

The Oregonian

Amid Cannabis Tax Fight, Chloe Eudaly ‘Very Unhappy’ About How Portland Treats Traffic Enforcement

By Andrew Theen

May 14, 2019

Portland Commissioner Chloe Eudaly said Tuesday that she was “very unhappy” with the police bureau for spending money from a voter-approved cannabis tax to fill its own budget shortfall instead of increasing traffic enforcement.

Eudaly, who oversees the transportation department, aired her grievances Tuesday during a council budget work session. The first half of the meeting centered on a recent audit of the 3% cannabis tax approved by voters in 2016.

“Once again I see in this budget,” Eudaly said at a council work session, “no increase in traffic enforcement despite these dollars. I’m very unhappy with this,” she said of the police bureau’s spending of cannabis tax revenue, “I do not support it, and it’s just unacceptable going forward.”

The remarks come following a spate of high-profile traffic deaths and incidents shocked the city last month, the latest being a hit and run crash in broad daylight on Southeast Division Street that left a 6-year-old girl injured. Portland is hoping to eliminate all traffic fatalities by 2025, part of the global effort known as Vision Zero.

Portland’s cannabis tax was pitched to voters as a way to support small women and minority owned businesses trying to enter the industry, help rehabilitate those plagued by drug convictions with job readiness tools or treatment programs while also beefing up public safety efforts through DUII enforcement or traffic projects.

But according to a city audit released earlier this month, Portland isn’t doing enough to show how those monies are being spent; 79 percent of weed revenue thus far has gone to public safety causes. The state’s cannabis sales tax already sends money to local police as well. “While the uses are allowed under the ballot measure, community members, cannabis businesses, or others affected by past cannabis policies have not been involved in the overall budget decisions, and the City has not reported on how it’s used the tax revenues,” auditors wrote.

Eudaly said she was frustrated that the lack of transparency extended to the City Council as well as the general public.

She directly questioned a police representative Tuesday who confirmed that the bureau created no new positions with the more than \$2.1 million it spent to supplant existing general fund dollars.

“I want to see an actual increase in enforcement and I’m disappointed that these dollars didn’t deliver that,” she said.

Traffic enforcement is intended to be a key pillar in helping to stem the tide of traffic fatalities. More traffic cops help slow drivers down, one key factor in trash crashes. But Portland’s police bureau continues to struggle to fill nearly 120 vacancies, and the traffic division has been hard hit.

Captain Stephanie Lourenco, who heads the traffic division, said in a recent interview with The Oregonian/OregonLive that the bureau had 18 motorcycle officers and 2 vehicles dedicated to the team in 2019. In 2014, the agency had 27 motorcycle cops and 6 cars.

“People have a sense that there are not enough consequences for their driving,” she said. “Because we cannot get out there and do as much as we should be doing.”

According to the agency’s traffic data posted online, the unit conducted 4,276 “enforcement actions” in the first four months of this year, nearly half as much as during the same four-month period in 2016. Those traffic stops could result in multiple enforcement actions for a single driver – say for speeding and not having a valid license.

Lourenco said her officers are spending 25 percent of their time at work filling in for other jobs in their precincts, and finding people who want to be police officers is challenging. “This isn’t about money, really, as far as I can tell,” Lourenco said. “This is about finding human beings that we can hire.”

In later council discussions Tuesday about the upcoming budget year, Eudaly reiterated that she has “grave concerns” about what she called and underinvestment in traffic enforcement. Thirty-four people died in 2018 in traffic crashes citywide, down from 44 the previous year.

Portland hopes to have \$4.8 million in cannabis tax revenue to spend in the next fiscal year, which begins July 1.

The city also has no plan to spend roughly \$759,000 in unallocated cannabis tax revenue.

The council is expected to come back with a plan for how to spend that money in the next week.

Commissioner Jo Ann Hardesty has pushed to spend more money on programs to expunge criminal records for those convicted of marijuana possession.

The council will also in the future decide what to do with the marijuana tax program overall. Commissioner Amanda Fritz and the Office of Community & Civic Life, which manages the cannabis program, have suggested creating a new five-member oversight committee to look after city spending.

Portland Mayor Selects National Police Foundation to do Inquiry Into Alleged Biases by Police in Handling of Protests

*By Maxine Bernstein
May 15, 2019*

Portland’s mayor has selected the National Police Foundation to investigate whether Portland police have acted with bias in their actions leading up to and during demonstrations involving alt-right and anti-fascist protesters.

