

The Oregonian

City to pay \$60,000 to settle lawsuit by suicidal man shot and wounded by Portland police in 2017

*By Maxine Bernstein
August 30, 2019*

The city of Portland is poised to pay \$60,000 to settle a federal negligence lawsuit filed by a 57-year-old man shot and wounded by police after he had called 911 in 2017 to report that he was feeling suicidal.

Police found Don Perkins, 57, inside a burgundy van parked beside Powell Park on Southeast 22nd Avenue on Feb. 9, 2017, after tracing his cellphone GPS information, according to court records. He had told an emergency dispatcher that he had taken 30 pills, planned to take 30 more and declined to give his location.

His lawyers alleged in the suit that police failed to de-escalate their encounter with Perkins by shouting orders at him and drawing their weapons.

Police said a replica handgun was thrown out of the van that Perkins had been living in and officers shot him when he got out of the van and tried to grab it.

Perkins was hit in the abdomen and right arm, according to the suit.

Lawyers from both sides met in a settlement conference with U.S. District Judge Michael J. McShane and reached an agreement.

"It's a really tough case. I'm glad he got something. He deserves some justice. I wish he could have gotten more," said Greg Kraus, one of Perkins' lawyers who took the case pro bono. He described how he'd search for his client on the city's streets to contact him over the last two years.

According to witnesses, two Portland police officers pointed their flashlights that night into Perkins' van and tried to talk to the homeless man inside but suddenly got "spooked" by something they saw. They immediately retreated at least 30 yards back to a patrol SUV, a witness said.

The officers backed off because they believed the man had a gun, according to police and city attorneys. Perkins threw a pill container out of the van and then threw a pistol out behind a tree trunk, according to police and the city.

Perkins got out of the van, was told to put his hands up and not to reach for the gun on the ground or he'd be shot, according to city attorneys. Police said Perkins was shot after he bent over toward the gun and reached for it. One officer fired initially, police said. Perkins appeared to jump to the other side of the tree and again reached for the gun, and then both officers fired, according to city records.

"Defendants admit that plaintiff's actions created a substantial threat to the officers' safety and they were forced to use deadly force in self-defense," Senior Deputy City Attorney Robert Yamachika wrote in a response to the suit.

Perkins sued the city and Officers Roger Walsh and Bradley Clark. His suit sought \$1.3 million in economic and noneconomic damages.

Perkins has required multiple surgeries, ongoing neuropathy in his arm, permanent injury to his lungs with breathing impediments and post-traumatic stress disorder, the suit said.

“The investigation indicates there is risk the City may be found liable. Therefore, in order to avoid the risk of an adverse jury award, we feel it is prudent to compromise the lawsuit at this time,” says a city ordinance set to go before the City Council for a vote Wednesday.

The police shooting of Perkins marked the second officer-involved shooting within 11 hours in Portland. Earlier that day, police fatally shot 17-year-old Quanice Hayes and found a black and tan air soft pistol in a flower bed about 2 feet from Hayes’ body, police said. A federal suit is pending against the city in Hayes’ death.

The Portland Tribune

Your City Hall: Density plans to be previewed by council

By Jim Redden

September 02, 2019

The City Council will hold a work session on the Housing Opportunity Initiative on the morning of Tuesday, Sept. 3

WHAT IS HAPPENING? The City Council will be briefed on three current plans related to residential density increases on Tuesday, Sept. 3. Two are intended to encourage and manage future density increases. The third is an effort to reduce, if not prevent, residents being forced out of their homes because of the increases.

The plans are being drafted by the Bureau of Planning and Sustainability, which is updating them together for the council under the title "Housing Opportunities Initiative." The briefing will take place during a 9:30 a.m. work session at which public testimony is not allowed. Anyone can attend the session at the Council Chambers in City Hall. It also will be shown live on community TV and on the city's website, where it also can be watched later.

