

## The Oregonian

# Portland police labor contract: Community coalition calls for public input, changes

*By Maxine Bernstein  
September 11, 2019*

A coalition of local activists is calling for a community-centered Portland police contract that's fair, holds police accountable for excessive force and improves citizen oversight.

The Portland Police Association's contract is up for renewal in June 2020, but negotiations are expected to begin in January. The union represents about 950 rank-and-file officers, sergeants, detectives and forensic criminalists.

The coalition is gearing up to press the police chief, mayor and other City Council members to make changes to the contract that they say will help improve trust in the local police.

The group's members, including clergy and police watchdogs, are calling for an independent civilian agency that can review police use of deadly force and compel testimony and recommend discipline. They also seek a discipline process divorced from the state's arbitration process and lies fully with the mayor or City Council. It's also seeking drug testing for officers who use force.

Now that JoAnn Hardesty, who has been a vocal critic of the police union and the past contract, sits on the council, community activists are buoyed that significant changes could be made to the next contract.

The coalition includes the Albina Ministerial Alliance Coalition for Justice and Police Reform, Portland Jobs with Justice, Portland NAACP, United Oregon, Portland Copwatch, League of Women Voters and Portland's Resistance, among others.

"We will not be able to change the number of police shootings until we change this contract," said the Rev. LeRoy Haynes, standing with the group Wednesday morning across from City Hall.

A survey released in March showed 71 percent of community members indicated that they don't have a high level of trust with the Police Bureau. Chief Danielle Outlaw cited "community engagement and inclusion" among her top three priorities when she took over the bureau's helm in October 2017.

Some coalition members, along with Hardesty and a staffer from Commissioner Chloe Eudaly's office, met in March with national Black Lives Matter activist DeRay Mckesson to strategize.

Mckesson's Campaign Zero, a police reform campaign associated with Black Lives Matter, analyzed the Portland police contract and identified language that it says restricts questioning of officers, gives officers undue access to information about investigations that target them and limits officer discipline and record-keeping of misconduct.

Emily Mort of Portland's Resistance, which describes itself as an activist collective that formed after President Donald Trump's election, said the Police Bureau's relationship with the public is strained. She pointed to the community survey, the description last year by union President Officer Daryl Turner of Portland as a "cesspool" and the city's reinstatement of fired Sgt. Gregg Lewis and \$100,000 payout to him after he made a racist comment at roll call.

“When someone like Andre Gladen -- a black man legally blind and in a hospital gown -- is killed by a police officer who faces no accountability, it’s hard to see that this is a system that protects and serves everyone equally,” Mort said.

Gladen was holding Officer Consider Vosu’s knife when Vosu shot and killed him in January inside a Southeast Portland home. A Multnomah County grand jury found no criminal wrongdoing by Vosu in the Jan. 6 shooting. Gladen, 36, who had been diagnosed with schizophrenia, burst into a stranger’s house, fell on the floor and then wrestled with the officer before he cornered the officer in a back bedroom and was shot, holding the officer’s knife he apparently grabbed from Vosu’s outer vest, according to police. Gladen’s family is now suing the city.

Hardesty recently asked a local labor firm, Bullard Law, to assess potential costs of providing outside counsel to the city in labor negotiations with the Portland Police Association, according to city officials. The mayor’s office declined to release the memo, calling it a privileged document. Bullard Law at one point represented Kroger Co. in labor talks with the chain’s employees.

The council has not hired any outside legal firm at this point to assist in police contract negotiations.

City officials are hoping to avoid the tumult that erupted in 2016 on the steps of City Hall as police pepper-sprayed and arrested protesters in the aftermath of an unruly demonstration over the city’s newly approved police contract that the mayor had the council vote on in a meeting room away from protesters.

The city increased officers’ salaries 9 percent over three years in exchange for removing the controversial “48-hour” rule from the Portland Police Association contract. The rule had allowed officers who used deadly force to wait at least two days before making a statement to internal affairs investigators. Officers are now encouraged to speak with investigators less than 48 hours after a shooting or death in custody as part of the immediate internal affairs administrative review. The internal review is walled off from any criminal investigation of the use of force.

In a statement Wednesday, Mayor Ted Wheeler, who also serves as the city’s police commissioner, said, “The city’s intentions during collective bargaining negotiations with the Portland Police Association are to ensure a fair and meaningful process that results in a contract that serves the interest and welfare of the public and supports our officers. We’ll continue drawing on national best practices as a guideline for realizing the Chief’s vision. We look forward to receiving input from community and (union) members.”

Outlaw said the bureau strives to protect the safety and rights of all of Portland’s communities.