Mayor Ted Wheeler, after consulting with former FBI agent Michael German, chose to award National Police Foundation a \$200,000 contract to do the independent inquiry. The money comes from the police bureau’s budget.

Work is expected to start this week, according to the mayor’s office.

The foundation, according to its website, is a nonprofit dedicated to improving the policing profession.

The mayor, who serves as police commissioner, earlier this year had called for an independent investigation into the police handling of demonstrations after the release of hundreds of text messages and emails between the bureau’s crowd control liaison, Lt. Jeff Niiya, and Joey Gibson, leader of the right-wing Patriot Prayer group.

The communications sparked outrage among some community members, who said the lieutenant's friendly banter with Gibson was evidence that officers have protected right-wing protesters over counter-demonstrators, such as antifa. The mayor called the texts "disturbing" and said they crossed the boundaries of acceptable police work.

Instead of seeking requests for proposals on the work, the mayor chose the foundation to do the investigation.

Seeking formal requests "would have been much more involved and lengthier. Given the public interest, the Mayor wanted to move forward with the process as expeditiously as possible," said Eileen Park, the mayor's spokesman. She said the mayor's choice was shared with the other commissioners on the council and no concerns were raised.

Wheeler chose the National Police Foundation to do the investigation because they've done similar work in the past and had the strongest team, according to Park. The foundation, for example, did assessments of the police response to August 2014 demonstrations in Ferguson, Missouri, and conducted a review of the 2017 protests in Charlottesville, Virginia and the police response.

The California-based Police Assessment Resource Center was the only other agency that presented a proposal, according to the mayor's office.

In a prior interview with The Oregonian/OregonLive, German suggested an investigation should examine all police intelligence that Portland officers get on protesters from the Joint Terrorism Task Force, the U.S. Department of Homeland Security and the state Department of Justice's Oregon Terrorism Information Threat Assessment Network Fusion Center. The center monitors public safety threats, collects data and shares information with federal, state and local law enforcement.

It should examine videos of demonstrations, police reports, arrests, police communications with demonstrators and whether those are shared with supervisors, he said. German also recommended that it look into allegations that police worked with Patriot Prayer's so-called "security" to help make arrests, as alleged during one protest.

While Niiya's texts and email exchanges created an outcry, some outside policing experts and Niiya's union president said they showed the lieutenant was simply following police policy on crowd control communications. He was helping the bureau get information about Patriot Prayer, they said, and sharing it with his command staff and the mayor's senior adviser, as text messages showed. Other texts showed Niiya reaching out to counter-protesters, but many of them were reluctant to communicate with him and expressed distrust of police.

Rallies and marches by Gibson and his group have repeatedly devolved into bloody brawls between Patriot Prayer followers and counter-protesters.

A separate internal Police Bureau investigation is underway into Niiya's communications with Gibson. Niiya has been restricted from communicating with Gibson or serving as a crowd control liaison for the bureau while the internal inquiry is underway. On April 18, Niiya was reassigned to serve as an inspector in the bureau's Professional Standards Division.

Portland Brick Building Owners Seek to Block Quake Warning Sign Ordinance Permanently

By Elliot Njus

May 14, 2019

Owners of brick buildings hope this week to permanently shut down a Portland city ordinance that would require warning signs on brittle brick buildings that are especially vulnerable to earthquakes.

The building owners are asking a federal judge to make permanent an order that prevents the city from enforcing its ordinance, which has been amended several times since it first passed in October. The rule would require building owners to post the placards by November 2020.

It's the latest in the back-and-forth over the signs, the city's strongest response to date over the risk of a major earthquake in a region where smaller earthquakes are rare and there's been little incentive for building owners to make expensive safety upgrades on their own.

U.S. Magistrate Judge John Acosta has already prevented the city from enforcing the rule while he weighs building owners' argument that it's unconstitutional. This week, he'll hear arguments from building owners and city officials before making a final decision.

Portland is believed to have more than 1,600 vulnerable brick buildings, among them restaurants, churches, apartments, performance venues and schools. Seismic experts, meanwhile, say the city has about a one in four chance of suffering a major 8.0-or-greater earthquake in the next 50 years.

The building owners have said it's a free speech issue because the city is forcing building owners to promote its message. They also said the city has denied them the right to due process by putting their buildings on a list of "unreinforced masonry buildings" without sufficient evidence or opportunities to appeal.