WHAT ARE THE PENDING PLANS? All three plans have been previously publicized and at least one is controversial:

- The Residential Infill Plan proposes to allow smaller multifamily projects, up to fourplexes, to be built in all single-family zones. Since the plan's recommendations were referred to the council by the Planning and Sustainability Commission last year, the 2019 Oregon Legislature passed two bills — HB 2001 and SB 534 — with similar requirements. Bureau staff have determined the overall plan does not have to go back to the commission, except for small future adjustments. The council is scheduled to consider it in December.
- The Better Housing by Design project is intended to encourage the construction and improved design of more housing in multifamily zones, including affordable units. It includes incentives for additional density — including size bonuses — and requirements for more open spaces. The council is expected to consider it this fall.
- The Anti-Displacement Action Plan is being developed at the direction of the council to address the higher housing costs that are predicted to result from the density increases, commonly called gentrification. The emerging strategy is partly in response to community pushback over former longtime residents who have been forced to move out of their neighborhoods because of previous city-supported redevelopment projects. The bureau will ask

the council to approve a framework for involving the community in co-creating the final plan, including the appointment of a new task force.

IS THERE ANY CONTROVERSY? The Residential Infill Plan — commonly called RIP — has both supporters and opponents. Supporters say encouraging more so-called missing middle housing will lower housing costs and allow more people to live in desirable neighborhoods. Opponents charge it will change the historic character of many neighborhoods without guaranteeing new housing that many residents can afford. The new state laws require the council to act by next year at the soonest.

WHAT CAN I DO? You can learn more about each project at the bureau's website, attend the work session in person, or watch it live or later on community TV or online at the Portland City Auditor's website. The city's website can be found at www.portlandoregon.gov.

New rules spark a civic war at City Hall

*By Bill Gallagher
September 02, 2019*

Are proposed changes aimed at longtime neighborhood activism power sharing or a power struggle?

UPDATE: Suk Rhee, director of the Office of Community and Civic Life, will speak to the Multnomah Neighborhood Association on Sept. 10 at Multnomah Arts Center. Portland's City Council has scheduled a Nov. 14 hearing on proposed changes to the Civic Code.

Official rules that regulate the way the city of Portland shares power with its residents when it comes to making decisions about life in 95 recognized neighborhoods are being rewritten.

Many of those residents, volunteers who are used to being a part of the process when it comes to, let's say, dictating rules for developers, are waging a coordinated counter attack against the proposed revisions.

Some of them organized a summit meeting that attracted more than a hundred activists to the Multnomah Arts Center in July. Others are mobilizing rank and file members of neighborhood associations to challenge the changes. Leaders of the Multnomah Neighborhood association will host Suk Rhee, who heads the office doing the rewriting, on Sept. 10. Countless numbers of citizens are sending letters of protest to members of the City Council, who are expected to confront their concerns and listen to their testimony in October.

Many other residents favor the proposed new set of rules from the Office of Community and Civic Life. Some of those who are active in community groups based on who they are and what they do, rather than where they live, have spoken out about feeling "unwelcome" and "marginalized" by the rules in the current code, which was approved 14 years ago this August.

That set of rules specifically and repeatedly names neighborhood associations and describes in detail the structure, functions and responsibilities of such groups, of which there are 17 in Southwest Portland. The proposed set of rules doesn't mention neighborhood associations.

Thus the conflict and controversy.

"Currently, the code (3.96) says that for us to recognize you, you have to be a neighborhood association, a business district or a neighborhood coalition," said Stephanie Routh of the Office of Community and Civic Life. "In the proposed code, however you choose to organize, whether

its across neighborhood, across identities, across issue affinity or across generations, it is our job to find a meaningful pathway to engagement."

Jim Redden of the Portland Tribune reported on July 25: "We need all of us and not just some over others. That is not government's role, to pick winners and losers," office director Suk Rhee told the City Club of Portland on July 12. Rhee also said neighborhood associations would not be abolished, even if they are removed from the code.

Despite such assurances, neighborhood volunteers are worried.

Leslie Hammond is in her second year as president of Southwest Neighborhoods Inc., a district coalition as defined in the current code which works with 17 neighborhood associations. She told the SW Connection she thought revising the code would result in more groups being recognized rather than her group being written out.

"Where people thought we would start this conversation is, 'Here's the neighborhood system. We want to build it and make it more effective and build up partnerships. But we realize there are other communities out there that need to be involved and that they need resources.' So how does the city put into place the resources necessary to do effective outreach?" Hammond asked.