“Our continued commitment to building an organization that prioritizes service, excellence, accountability, compassion, equity, innovation and integrity hinges upon a fair and transparent labor negotiation process for the officers and the community they serve,” Outlaw said.

Hardesty Wednesday thanked community members for their input and interest in the police contract.

“I am looking forward to working together with council and community members to envision what 21st-century policing and a fair contract can look like for Portland,” she said.

At times in the past, the city has opened negotiations to the public that involve the least controversial contract provisions, but it has continued to hold the more contentious talks in

closed sessions. If the two sides don't come to an agreement, the contract would go to state interest arbitration -- and an arbitrator's decision would become binding.

Turner wrote on the union's Facebook page recently that he intended to meet with city commissioners over the next month to discuss the bureau's staffing shortage and need to find better recruiting and retention strategies. He declined to comment Wednesday about the community coalition's demands.

## **Portland City council votes to fund cleanup plan on superfund site**

*By Ted Sickinger  
September 11, 2019*

The slow-moving cleanup of the Willamette River superfund site took a step forward Wednesday as the Portland City Council approved spending \$2 million to develop its cleanup plan for Willamette Cove and another \$2 million on a public database to track information about the entire superfund site.

The ordinance passed on a 4-0 vote. Commissioner Chloe Eudaly was not present.

The Willamette Cove property sits on the east side of the river between the Burlington Northern Santa Fe railroad bridge and the St. Johns bridge. Metro purchased the property in 1996 to redevelop into a natural area and extend an existing greenway. But those plans were stymied when pollution was discovered from its previous use as a lumber mill and dry dock for ship construction and deconstruction.

The 27-acre property and 45 acres of water around it are designated as a priority site because they pose a public health risk. Metro has attempted to restrict access but people still frequent the area.

The City of Portland is one of four parties who have taken responsibility for cleaning up the water at the site. The others include the state, the U.S. Department of Defense and the Port of Portland. Planning for the cleanup is expected to take three to four years and cost \$8.1 million, which the parties will split evenly.

City officials said they're hoping their proactive step to develop a cleanup plan in consultation with the U.S. Environmental Protection Agency will motivate other responsible parties to do the same. There are as many as 150 "potentially responsible parties" along the 10-mile stretch of the river the EPA designated as a federal superfund site in 2000. Many have been dragging their feet on submitting cleanup plans to the EPA or reaching agreements to divvy up the costs of the cleanup for which they're responsible.

"This is a milestone year for us," said Commissioner Nick Fish, noting the agreement that the city reached with the state earlier this year to establish a \$24 million trust to fund the cleanup. "We can't control what certain rogue (potentially responsible parties) are going to do. We don't have as much influence as we did at EPA." But this, he said, "is a real milestone."

EPA officials have warned the responsible parties that it wants to see cleanup blueprints by the end of the year for the superfund site. Otherwise they could end up in court. The EPA estimates the cleanup could take 30 years and cost \$1 billion.

“This is a great demonstration of public agencies coming together to get work done,” said Annie Von Burg, the senior program manager for the superfund site at the Bureau of Environmental Services. “We’re hoping this creates momentum for other responsible parties to step up and do their part as well.”

Wednesday’s vote also included an additional \$2 million to fund an information management system that will serve as a publicly accessible repository of information for the entire superfund site. There are up to 18 distinct project areas in the site, and officials expect an enormous amount of information will be collected and analyzed over a period of decades. Von Berg said there is currently no plan on how to gather it, store it, and make it easily accessible for those involved in or interested in tracking the progress, which is critical for the long-term success of the project.

Finally, the council voted to make \$300,000 available to fund public involvement efforts with affected communities over the next four years. The money will be spent on grants to encourage public participation in the design of the cleanup.

A number of community and advocacy groups were on hand for the vote and praised the city’s action.

“We think the city is right to take this leadership and break the logjam to get this process moving forward,” said Bob Sallinger, conservation director with the Audubon Society of Portland. “We remain concerned with how many (potentially responsible parties) are not in negotiation with EPA.”

## **Opinion: Neighborhood associations helped build Portland. Don’t discard them.**

*By Carl Abbott, Guest Columnist  
September 11, 2019*

Abbott is a Portland historian and resident of the Sabin neighborhood. He worked with then Portland City Commissioner Charles Jordan in the late 1970s on early evaluations of the Office of Neighborhood Associations.

As momentum builds in City Hall to substantially alter Portland’s 45-year-old system of recognized neighborhood associations and neighborhood coalitions, it is worth taking a long look at their origins and contributions.