Walt McMonies, who spent \$1.1 million retrofitting his Trinity Place Apartments but which falls just short of being exempt from the placarding agreement, represents the Masonry Building Owners of Oregon, a plaintiff in the case.

He testified Tuesday that the signs are misleading because they don't differentiate between a building that's substantially reinforced like his and one that's had no upgrades at all.

"I think I'm lying" by posting the placard, he said.

Building owners stand to lose tenants — in apartments, offices and storefronts — who are uncomfortable living or working in a vulnerable building, or who feel their customers might be wary of entering the building. They also face astronomical costs to retrofit the buildings and say they would as likely be forced to sell to a developer who would tear it down.

They have argued for public assistance in funding the retrofits, and the city has vowed to push for a state program to address the issue.

But meanwhile, attorneys for the city argued it's well within the city's rights to require signs that city officials say will promote public safety.

"Unreinforced masonry buildings are more dangerous to their occupants and passersby than any other kind of structure," said Deputy City Attorney Denis Vannier. "There is no reasonable dispute over these dangers."

Attorneys for the city compared the placards to lighted exit signs required under fire codes or no-smoking signs posted near building entrances under state law.

Among the Portland officials called to testify was retired City Commissioner Dan Saltzman, a key architect of the ordinance who oversaw the city's Bureau of Emergency Management.

John DiLorenzo, an attorney for the building owners, pressed Saltzman on statements he made in City Council meetings and to the press indicating a desire for the placards to put pressure on building owners to make seismic upgrades.

Saltzman seemed to affirm those statements, acknowledging the ordinance might make tenants avoid unreinforced masonry buildings and push landlords to retrofit or demolish the buildings in response.

"The purpose of the ordinance was to give people information in the belief that when people have information they make better decisions," Saltzman said.

That could bolster the building owners' free speech argument. DiLorenzo said the city avoided politically unpopular mandates that could achieve its goals, instead turning to the more constitutionally problematic approach of compelling speech through placards. Courts have previously held that governments should first exhaust options that don't infringe on speech, DiLorenzo said.

The ordinance has also attracted opposition from the National Association for the Advancement of Colored People because it would affect a large number of predominately black churches and other buildings in historically black neighborhoods. Its enforcement, the organization said, would further the displacement of black residents and businesses from those neighborhoods that has resulted from other city policies.

City Commissioner Jo Ann Hardesty earlier this year directed the Portland Fire Bureau, which she oversees, not to enforce the ordinance, and Acosta later ordered the city not to enforce it at all. (The city Bureau of Development Services, overseen by Mayor Ted Wheeler, also plays a role in enforcing the ordinance.)

Hardesty later proposed to tweak the ordinance, delaying it until November 2020 for non-government buildings. She also eliminated a requirement that earthquake warnings be memorialized in residential leases and in county property records. A warning would be required on rental applications instead.

The Portland Tribune

Group Blasts Portland's Inclusionary Housing Policy

By Jim Redden

May 15, 2019

Up for Growth claims the policy is slowing apartments projects, the Portland House Bureau disagrees.

A national smart growth advocacy organization with a local presence is accusing a Portland affordable housing program of slowing the development of all kinds of apartments in the city.

Up for Growth has taken aim at the Inclusionary Housing policy that requires all apartment buildings with more than 20 units to make a certain number affordable to households earning 60% or less of the area median family income. The policy went into effect on Feb. 1, 2017.

On April 25, Up for Growth posted a detailed report on its website charging the policy has made it unreasonably hard to finance such projects and resulted in a sharp decline in the number of permit applications currently being submitted for them. The report, titled "The Cautionary Tale of Portland's Inclusionary Housing Policy," accused the Portland Housing Bureau of misrepresenting permit figures to obscure the problem. It attacks a recent Housing Bureau posting that said 3,913 new apartments of all kinds had been built since the policy took effect.

"The bottom-line number touted on the City of Portland's website — 3,913 units created under the new policy — may seem substantial in a vacuum. However, the city's approach to measurement is fundamentally flawed and misleading," said the report, which includes charts and graphs, and cites statistics showing that the number of permit applications has dropped 64 percent since 2017 and is now near historically low levels.

"In reality, Portland's inclusionary housing policy has forced the city to fall even further behind in meeting its housing needs — both affordable and market rate. A city and region growing as rapidly as Portland can ill-afford to fall even further behind in meeting its housing goals," said the report, co-written by Up for Growth Director Mike Kingsella and researcher Noel Johnson.