As August turns to September, the battle lines are pretty clearly drawn. On one side, Commissioner Chloe Eudaly, who's in charge of the Office of Community and Civic Life, is trying to line up two more votes to get a new, slimmed-down Code 3.96 approved by the City Council. Her support comes from citizens who think the neighborhood association system needs a shake up. On the other side, working to save and improve that system, is a small army of neighborhood activists accustomed to the long hours and lobbying it takes to fight city hall.

How many people really participate?

There's no clear answer to the question of how many people "participate" in their local neighborhood association in Southwest Portland. Mainly because there's no clear definition of "participation."

Does that mean going to a monthly meeting, reading the SW News, buying a used book in Hillsdale or supporting efforts for safer streets? It depends on who you talk to.

Suk Rhee, director of the Office of Community and Civic Life, chose a narrow definition of participation when she said on Oregon Public Broadcasting radio, "Last time we checked and had a chance to ask the level of participation in the neighborhood associations in 2008 in the Community Connect report, estimates were about two-tenths of 1% ... to me the 1.2% of Portlanders ... so it's not what's wrong with neighborhood associations."

Dave Miller, host of OPB's "Think Out Loud," asked Rhee, "Meaning? What does that percentage represent? People who were members of neighborhood associations or went to meetings?"

"It was broadly defined. Engaged. Participating," Rhee replied.

"That's vague and misleading," wrote Susan King in an email to the SW Connection. She's active with the Hayhurst Neighborhood Association and Southwest Neighbors Inc. "How many or what percentage of any group are participating? However that is defined (is hard to estimate). Since there was no definition provided by Rhee her argument is pretty meaningless."

An estimated 0.12% of Portland's population of 583,000 in 2008 would have been fewer than 850 people citywide.

Steph Routh, interim communications coordinator for the Office of Community and Civic Life, said the 0.12% participation number came from a report done in 2008 called Community Connect.

Here's what the report said: "Many people value the work of neighborhood associations (NAs), but participation in NAs is relatively low, with estimates ranging from 1,000-7,000 Portlanders citywide."

Routh emphasized that it also said, "Neighborhood associations rely on the volunteer efforts of a relatively small number of leaders, many of whom are stretched thin, at-risk of burn-out, or on the brink of retirement."

To make the point that some community members have felt marginalized, she cited this finding: "Respondents from under-represented groups in particular tended to define their community in terms of their ethnicity, race, faith, or other social identities (rather than their neighborhood)."

Rhee went on in the OPB radio interview to increase the participation estimate to 2%. "Let's say that percentage is ... you could double it or triple it. You would still have the question, 'What about the other 98% of Portlanders who are not coming through this mechanism?'" she said.

For hard participation numbers in Southwest Portland, the SW Connection met with Leslie Hammond and Sylvia Bogert, the president and executive director, respectively, of Southwest Neighborhoods Inc., which is the district coalition for 17 neighborhood groups from Arnold Creek to West Portland Park. Any mention of "district coalition" has been removed in the revised Code 3.96, along with "neighborhood association" and "business district association."

They provided documentation that is sent to the OCCL. They estimated there are 675 "very active" volunteers in Southwest Portland who attend monthly meetings and spend a minimum of four hours per month ("But more like 40") on neighborhood association business. By using the hourly rate used in grant proposals (\$21.50), Bogert estimates those volunteers provide \$700,000 worth of value each year to where they live.

"To say 2% of the population is active, I think you have to look at the quality and the value and the hard work people are putting into it (neighborhood association) and recognize it," Hammond said. "She (Rhee) says 2% participation. We have proof it was much more than that."

Then there are the vast majority of Southwest Portland residents who will never attend one of their monthly meetings but will take their children to neighborhood association-sponsored events like Movies in the Park, to a National Night Out event, or to the Hillsdale Pancake Breakfast. Perhaps they'll sign up to lobby to get sidewalks built or clean out the garage for Southwest Neighborhood Inc.'s Fall Clean Up.