Portland was a city in political turmoil in the late 1960s as new voices rose to challenge the tight business-civic leadership that had long dominated city government. More often than not, those new advocates came from particular neighborhoods that were in the path of institutional development and urban renewal. This was a time when city plans identified Lair Hill in Southwest Portland for obliteration; Eliot in North and Northeast Portland for warehousing and light industry in place of housing; Northwest Portland for industrial expansion; and a broad swath of Southeast Portland for a new freeway taking out the blocks between Division and Clinton streets.

Activists in different parts of the city remember their neighborhood groups as pioneers in resisting the growth machine, but change was also happening citywide.

- The federally funded Model Cities program in North/Northeast trained community activists and produced reports that infuriated the Portland Development Commission and Portland School Board by calling out racism in the late 1960s and early 1970s.
- Several inner Southeast neighborhoods came together to form the Southeast Uplift coalition in 1968 to preserve housing.
- The Northwest District Association formed in 1969 to preserve its historic walkable neighborhood.
- The hippies of the Lair Hill Association built a coalition with the Corbett and Terwilliger neighborhoods in the early 1970s.
- The North Portland Citizens Committee was founded in 1972 to fight the city's neglect of the North Portland peninsula.

Then-Portland City Commissioner Lloyd Anderson recognized that neighborhood activism was a progressive force that could be integrated into city government, an idea taken up by the new mayor, Neil Goldschmidt. The result was the creation of an Office of Neighborhood Associations in 1974. Under the system, neighborhood associations were required to follow democratic standards of open meetings and membership. In return they were given a place at the table with some very rudimentary funding. In effect, the city recognized and funded a sort of loyal opposition to articulate views that did not always fit bureaucratic or political priorities.

The system worked well for many years, and in many ways still does, gaining national recognition as an outstanding example of the “rebirth of urban democracy.” The system satisfied federal mandates for citizen participation in development decisions. Neighborhoods submitted “needs reports” to help set city bureau priorities until the city decided to move to different budgeting practices. Formal recognition gives neighborhood associations standing to negotiate “good neighbor” agreements with businesses and institutions that might otherwise generate strong opposition. The three-sided alliance between public transit advocates, new downtown leadership, and neighborhood associations built a win-win politics of revitalization in the 1970s that fought the hollowing out of the city and avoided the nasty zero-sum politics of Seattle. Neighborhood activism was a seedbed for progressive politics and politicians, playing an important role in the careers of progressive city leaders such as Margaret Strachan, Charles Jordan, Bud Clark, Vera Katz (despite her long detour to Salem), and more recently, Amanda Fritz.

In the years since 1974, the Office of Neighborhood Associations was transformed into the Office of Neighborhood Involvement and now the Office of Community & Civic Life. It has acquired a hodge-podge of outreach functions, most of them individually worthy but reorienting the office from a citizen facilitator to a top-down outreach agency for the city bureaucracy.

There is absolutely no question that civic life in Portland will benefit from diversifying the communities and interests who articulate their unique needs, whether through communities of affiliation or new technologies of direct input (see Madrid and Reykjavik for examples). Indeed, the Northeast Coalition of Neighborhoods and the East Portland Neighborhood Office have been actively supporting community efforts to call attention to past and present inequality. Until Portland decides to move to district elections for City Council, recognized and supported neighborhood associations are the only way for every geographic corner of the city to be assured of a formal voice. To the extent that the system has shortcomings, it is worth trying to fix it before discarding a legacy of that stretches back close to half a century.

## The Portland Tribune

# Forum will look at whether all roads lead to congestion pricing

*By Jim Redden  
September 12, 2019*

### **Panel to explore how, whether to charge for using tricity streets to reduce congestion and raise revenue**

After homelessness and the lack of affordable housing, Portland-area residents routinely rank traffic congestion as one of the biggest problems in the region.

The most recent poll to show dissatisfaction with congestion was the 2019 Portland Insights Survey, which was released by the City Budget Office in August. Two-thirds of respondents thought traffic or crowding is worse than last year, with approximately 40% saying their commutes are getting less reliable or safe.

That is consistent with other surveys released in recent years that show congestion is widely viewed as a serious regional problem. But it remains to be seen how the public will react to one of the solutions being considered by state regional and local governments — congestion pricing, or having to pay to drive on area freeways, streets, roads and bridges. Some of the same surveys show significant public opposition to the concept.

The Portland Bureau Alliance will sponsor a timely panel discussion on congestion pricing on Wednesday, Sept. 18. Many residents already know the federal government has authorized the Oregon Department of Transportation to impose congestion pricing on parts of I-5 and I-205 in the Portland area if certain conditions are met.

But the City Council also directed the Portland Bureau of Transportation in July to appoint a task force to help study congestion pricing on city streets and county bridges. And Metro, the elected regional government, recently released a request for proposal for a consultant to assist with a similar study in the tricity area.

