terrorism Task Force

*By Amelia Templeton
January 29, 2019*

The Portland City Council will vote Feb. 13 on a resolution to withdraw from the FBI's Joint Terrorism Task Force.

New Commissioner Jo Ann Hardesty promised to put the issue to a vote during her 2018 campaign.

Hardesty says she recently met with officials from the FBI to learn more about the work of the Joint Terrorism Task Force, a partnership between FBI agents and local law enforcement officers.

Hardesty says nothing she heard in that meeting convinced her to change her position that the city should pull its police officers out.

"What I felt is that they are still a very top secret organization that really does not share information with folks about what they are involved in and why," she said.

Portland's vote will follow a move in 2017 by San Francisco to withdraw its officers from the JTTF there. Portland withdrew from the JTTF under Mayor Tom Potter, a former Portland police chief, and then rejoined in 2015.

Hardesty says the ordinance she plans to introduce will be limited to the question of whether the city should remain involved in the task force.

"I started with a set of very complex recommendations, and I am now leaning towards a very clean ordinance that just stays we're pulling out," she said. "We will come back with directives for how we will continue to work with the FBI and homeland security as needed."

The decision to stay or leave will be a close vote. Commissioner Amanda Fritz has consistently opposed participating in the Joint Terrorism Task Force. Mayor Ted Wheeler has said he prefers to stay involved.

Commissioner Chloe Eudaly, the likely swing vote, says she has yet to land on a specific position. Eudaly has said she is weighing concerns about Immigration and Customs Enforcement's role in the group against the advocacy of some Muslim community leaders who favor staying in the task force.

Civil liberties advocates have long worried that the FBI's practice of placing people deemed a potential risk under surveillance in some cases amounts to profiling people on the basis of their political beliefs, religion, race or nationality.

The FBI says the JTTF focuses on threats of violence and not on particular religious, racial or political groups. Federal officials also say they investigate hundreds of threats each year in Oregon, though most do not turn out to be related to terrorism.

Recent investigations the FBI has said the JTTF is involved in include the case of a disabled homeless man who violently threatened Mayor Wheeler in a comment on Instagram and the fatal stabbing of two men on a TriMet train in 2017.