The Portland Housing Bureau counters by accusing Up for Growth of misrepresenting the figures. It said their report does not account for the fact that many developers "front-loaded" the permitting system before the policy took effect with applications for a record 19,000 apartments to avoid having to include the affordable units.

"Without this context that there was roughly four to five years' worth of average development moving through the pipeline, the statements about declines in permitting are misleading," said Housing Bureau spokeswoman Martha Calhoon.

The bureau also cites U.S. Housing and Urban Development figures showing that apartment construction has slowed down throughout the Portland region in recent years, a trend blamed on factors ranging from rising interest rates to increasing construction costs.

"The authors' findings also ignore broader trends in the multifamily residential development market," Calhoon said.

Policy up for review

Portland economist Joe Cortright has been following the debate closely and believes the evidence shows the permit applications have now slowed more than the two-year-old surge can account for.

Cortright admits council approval of the policy prompted a surge in permit applications before it took effect. That resulted in a temporary increase in the number of permits working their way through the approval process over the past two years. But new applications are down significantly, Cortright said, which means few additional apartments will be under construction within a few years.

"After the artificial bump, permits are lagging," said Cortright, who serves on an Up for Growth advisory committee but also runs City Observatory, an independent economic blog on such issues. Cortright posted his analysis of the policy on his blog on May 13. It is titled "Inclusionary Zoning's Wile E. Coyote moment."

As Cortright explains, "As you know from the Warner Brothers cartoon, the Coyote can go wildly charging off a cliff, and keep going forward for some time before he looks down, and then discovers there's no longer any ground beneath him."

[You can read Cortright's analysis here.](#)

The flap has erupted as Mayor Ted Wheeler is requesting \$150,000 for the Portland Housing Bureau in his proposed budget for the next fiscal year for a market analysis on whether the policy should be adjusted.

"I want an independent outside economics firm to do an independent analysis of the inclusionary housing program and give us a no-holds-barred review of that program. I've always said, if the program needs to be tried, if it needs to be changed in any way, I'm certainly open to that," Wheeler told the Portland Tribune editorial board last week.

National organization, local analysis

Up for Growth is a national nonprofit organization that describes itself as advocating for accessible and affordable housing.

It supports public policies encouraging residential development in urban areas, meaning apartments in cities instead of single-family homes in suburbs.

The organization commissioned and released an ECONorthwest study last year documenting housing underproduction in Oregon and California since the end of the Great Recession. It included a focus on Portland.

"We need a Marshall Plan for housing," ECONorthwest partner Mike Wilkerson said when the study was released at an event hosted by Up for Growth and its local partner Oregon Smart Growth at the Mission Theater in Northwest Portland on Oct. 16.

Another local connection is Clyde Holland, CEO and chairman of the Vancouver-based Holland Development Group, who serves on the Up for Growth board of directors. Holland Development has built numerous apartment projects in the Portland region, including several at Orenco Station in Hillsboro, the region's premiere transit-oriented development.

During an interview in his Vancouver office, Holland said he supports state, regional and local land use policies encouraging more urban development to fight climate change and preserve farm and forest lands. And, Holland said, he is building projects in the city with affordable units.

But Holland said the Inclusionary Housing policy is increasing overall housing costs because the rents in the other units have to be raised to subsidize those in the affordable units. In a recent Portland project, rents in the non-affordable apartments had to be raised 12.3% higher to make it pencil out, he said.

Holland also said the policy already is prompting national financiers to pull back on their support for future Portland projects, especially with the city and state rent control policies that also are being enacted. Financiers won't consider projects where developers and owners have trouble guaranteeing they can also cover costs, Holland said.

"We're at an impasse. If you want more housing, it's got to be a good deal for all the partners, including the financiers who say what's feasible," Holland said.

Wheeler, who oversees the housing bureau, was a featured speaker at the Portland Up for Growth chapter's event where the ECONorthwest analysis of local housing trends was released.

Oregon Disability Group 'Deeply Concerned' By E-Scooters

*By Zane Sparling
May 15, 2019*

Disability Rights Oregon says new rules at Portland Bureau of Transportation limit transparency.

Portlanders' written worries about electric scooters may never see the light of day — now that the complaints flow directly to the firms deploying the devices, disability advocates say.