The PBA discussion will feature an introduction to congestion pricing by John Tapogna, president of the Portland-based ECONorthwest consulting firm, which recently completed a study on potential congestion pricing in downtown Seattle for the Uber ride-share company.

The panelists will include: Metro Council President Lynn Peterson; Marshall Runkel, chief of staff to Commissioner Chloe Eudaly; and Daniel Malarkey, senior fellow at the Sightline Institute, a Seattle-based sustainability think tank. It will be moderated by Dana Haynes, managing editor of the Portland Tribune.

Runkel is filling in for Eudaly, who is in charge of PBOT. She will be in Europe studying congestion pricing system in several cities on a tour financed by the Bloomberg Foundation, not Portland taxpayers.

"It's imperative that we figure out new ways to use the limited amount of space we have for transportation, because I don't think anybody is up for demolishing buildings to make more room for cars," Runkel said before the discussion. "There is a consensus among economists that pricing is the way to solve congestion."

The PBA has yet not taken a position on any congestion pricing proposal, but wants to encourage a larger discussion.

"Congestion is real and affects all of us — from parents getting their kids to school, to cyclists and transit users getting to work, to the many businesses that must move goods across the region," said Amy Lewin, the PBA's vice president for strategic communications.

Under the concepts being studied, the fees would go up when traffic increases to discourage driving and encourage alternative forms of transportation. Fees could also be charged to enter congested areas, like downtown Portland.

In a February letter sent to the Oregon Transportation Commission, Peterson said Metro's study could include so-called cordon-pricing, which includes charging to enter areas within a region.

"That study won't be limited to congestion-pricing, historically known as freeway tolls, and it could mean taking a long look at the pros and cons of cordon-pricing, most famously deployed in London, where drivers are charged whenever they enter a certain part of a city," the letter said.

As ECONorthwest learned in its Seattle study, congestion pricing is a complicated topic, in large part because it involves many issues. They include the need to reduce congestion without preventing necessary travel, and the impact on lower-income households who can least afford to pay the charges.

"In addition to being pushed to the edges of the city by gentrification and displacement, it is important to note that low- and moderate-income people are also now paying more for transportation as a result of being priced out of inner city neighborhoods. It's a toxic situation," Runkel said.

The Seattle study suggests all of these issues can be addressed by setting the fees at the right levels at the right times, and by using some of the revenues they generate to reduce those paid by lower-income households. Among other things, the study found upper-income households pay the highest fees, which would generate more than enough money for rebates to lower-income households.

"There is enough money there to justify the conversation," Tapogna said before the discussion, where more details from the study will be presented.

The PBA is a membership organization representing businesses in the Portland area. It has sponsored a series of studies documenting the costs of increasing congestion in the region with other business-oriented organizations. The PBA's breakfast forums are co-sponsored by the Portland Tribune and Community Newspapers.

### **If you go**

Forum: What's next for congestion pricing?

When: 7:30-9:45 a.m. Wednesday. Sept. 18; doors open at 7 a.m.

Where: Atrium Ballroom, Hilton Hotel, 921 S.W. Sixth Ave., Portland

You can find more information at [www.portlandalliance.com](http://www.portlandalliance.com).

# Council approves \$3.475 million more for Portland Harbor cleanup

*By Jim Redden  
September 12, 2019*

## **Portland officials are hopeful the spending expected to be approved Wednesday afternoon will meet the city's obligations to the EPA**

The City Council agreed to spend up to \$3.475 million more through 2024 to help meet its commitment to cleaning up the Portland Harbor Superfund site on Wednesday, Sept. 11.

The vote was 4-0 with Commissioner Chloe Eudaly absent. The ordinance was introduced by Commissioner Nick Fish, who is in charge of the Bureau of Environmental Service, the city agency taking the lead on the project.

"This is a milestone for us," Fish said.

City officials hope the commitment, combined with previous spending already approved by the council, will satisfy the city's obligations on the project. The EPA is not expected to decide that question until the end of the year, however.

The funds in the ordinance are intended to help pay for two additional projects as part of the cleanup ordered by the U.S. Environmental Protection Agency. They are:

- Designing and implementing a cleanup plan with other governments for Willamette Cove on the east bank of the river in North Portland for \$2.025 million dollars. The 27-acre site and 45 acres of water around it are a priority site because they pose a public health risk. The U.S. Department of Defense and the Port of Portland are also taking part in the cleanup, which is expected to cost \$8.1 million total.
- Creating an Information Management Plan to collect and share information about the progress of the cleanup with partners, shareholders and the public for \$1.15 million. City officials expect the EPA to designate 10 to 18 cleanup sites that will be tracked by system.