Southwest Neighborhoods reported to the Office of Community and Civic Life that 27,500 people participated in 402 neighborhood association events in fiscal year 2018-19, which ended June 30. That's for 17 neighborhood associations in Southwest Portland.

Hammond hopes a compromise on Code 3.96 revisions can be reached before October, when the City Council is expected to take up the issue. The Oregonian reported last month that Portland City Commissioner Chloe Eudaly admitted her staff mishandled the process and that a key staffer had ridiculed representatives of neighborhood associations as they testified to City Council on a different topic.

Hammond had this reaction, "It was a disclosure of an attitude in the Commissioner's office that was felt but never clear until those text messages were published."

But she said she hopes Eudaly meant what she said when apologizing for her policy director Jamey Duhamel. "I would hope the commissioner and her staff would try to bring people together to work together rather than seeing neighborhoods as an ineffective partner. We don't want this to be them and us. We want this to be all of us," she said.

Which neighborhood do you live in?

Ask someone who lives in Southwest Portland, "What's your neighborhood?" and you're likely to hear "Multnomah Village" or "over by Fred Meyters," but not the name of one of the 17 officially recognized neighborhoods in Southwest Portland. Here's how you can find out which neighborhood you live in.

Go to www.portlandmaps.com and enter your address. You'll see your neighborhood right away and if you scroll down you can find contact information for your neighborhood association. As Sylvia Bogert, executive director of Southwest Neighborhoods Inc., said, "One of the best effects from all this debate and discussion about the code is that people now know about neighborhoods, right?"

Willamette Week

Man Fleeing Police on Motorcycle Is Portland's 35th Traffic Death of 2019

*By Aaron Mesh
August 29, 2019*

That's more deaths on city roads than in all of 2018.

A man who fled police on a motorcycle, then crashed, is the 35th traffic death in Portland this year. That's more deaths on city roads than in all of 2018.

Officials say John R. Shenfield was intoxicated and speeding when he crashed on Northwest Airport Way early Tuesday morning.

Port of Portland Police, who patrol the Portland International Airport, tried to pull over Shenfield at about 1:35 am Aug. 28, but he sped away on the motorbike. Police found him dead 10 blocks east, at the intersection of Northeast Airport Way and Northeast 148th Avenue.

"The traffic investigators concluded that speed and alcohol were likely factors in the crash," police said this morning in a statement.

City officials continue to grapple with a spike in traffic deaths, even as Portland has spent more than \$100 million to improve safety on the roads.

Critics say Portland's program—called Vision Zero—hasn't sufficiently focused on personal irresponsibility as a factor in deaths. They argue that tougher DUII enforcement would discourage drunk drivers. Transportation officials contend that by making roads safer, they can make personal mistakes less deadly.

Portland Man Allegedly Set Fire to a Homeless Camp After Growing Frustrated Police Wouldn't Crack Down

By Rachel Monahan

August 29, 2019

Man arrested over allegedly setting fire to an East Portland homeless camp on Aug. 15.

A Portland man charged with setting a fire in a homeless camp on Aug. 15 was angry at police for not cracking down on homeless people.

The fire, on a lot near SE 136th and Powell, destroyed a tent in the Powellhurst-Gilbert neighborhood.

"It was reported that earlier that day a man living nearby told a group of houseless people in the lot that if they did not move, he would set their things on fire," a Portland Fire and Rescue press release states.

Roy Elworthy, 44, "expressed his frustration about police not enforcing laws against homeless people" during his interview with police after his arrest on August 26, according to the probable cause affidavit.

Two campers witnessed the incident and police obtained surveillance video as well.

Elworthy was arraigned on Tuesday on one charge of reckless burning. He is being held in Multnomah County Jail and is not currently eligible for release because he failed to appear in a Clackamas County case where he was found guilty of harassment.

Commissioner Jo Ann Hardesty, who oversees the fire bureau, says she's "appalled" by the alleged crime.

"I'm appalled this individual felt he could do something like this – to threaten people and set fire to someone's worldly possessions because of the situation they're in," Hardesty says in a statement.