New rules by the Portland Bureau of Transportation mean that people reporting improperly parked scooters or sharing other feedback are supposed to call or email the companies themselves, rather than contacting PBOT.

As many as 2,500 e-scooters hit city streets for a year-long sequel on April 26, and the Bureau's website points ticked-off users toward the companies' phone lines and websites.

In a May 9 letter to City Hall, Disability Rights Oregon writes that the changes likely will result in "less transparency, less accountability and a less effective pilot" program — leaving the city with more questions than answers.

"If the companies are receiving the complaints directly, they have an incentive to downplay the seriousness of any complaints received or, even worse, to withhold the information," according to the letter. "This would seem to undermine the purpose of the pilot."

The revamped regulations, first spotted by Willamette Week, require the e-scooter companies to "anonymize" complaints before submitting them to the city, and the rules don't specify if the companies' data will include the original written text of the criticism.

PBOT will receive the public reports from e-scooter companies on a monthly basis. The summary data provided to the city will include "issue type" and "report description," and PBOT says it will audit the companies' response time to complaints.

Matthew Denney, a staff attorney for Disability Rights Oregon, said his organization isn't happy that e-scooter companies have been trusted to "police themselves."

"We're just concerned that it's not going to result in as good as data as the city needs to really evaluate if this program works," Denney said. "It's important for anyone who wants there to be independent oversight of the pilot project."

As the Tribune first reported in March, the disability advocates sent a previous letter to City Hall demanding that the two-wheelers be kept out of public right of ways, such as sidewalks, which led to a meeting at City Hall with Department of Justice officials sitting in.

Advocates and city reps are set to meet again on Wednesday, May 15. The chief of staff for Commissioner Chloe Eudaly, who oversees the transportation bureau, says he anticipates "being able to get on the same page."

"The Commissioner agrees with the disability rights group's critique and appreciates its attention to the scooter issue," said the staffer, Marshall Runkel.

A spokesman for PBOT assured the Tribune that complaints will remain public records, but didn't respond to follow-up questions about whether the full text of complaints will be shared.

"(Disability Rights Oregon)'s input has been very helpful in shaping the second scooter pilot, and we look forward to continuing the conversation about how we can ensure that scooters meet the needs of all Portlanders," PBOT's Dylan Rivera said in a brief statement.

The Bureau already admits that it received thousands of questions, concerns and complaints during the first four-month e-scooter test drive that ended in November.

The Daily Journal of Commerce

A Growing Need for Development Oversight

By Chuck Slothower

May 14, 2019

Design review is coming to more of Portland's neighborhoods.

The city is reviewing public comments to its discussion draft of the Design Overlay Zone Amendments that would expand design review.

Some neighborhoods, such as Hollywood and St. Johns, have had design overlays for a year or longer. For others, including Slabtown, the Killingsworth-Interstate area and Division Midway in east Portland, the DOZA revamp would add a layer of design review intended to better integrate new buildings into neighborhoods.

"It's supporting the growth and change we're seeing," said Lora Lillard, a senior planner with the Bureau of Planning and Sustainability.

The code updates aim to improve building quality and resilience, and ensure compatibility with Portland neighborhoods, Lillard said. Several neighborhood associations have lobbied for design overlays that would give city officials greater influence on building design in neighborhood corridors.

Multifamily architects and developers are wrestling with the implications.

"In many ways it will be good to have the (design) overlay in places where it hasn't been, just to improve the quality of projects in the neighborhood and fitting into the neighborhood," said Kurt Schultz, principal at SERA Architects, a prolific multifamily designer.

The design overlays still provide flexibility, Schultz said.

Developers are wary of any changes that would result in greater delays or added costs. Multifamily development has slowed, and many developers expect the slowdown to deepen because of construction costs, regulatory obstacles and market conditions.

The DOZA process would continue to give applicants the option, as required by state law, to meet community design standards. A points-based system – not unlike those used by environmental certification programs such as LEED – would give applicants several pathways to meeting design standards.

"The intent is interesting," said Sam Rodriguez, managing director of Mill Creek Residential Trust and a member of the Design Commission. "It's trying to create a prescriptive path with options. Right now the neighborhood design standards are pretty prescriptive. You do a cornice like this, a window like this ... and you get pretty much the same building every single time. They're trying to do something that has some flexibility. So we're analyzing it and seeing what are the consequences."

The DOZA updates would require Type III design reviews by the Portland Design Commission for any project in the overlay zones meeting or exceeding 65 feet in height or 80,000 square feet in building area.