The council is also being asked to spend up to \$300,000 to create a public involvement program to facilitate meaningful participation in the remedial design phase of the cleanup, specifically for those disproportionately affected by the cleanup.

The city already has the funds to pay for the new projects.

The council previously approved two other cleanup-related projects. They include spending \$2.5 million on the site known as River Mile 11 and the creation of a \$24 million trust fund with the State of Oregon to help other potentially responsible partners pay for remedial planning. The city's share is \$12 million, and the participating partners are eligible to receive \$80,000 per acre of active cleanup.

"We're hoping this creates momentum for other responsible parties to step up and do their part as well," said Annie Von Burg, the senior BES program manager for the project.

The EPA designated a 10-mile stretch of the Willamette River a superfund site in 2000. The agency issued its Record of Decision requiring the Portland Harbor to be cleaned up in January 2017. In December 2018, EPA agency notified more than 150 parties who are potentially responsible for the cleanup, including the city, that they must be in good faith negotiations with it



by June 30, 2019 to develop cleanup designs for areas not currently under orders, like River Mile 11.

These recent actions by EP A have officially kicked off the phase of the project commonly referred to as the Remedy Design Phase.

[You can read the ordinance here.](#)

## **Sources: City sees flurry of activity as 2020 races shape up**

*By Jim Redden*

*September 12, 2019*

**Plus, Oregon Congressman Earl Blumenauer did not invite Mayor Ted Wheeler to his housing press conference, even though Wheeler oversees the Portland Housing Bureau**

Although candidates for the 2020 City Council elections could not officially file until Thursday, Sept. 12, it already looks like all three seats that are up will be hotly contested.

Even before candidates could file with the City Auditor's Office, 13 registered political action committees with the Oregon Secretary of State's Office.

The best known are: Mayor Ted Wheeler and Commissioner Chloe Eudaly, both of whom have said they will run for reelection; Wayfinding Academy faculty member Sarah Iannarone and activist Teressa Raiford, who are both running for mayor; election reform activist Seth Woolley, who is running against Eudaly; and Latino Network Executive Director Carmen Rubio, who is running for the seat being vacated by Commissioner Amanda Fritz.

And by press deadline, five candidates also had indicated they will attempt to qualify for the city's new public campaign finance system. They include Iannarone, Rubio and Woolley.

That's already a lot of activity, and the filing deadline isn't until March 10, 2020.

Are Blumenauer and Wheeler feuding?

Portland-area U.S. Rep. Earl Blumenauer did not invite Mayor Ted Wheeler when he held a news conference to call for more federal housing funds on Thursday, Sept. 5.

As first noted by Willamette Week, the Democratic Oregon congressman invited Commissioner Chloe Eudaly and Multnomah County Chair Deborah Kafoury, even though Wheeler is in charge of the Portland Housing Bureau, which probably would receive most of the additional money Blumenauer is proposing for a range of new projects and programs.

Blumenauer's office said Wheeler's absence "was not an intentional move in any way." But Blumenauer was quick to side with Commissioner Jo Ann Hardesty when Wheeler accused her of being too hard on an invited witness who questioned a rental ordinance proposed by Eudaly during an April hearing.

# Civic engagement changes spark neighborhood debate

*By Bill Gallagher  
September 11, 2019*

## **Proposed changes to the City Code section for civic engagement are headed to the City Council in November**

For all the talk of a civic war, the Tuesday night appearance in Multnomah Village of the Portland city official who has enraged some neighborhood activists was downright civil.

Suk Rhee, director of the Office of Civic and Community Life (once the Office of Neighborhood Involvement), spoke to about 75 people at the monthly meeting of the Multnomah Neighborhood Association. She spent more than an hour explaining why she's trying to make engagement easier for people who have felt left out of the process. Her Office, which her staff prefers be called Civic Life, is rewriting the rules that were first laid down 45 years ago recognizing the role of neighborhood associations in how Portland is governed.

Because the rewrite initially dropped any mention or recognition of neighborhood associations, district coalitions and business districts, there was an angry reaction from hundreds of volunteers across the city. In fact, a "summit" of more than a hundred of them was held in late July in the same auditorium where Rhee spoke.

That anger was then stoked by reports in the Oregonian that the Director of Policy for Commissioner Chloe Eudaly, who's in charge of Rhee's office, had sent a text reading, "We need our neighborhood associations in their place. They get too much power and voice." Jamie Duhamel apologized but the damage was done.

"Are we unhappy with the neighborhood associations? No," said Winta Yohannes, Policy Advisor for Eudaly. "Neighborhood associations, we know you want to work with diverse neighborhoods. It is the job of the Bureau to make that happen. Our responsibility to you is to make sure we know you exist.," she said.