"We will not tolerate this type of behavior towards some of our most vulnerable Portlanders. I expect him to be held accountable for his actions to the fullest extent possible by law, anything less would be a failure of leadership."

A Third Candidate Joins the 2020 Portland City Council Race to Replace Commissioner Amanda Fritz

By Ryan Nguyen

August 29, 2019

Carpenter Tim DuBois will join the 2020 Portland City Council election

Tim DuBois, a Portland carpenter, has create a campaign finance committee to run for City Council in 2020.

DuBois, 35, will run to replace three-term incumbent Amanda Fritz, who announced in April that she won't be running in 2020. Fritz's other challengers include Latino Network Executive Director Carmen Rubio and Portland State University student advisor Candace Avalos.

"It seems that there's just an extreme mismanagement of our bureaus," DuBois tells WW.

He served on the board of his neighborhood association, the Sellwood-Moreland Improvement League, from 2016 to 2018 and does not have other political experience. He's the lead carpenter at Classic Sash & Door, a window and door installation company in Portland.

DuBois says he's disappointed in City Hall for its management of various bureaus, citing the closing of local community centers and parks, including a community center near his home in Sellwood-Moreland.

"Our bureaus are just being mismanaged, he says, "and I think there just needs to be a little bit more of efficient, smart management over the bureaus at City Hall."

He's also keeping homelessness in mind, he says, adding that the city does not have a grasp of the problem nor is it addressing the underlying issues.

"They're trying to get a quick answer," says DuBois, who argued that Salt Lake City's plan of "aggressive case management" could be effective if implemented by Portland.

He also says Portland has made it overly difficult, complex and costly to build housing and wants "a greater diversity" of housing and innovation.

"We need to make room for more innovative ideas and housing and make it available in larger parts of the city, particularly close to transit and job centers," DuBois says.

DuBois plans to graduate from Portland State University with a master's degree in urban and regional planning in June 2020.

He has not reported any campaign finance activity as of publication, according to the Oregon Secretary of State website.

Arrests and Indictments Pile Up After Proud Boys Rally in Downtown Portland

*By Sophie Peel
August 30, 2019*

This is the 15th arrest made relating to the Aug. 17 protest between antifascists and the Proud Boys.

Portland Police have made another arrest from the political demonstration on Aug. 17th that took place in downtown Portland between the far-right group the Proud Boys and antifascist counter-protestors.

24-year old Hannah Ahern was arrested on Aug. 28th in Tigard after being issued an arrest warrant by the Portland Police Bureau. She was arrested on one count of disorderly conduct in the second degree.

Police provided no information regarding what crime they allege Ahern committed. Videos taken on the day of the protest appeared to show her spitting in the direction of officers; several of them then forcefully detained her.

According to the bureau, this is the 15th arrest relating to the Aug. 17th demonstration, which brought the Vancouver-based right wing group the Proud Boys to rally against antifascists.

The bureau also said in a press release on Aug. 30 that a Multnomah County grand jury indicted five men on felony charges relating to the Aug. 17 demonstration.

They all face a single felony riot count.

The men are 21-year old Zachary Lange, 51-year old Richard Klimek, 37-year old Alexander Dial, 33-year old Antonio Zamora, and 48-year old Evan Duke.

Zamora was arrested earlier today, and charged in the attack of a bus carrying far-right protesters out of town.

Each of the men face additional charges. The charges include criminal mischief in the second degree, attempted criminal mischief, assault in the second and third degree, and theft in the first degree.

It's not clear what ideological affiliations the indicted protesters have, but context clues from the day of the protest suggest most of them were antifascists opposed to the Proud Boys' visit.

Portland Police Chief Danielle Outlaw said prior to the event that the city was expecting violence. In preparation for the demonstrations, the bureau increased its presence at the event and corralled the Proud Boys and antifascists into different sections of the city, preventing any major violence between the two groups.

Upon their departure, the Proud Boys claimed to have accomplished their goal: draining the city's law enforcement resources. The group pledged to return to the city monthly until Mayor Ted Wheeler condemns antifascists.