The updates also would create a new Type I design review for small alterations to buildings – a new awning, for example – that would be decided by Bureau of Development Services staff members without the Design Commission weighing in. In essence, DOZA would widen the Design Commission’s oversight throughout the city while letting smaller projects speed through a more streamlined staff approval process.

It remains to be seen how the DOZA updates would affect the workload of the Design Commission, a volunteer board that already meets nearly every week.

After the Bureau of Planning and Sustainability reviews public comments, a proposed draft will be issued this summer. That will be followed by rare joint hearings of the Planning and Sustainability Commission and the Design Commission in the fall. Another draft, known as the recommended draft, would follow during the winter, with adoption by the City Council projected in spring 2020.

The Design Commission weighed in on the DOZA changes in a May 1 letter that was critical of their complexity and lack of requirements regarding neighborhood character. The standards “do nothing to preserve the charming, idiosyncratic character of Portland’s wonderful neighborhoods that have been eager for the expansion of the ‘d’ overlay,” Design Commission Chairwoman Julie Livingston wrote. “The lack of code requiring a response to neighborhood character leaves us vulnerable to losing what makes Portland distinct from other cities.”

OPB

Portland Leaders Debate Lopsided Distribution Of Cannabis Tax Dollars

*By Amelia Templeton
May 14, 2019*

There’s a bright spot in Portland’s annual budget: higher-than-anticipated revenue from cannabis taxes.

But three years after voters approved the 3% tax, City Council is still trying to agree on how to spend it.

The ballot initiative gave the City Council authority to spend cannabis tax money on a few broadly defined priorities: drug and alcohol education and treatment; public safety and street safety including protecting the public from unsafe drivers; and support for small businesses and economic opportunity for communities impacted by cannabis prohibition.

Last year, the City Council allocated the biggest chunk of ongoing revenue, \$2.15 million, to the Portland Police Bureau’s traffic division — a move that’s sparked controversy.

As a report from the city auditor recently pointed out, that new funding didn’t put more traffic cops on the street. Instead, the Council cut its general fund support for the traffic division and substituted the cannabis money.

The city's general fund is the repository for most taxes, licensing fees and unrestricted revenue that funds core services like police, the fire department, parks and planning.

Commissioner Chloe Eudaly, who voted to adopt that budget last year, said she hadn't fully understood the substitution maneuver and believed that the cannabis dollars would be used to expand the city's traffic safety work.

At a City Council budget work session Tuesday, Eudaly asked a lieutenant with PPB's traffic division to clarify how many new people they'd been able to hire. The answer: zero.

"I want to see an actual increase in enforcement, and I'm disappointed that these dollars didn't deliver that," she told her colleagues.

Commissioner Amanda Fritz, who led the Council's push to pass the cannabis tax in 2016, defended the decision to support the ongoing work of the traffic safety team. As the city's costs grow, she said, it needs to find new ways to support general fund programs.

"The ballot measure specifically did not say that we could not backfill," Fritz said. "We intentionally left it up to the Council to decide that. Many other jurisdictions who passed the 3% tax just had the money all go to the general fund."

The auditor's report also noted that while the ballot measure specified three priorities, virtually all of the funding to date has gone to public safety.

Small business and social justice effects received only 16% of the revenue, and drug and alcohol programs received 5%.

The mayor's proposed budget for 2019 largely continues the lopsided distribution of cannabis dollars, with about \$5 million for traffic enforcement and street safety improvements, \$500,000 for drug and alcohol treatment, and \$527,000 to support small businesses through the city's economic development agency, Prosper Portland.

The budget includes \$700,000 in unspent carryover for the community grant program that has supported record expungement. Another \$759,000 in one-time surplus revenue hasn't been allocated by the mayor and is still available for the Council to spend.

Commissioner Jo Ann Hardesty questioned why the Council wasn't prioritizing spending the tax revenue directly on record expungement and other opportunities for people who have been harmed by drug prohibition.

"I'm concerned. Today, we have marijuana businesses where white men are making small fortunes daily," Hardesty said. "It just feels like we're once again not focused on the people who've been harmed by our public policy. Here we have an opportunity to do good, and we are not even talking about the people who have been most impacted."

Eudaly said she supports allocating more of the fund's dollars toward social justice initiatives. The Office of Civic Life, which she oversees, has proposed creating a five-person commission to advise the Council in the future on how to spend the cannabis tax.