Rhee got a lukewarm reaction to her presentation, which was interrupted only occasionally by raised voices from the crowd. The applause at the end was polite. Mike Linman, on the board of the Maplewood Neighborhood Association, said Rhee's efforts to explain her vision of engaging those who haven't felt welcome in the past were, "Too little too late. I think the problem is the cake is already baked."

Two key questions from the audience members were whether under the new code there would still be money for the neighborhood association system and why there are no open meeting or public records rules referred to in the code changes.

Portland's budget this year allocates \$3.1 million to district coalitions which in turn fund neighborhood associations. Rhee would not commit to that level of funding for the next fiscal year.

"No commitment for 2020," she said. "That's part of the budget process and I can't make a commitment for a budget not adopted."

As for the code not including Open Meeting and Public Record rules, Rhee said, "Telling groups how to operate is not important and procedures are not a priority."

She spent several minutes addressing the concern that under the proposed code, city Bureaus like the Portland Bureau of Transportation and the Bureau of Environmental Services (BES) would no longer have to notify neighborhood associations about plans to tear up streets or replace old

sewer lines. She assured skeptical attendees that a plan is being developed to make sure Bureaus continue to notify neighborhood associations. (Ironically, to comply with the current code, BES had set up an informational kiosk outside the hall to tell neighbors about an upcoming year-long sewer project.)

There was occasional grumbling from the crowd. Rhee's tactic of asking for questions before her presentation didn't make sense to some. "Maybe we should do the presentation first," suggested one person, while another shouted, "Questions first, presentation later. Why?" One woman's loud comment, "It's all just political speak," was about as rowdy as things got.

The man who posed the question about budget resources, Gary Berger, from the Hillside Neighborhood Association in Northwest Portland, wasn't satisfied with Rhee's answer, "This whole thing is not well-thought through. When they try to implement their vision (more diverse groups engaging with the city) they will be woefully short on resources and it will become greatly diluted and ineffective."

Linman of Maplewood said afterwards that he's concerned the 25 members of the committee who approved the proposed code changes had no idea what neighborhood associations actually do. "Literally, the most exciting thing I did on the Parks Committee was put on a movie in the park this summer. ("Missing Link," April Hill Park, August 24). And we celebrated the fact that Maplewood neighborhood had the number one fewest sidewalks in Potland until they finished the new sidewalk on Vermont from 45th to 52nd," he said.

The proposed code changes are still being worked on. The Portland City Council will consider the completed version as well as the fate of the neighborhood association system and the future for new groups seeking recognition during a hearing starting at 5 p.m. on Thursday, Nov, 14, at a location yet to be determined.

## **The Portland Mercury**

### **Can Portland Deliver on the Promise of Publicly Funded Elections?**

*By Alex Zielinski  
September 12, 2019*

Carmen Rubio never imagined running for public office.

"I wasn't sure I would have access in the same way that traditional candidates have access," says Rubio, the executive director of the Portland nonprofit Latino Network. She says she was deterred by Portland voters' history of electing well-financed candidates—mostly white men—as city commissioners.

But then Portland approved a new public campaign financing program: Open and Accountable Elections (OAE), a system built to give all politically minded Portlanders a fair shot at winning a local election.

To qualify for OAE, candidates for city council must first collect contributions from 250 Portlanders, each of whom has donated less than \$250 to the candidate's campaign. (The number of contributions doubles to 500 if the candidate is running for mayor.) At that point, the city will match all previous and future campaign donations up to \$50 at a six-to-one rate, using money from the city's general fund. That means if a candidate collects 500 contributions of \$25, the city

will turn their \$12,500 total into \$75,000. (The city will only match the first donation an individual makes to a candidate.) Candidates participating in the May 2020 primary election will be the first to be allowed to use OAE.

The potential financing boost provided by OAE was enough to change Rubio's mind about running: In early July, she became the first candidate to announce her run for city council, crediting OAE as a motivating factor. She's one of several candidates hoping to replace outgoing Commissioner Amanda Fritz, who brought the idea of OAE to City Council in 2016.

"Open and Accountable Elections allows me to be competitive," says Rubio. "And it puts voters—not donors—squarely in the center of my campaign."

Rubio is one of five candidates who have already registered to participate in OAE—and more have signaled their intent. Registering isn't a guarantee that an individual will actually raise enough money to qualify for OAE, but it's given the city an idea of what kind of participation to expect.

For OAE staff, candidates' early engagement with the program is a positive sign, indicating that Portlanders want a more equitable way to run for office. But with eight months until Election Day, they also worry the program may be a victim of its own success. If more than two or three candidates participate, OAE's small budget might bottom out—forcing the city to renege on its financial promises to candidates. While City Council has an opportunity to bulk up the OAE budget this fall, it's still not clear if enough commissioners believe the program is worth investing in.