The Portland Mercury

Hall Monitor: Budget Blind Spots

*By Alex Zielinski
August 29, 2019*

Every spring, Portland City Council struggles to balance its annual budget—bemoaning the challenge of having to make big decisions in a short time and lamenting their inability to gather genuine public feedback before distributing dollars. But in 2020, the council will have a new tool to inform its whirlwind budget decisions: data.

In May, City Budget Office (CBO) staffers asked a wide swath of Portlanders—using community outreach to reflect a range of ages, races, genders, neighborhoods, and incomes—about how they think city leaders should spend their tax dollars. It's the first time the budget office has collected this kind of info.

That data, released in mid-August, reveals big issues that nearly all Portlanders who were surveyed seem to agree on. Eighty-eight percent of all participants said they are dissatisfied with the city's response to homelessness, and the majority of respondents said the city's budget should prioritize programs that increase affordable housing. The majority also agreed that access to the outdoors and natural areas is the best part about where they live.

But what's more eye-opening is where Portlanders diverge.

While polled Portlanders of all backgrounds agreed that the budget's top two priorities should be affordable housing and transportation, their third choice was starkly divided by race. The majority of white respondents pointed to police services, while Asian, Black, and Hispanic respondents selected job creation and other economic support. That correlation between race and financial security popped up again when participants talked about housing: The majority of white

people who indicated that they had moved within the past two years said they relocated because they “wanted a different type of home,” while Black, Asian, and Hispanic participants said they moved to be closer to work and to find more affordable housing. Nearly half of all Hispanic and Black residents polled said they can’t find a job in Portland that pays enough to support their families.

The majority of Black Portlanders polled disagreed with this statement: “In Portland, we are making progress on becoming a city where a person’s outcomes are not based on their race.” The only group who agreed with that sentiment? Those living in Southwest Portland, the whitest, most affluent region of the city.

Unsurprisingly, this divide was also reflected in respondents’ answers about police interactions. Black and Hispanic Portlanders were the least satisfied with the police’s ability to protect them from violent crime, and when asked how the city could use budget dollars to improve the Portland Police Bureau (PPB), most Black respondents said the bureau should prioritize programs that allow community members to discuss concerns with police. White respondents said PPB’s top budget priority should be increasing their presence in Portland neighborhoods.

The study found that, proportionally, more Asian, Black, and Hispanic people had moved to Portland within the past few years than new white residents. Yet Portlanders of color expressed the most dissatisfaction with how their city runs.

The CBO poll is hardly the first survey to tell Portlanders what many already know—that the city’s most satisfied citizens are wealthy and white. But this could be the first time—and hopefully not the last—that this kind of data impacts how the city’s biggest budget decisions are made.

The Daily Journal of Commerce

Massive waterfront proposal spurs public backlash

*By Alex Visser
August 30, 2019*

A plan to develop four blocks along the Willamette River drew an outcry of opposition Thursday during a design advice hearing before the Portland Design Commission.

Area residents expressed concerns about how the project might affect life in the neighborhood, with further criticism pointed at the architecture itself.

The Willamette Blocks would include 1,200 residential units, as well as retail space and parking. Two high-rises would sit along the river, with two mid-rise buildings inward. The property is bordered to the east by the river, to the north by Southwest Lane Street, to the west by Southwest Bond Avenue and to the south by Southwest Lowell Street.

The project team, led by Dallas-based developer Alamo Manhattan, is made up of firms drawn mostly from the same city. The riverside high-rises (blocks 41 and 44) are being designed by WDG Architecture, while inner blocks 42 and 45 are being designed by HLR Architects. Linda Tycher and Associates is taking care of landscape architecture, and the one local firm on board, Otak, is handling civil engineering duties.

Plans call for the mid-rise buildings to ascend to 75 feet, and the high-rises to tower over the river at 249 feet. The riverside blocks will be built podium-style, with four stories making up the

base and the others sitting back in the middle of the structure. Inclusionary housing units would be included in the western blocks.

A number of Portlanders aired their grievances, which centered mostly on the impact the development would have on neighboring residents' views, and how traffic would be affected.

"The main issue really is transportation, coming from the south as well as going north," said Len Michon, president of the South Portland Neighborhood Association.