For people who support local campaign finance reform, the stakes are high.

"I don't want to see this fail," says Commissioner Nick Fish. "It could be the last chance we have to have publicly financed elections."

That's because Portland's already tried—and failed—to establish a public campaign finance program. The 2005 program, dubbed "voter-owned elections," was repealed by voters in 2010 after a candidate forged signatures to collect public dollars, costing taxpayers \$90,000.

Fritz, who was first elected to council in 2008 using the original public funding system, is confident OAE won't succumb to its predecessor's pitfalls.

"Unlike voter-owned elections, this program is based on successful programs across the country," says Fritz. "It's tailored to fit Portland, but it's already widely trusted."

Portland's OAE was modeled after programs that have worked in San Francisco, New York City, and Los Angeles. To guarantee Portland's second attempt at public financing sticks, the city hired Susan Mottet to lead the city's OAE office. Mottet previously worked for the nonprofit Every Voice, where she worked to establish state and city policies regarding small-donor public financing.

Despite requesting an infallible program that would restore Portlanders' trust in publicly financed elections, the city only gave Mottet a year to get the program up and running.

"That was an extreme challenge," says Mottet. "Most governments aren't designed to move that quickly."

Mottet was tasked with writing the official OAE rules, forming a volunteer oversight commission, and working with coders to build the software that will allow the new financing program to work. That software, built by the nonprofit Civic Software Foundation, is expected to work much like state and federal campaign finance software programs. Candidates must report

all campaign contributions—and have donors verified by voter records—in order for them to be matched by the city.

This software needs to be in place by September 14, the first day candidates can file to run in the May 2020 election. But in late August, city commissioners learned that, while the critical elements of the software will come in on deadline, two important features will be turned in a month late. One will let candidates easily download data into spreadsheets, and the other will create regularly updated geographic heat maps to help candidates see what parts of the city donations are coming from.

Serin Bussell, who chairs the volunteer OAE Commission, says the software delays were caused by coding bugs that have since been squashed.

“[Mottet] saw problems and decided to solve them on the front-end, instead of after the software is up and running,” Bussell says.

Mayor Ted Wheeler didn’t take the news well.

“I support the values of the program,” Wheeler told Mottet at an August 29 council meeting. “But I want to continue to express my ongoing serious concerns about the viability of the program overall. What can you say to give us confidence that this program is ready to go?”

Bussell says she was struck by how quickly Wheeler criticized Mottet for pushing back the developer’s deadline in order to fix coding problems that would have created future headaches for the city.

“The city should be supporting that kind of leadership,” Bussell says.

Mottet blames the delays on the short window of time she was given to get OAE off the ground.

“I’ve told council, ‘This is a problem of your own creation, and I’m trying to fix it,’” says Mottet. “But it makes me nervous that it makes City Council so nervous.”

That’s because City Council’s faith in the new program will likely determine its success. If a large number of candidates choose to participate in OAE, leading its budget to run out of matching funds before Election Day, Mottet will need council’s approval for additional funds.

Beginning in 2017, the city promised OAE an annual budget of \$1.2 million. City Council wasn’t able to fully fund the program in its inaugural year, however, which kept the city from staffing the program until 2018. OAE is still owed \$950,000 from that initial budget, and Mottet expects to request those funds in October, when the council redistributes unused budget dollars.

Depending on OAE’s success, that infusion still might not be enough.

“If everyone is participating in the program, and we have all run-off elections,” says Mottet, “it’s possible that this election cycle might need more than \$950,000.”

Bussell, the OAE Commission chairperson, says requiring additional funding is a “good problem” for the program to have.

“To me, that says this program is working,” she says. “That proves that candidates truly need public financing to feel qualified to run.”

Fritz, who’s made the success of OAE one of her final goals as commissioner, says she knows Commissioners Chloe Eudaly and Jo Ann Hardesty are “firmly in support” of fully funding the program. But since Eudaly and Wheeler might both seek reelection in 2020—potentially barring them from voting on the program’s budget—dispersal of any additional funds could rely on

Fish's approval. And while Fish might be rooting for OAE's success, that attitude might not determine how he votes in the fall.

Fish initially voted against the creation of the OAE when Fritz brought it to City Council in 2016, suggesting it was unfair to not let voters decide how their tax dollars were distributed. Now, like Wheeler, he's concerned about the program meeting its software deadlines.

Still, when it comes to deciding whether to fully fund OAE, Fish says he'll "keep an open mind."

"I don't want to hobble the system and then blame the system afterwards," he adds. "We've got to give it a fair chance to succeed."