Michon said he was concerned that in an emergency such as an earthquake, congestion would be too severe in the area for people to escape in time.

South Waterfront resident Ken Fransen said putting the high-rises next to the water would cause the views for other residents to be "obliterated." He suggested that the mid-rises be placed riverside, with the towers inward.

"The river is obviously the single most scenic attribute of the city of Portland," Fransen said. "This makes no sense; it should be reversed."

Commissioners were split on certain issues and united on others. A common critique was that the mid-rise structures would be too bulky and unappealing for residential use, but there was some division on where the high-rises fit into the equation.

Commissioner Jessica Molinar said the waterfront has a bit of an eclectic context, and the two towers would be too similar to one another. In an area with a number of unique projects, the riverside blocks should look as though they were built by different teams, she said.

"They're both varying from the context, and they're right next to each other," she said. "Some variety needs to happen in there."

Commissioner Samuel Rodriguez, conversely, had no issue with the towers, saying they were consistent with the area. He said he was pleased to find the proposal actually more consistent than some prior plans.

Commissioners said the inner blocks need some revision, likening the bulky residential massing to federal buildings.

Particular attention was also paid to the inclusionary housing units, which would be detached from the main residential complexes. Commissioner Zari Santner said the inclusionary housing feels segregated, and would not be holistic with its neighbors. Commissioner Don Vallaster agreed, and added that the building was unattractive.

"That kind of reminds me of a 1970s office building," he said. "It looks like the afterthought of the building."

Thursday's design advice hearing was the second for the project, following one in February. Commissioners said the project team ought to return with a finalized proposal for its next appearance in front of the group.

OPB

Portland's New Public Campaign Financing Software Faces Looming Deadlines

*By Amelia Templeton
August 30, 2019*

With just weeks to go until candidates can opt in to a new public campaign financing program, the city of Portland, Oregon, is still testing the software that will run it.

A recent oversight report shows the software, developed by the nonprofit Civic Software Foundation, is at risk of not being delivered on time before the 2020 primary election cycle kicks off in September.

That prompted concern this week from Portland Mayor Ted Wheeler, who has at least one opponent planning to use public financing.

“I want to continue to express my serious ongoing concerns about the viability of this program overall,” he told his City Council colleagues. “We already have candidates lining up declaring that they’re going to use this program, in this cycle.”

But city staff and technology advisors said the project is in better shape than the oversight report suggests. They said the software should be ready in time to handle the influx of candidates, and the project — though not without risk — has been a significant innovation.

The new elections software has been developed in about six months for a lean \$155,000. The key: volunteer coders working alongside a few paid project managers.

“I think the city is getting a really good deal here. That would be my summary of where we are,” said Wilfred Pinfold, a computational scientist and professor at Portland State University who serves on the Technology Oversight Committee, an independent citizen advisory group that monitors high stakes technology projects for the city of Portland.

“There’s an enormous amount of volunteer work from people who care passionately about open and accountable elections that are supporting this,” he said.

The stakes for the city are high, and not just because of looming elections deadlines.

Portland has a record of troubled technology projects, such as an electronic system for building permits the city spent millions on and ultimately had to scrap.

The city’s last try at taxpayer-funded campaigns also faltered. Voters repealed it in 2010, during the recession, after a high-profile case of fraud.

The new software — if it works — will provide a first line of defense against any candidates trying to manipulate the system. But necessity drove Portland’s unusual decision to acquire critical software for an elections program from a volunteer-driven nonprofit.

The software, when complete, will collect campaign finance data from candidates who are opting in to Portland’s new public financing program, known as Open and Accountable Elections.

The software will automate some of the steps city staff take to verify if donations to a candidate are eligible for public matching dollars, and power a website with visualizations that show the public where each candidate’s money comes from.

The code that powers the software is all open-source, meaning that other cities could adapt it at very little cost.

Pinfold said it could be broadly useful to other cities and states that want to make it easier for the public to track money in campaigns.

“That’s something we get out of this you wouldn’t get out of a package developed as a proprietary tool,” he said.

A Final Victory For Amanda Fritz

The last-minute push to complete the software stems mainly from decisions made by the mayor and city council over the past three years.

Portland City Council created the new taxpayer-funded campaign finance system in 2016. It was a signature policy for Commissioner Amanda Fritz, who first won office using the old system of public financing.

The new program’s stated goal is to reduce the influence of money and the appearance of corruption in politics.

It incentivizes candidates to seek small donations from local residents by providing a match using public tax dollars.

To opt-in, candidates have to agree to limits on fundraising and expenditures. They can only accept \$250 per donor per election, and they can only take money from individuals, not PACs, corporations or unions.

To show they are viable and serious, candidates for mayor have to get donations of at least \$5 apiece from 500 Portlanders, while candidates for city commissioner have to get donations from at least 250 residents.

If they meet that threshold, candidates become eligible to receive matching dollars. Every dollar a Portland resident donates to their campaign — up to \$50 — is matched with \$6 from the city’s open elections fund.

The council set the program to launch this year for candidates competing in the 2020 election cycle. But they didn’t fund it or start hiring program staff until last June.

That meant shortly after she was hired, the new director of Open and Accountable Elections Susan Mottet faced a Catch-22.

She didn’t have the funding for a large staff to manually track the 2020 candidates’ campaign finance data. And she didn’t have enough time to purchase software to automate that task.

(Mottet characterizes the program she runs as underfunded and short-staffed for its first year; those concerns also are one reason the city auditor has refused to have public financing housed in her elections division.)

Fritz, who announced she isn’t seeking re-election, is currently overseeing the program.

“In order to stay within the budget that they gave us, we needed technology to be ready for the first cycle,” Mottet said. “But technology is not procured in this city in that short a timeline.”

The problem led Mottet to the Civic Software Foundation, formerly Hack Oregon, a nonprofit that connects local coders with civic-minded volunteer projects and develops open-source software. (Editor’s note: OPB worked with Hack Oregon on an earthquake preparedness

program in 2015.) Foundation officials signed a contract in March and put a team of experienced volunteers to work coding for the city.

“They agreed to do their level best to deliver us software in the timeline the law requires,” Mottet said.

Delivering the software on time has, all parties agree, resulted in a mad rush. Mottet said that after initial delays, the city hired a few extra paid developers to speed up the process.

Meanwhile, candidates are lining up to participate in the Open and Accountable Elections Program. One candidate for mayor, Sarah Iannarone, said she’s already met the key eligibility requirement of getting 500 individual donations from Portland residents. Four other candidates for city office have given official notice they will try to qualify for public financing.

Wheeler has yet to formally announce his reelection campaign or indicate if he intends to participate in the public financing program. If he did, it would mean forgoing the large contributions from corporations and developers that helped bankroll his victory in 2016.

Candidates can formally file for office and ask to be approved into the public financing program starting Sept. 12. The 2020 primary is May 19.

Cutting It Close

Mottet said the most critical piece of the software she needs in order to start working with those candidates next month has been delivered and approved by the city; it’s the module that allows candidates to enter their donation information for her review.

Two other critical pieces of the software are due to be delivered next week, which, Mottet said, “is cutting it really close.”

One of the outstanding pieces of software, known as module 3, will check donor names against voter registration information to help confirm that a campaign’s donors are real adults who live in Portland and haven’t given before.

Mottet is preparing to hire additional community service aides who can help her validate donor names and addresses and work on fraud detection during the first month of the campaign if module 3 isn’t ready in time. That could cut into the funding that’s available for candidates.

The data visualizations that will show the public where a candidate’s donations come from are also due later, in October.

But Pinfold and Mottet both said that if the Open and Accountable Elections program hadn’t taken a gamble on working with the Civic Software Foundation, it would be stuck collecting all the data it needs to run the program by hand because commercial vendors would never have agreed to the project’s budget or timeline.

“We can already collect the bulk of the information we need through the software, and that’s great,” Mottet said

Ready or not, the software will debut to the public on Sept. 11, when the Civic Software Foundation hosts a public demonstration for all its projects at Portland’s Revolution Hall.

“This is not amateur hour. It’s real software,” said Cat Nikolovski, the founder of the Civic Software Foundation. “I would invite everyone to come if they’re curious.”