Fish says "time will tell" whether the city gave Mottet enough time to prepare the program. Candidates relying on public funds for the upcoming May 2020 election, however, don't have time to spare.

In early August, mayoral candidate Sarah Iannarone announced she'd collected the 500 small donations required to participate in OAE. An urban policy consultant, Iannarone says she intentionally built her campaign around the new financing program and is relying on its success.

"Running as a candidate on progressive platform, without big political donors... that's a big risk," says Iannarone. While Wheeler has yet to formally announce his plans to run for re-election, Iannarone says she's prepared to face the notoriously well-funded candidate. "Open and Accountable Elections is a huge reason this feels possible," she says.

Iannarone, who previously ran for mayor in 2016, says relying on small donors has changed the way she campaigns. Instead of prioritizing "transactional" conversations with deep-pocketed donors, Iannarone says she's now able to engage with more voters.

Regardless of her campaign's outcome, Iannarone says she hopes her publicly funded race serves as an example to political hopefuls who may be deterred by campaign costs.

"I want to show that running a campaign isn't out of reach for an average Portlander," she says. "It has the ability to be transformative."

## **Hall Monitor: Setting the Table**

*By Alex Zielinski  
September 12, 2019*

The last time city commissioners met Portland's police union at the bargaining table, it made national headlines. "Clashes erupt in Portland, Ore., over new police rules," read the Los Angeles Times on October 12, 2016—the day City Council approved its latest contract with the Portland Police Association (PPA), Portland's union for rank-and-file cops. And, from the Associated Press: "Police and protesters clash at Portland city hall over law enforcement contract."

During the council vote, protesters' vocal opposition to the agreed-on contract inspired officers to eject dozens of Portlanders from city hall, shoving and pepper-spraying activists in the process. While then-Mayor Charlie Hales lauded the deal for finally scrapping the Portland Police Bureau's (PPB) 48-hour rule—the one that gave cops involved in a shooting two days until they had to speak with internal investigators—community relations were raw thanks to officers' jarring response to their critics and the smug satisfaction of the PPA.

Portland City Council is poised to negotiate with the PPA again this winter, before the police union's contract expires in June 2020. With the scars from 2016's negotiations barely healed, city councilors will be well prepared.

For starters, they're calling in help from two notable Black Lives Matter activists: DeRay Mckesson and Samuel Sinyangwe.

Mckesson and Sinyangwe rose to prominence during the 2015 protests in Ferguson, Missouri, following the officer shooting of Michael Brown. The pair have spent the past few years collecting data on cities' police union contracts in order to better understand how contract language shields officers who injure or kill members of the public. In 2018, Mckesson and Sinyangwe worked closely with activists to help Austin City Council pass a police union contract that expanded public oversight for cases of police misconduct.

Wheeler has invited Mckesson and Sinyangwe to give a presentation on their research at an October 1 council work session. It's a sign that commissioners might be more open to reforms than last time around.

City Council's also considering bringing in a very different group of experts for the negotiations: private legal representation.

Earlier this month, Willamette Week reported on a leaked memo revealing that Bullard Law Firm—a local agency known for its work busting unions—has offered to represent the city in negotiations. In the past, Portland's internal legal department handled contract negotiations with unionized staff. While it's not unusual for cities to hire outside law firms to negotiate police union deals, they usually do so when city attorneys can no longer afford to be stuck in unexpectedly lengthy bargaining cases. That Portland is already considering an outside legal team shows a new level of caution from city commissioners—three of whom, including Mayor Ted Wheeler, have never participated in PPA negotiations.

Still, members of the public remain hesitant to believe Council will accurately represent their policing concerns. A coalition of social justice nonprofits—including Portland NAACP, Portland Copwatch, and Unite Oregon—have released their recommendations to City Council on how the contract can advance police accountability.

If city commissioners learned anything from 2016, they'll listen.

## **Advocates Call for Increased Public Oversight and Officer Drug Testing In New Police Union Contracts**

*By Blair Stenvick  
September 11, 2019*

With new contract negotiations between the City of Portland and the Portland police union expected to begin soon, a local coalition of social and racial justice groups hopes to influence what's included in those contracts.

The last time Portland City Council entered contract negotiations with the Portland Police Association (PPA) was October of 2016, and things got heated:

During the council vote, protesters' vocal opposition to the agreed-on contract inspired officers to eject dozens of Portlanders from city hall, shoving and pepper-spraying activists in the process. While then-Mayor Charlie Hales lauded the deal for finally

scrapping the Portland Police Bureau's (PPB) 48-hour rule—the one that gave cops involved in a shooting two days until they had to speak with internal investigators—community relations were raw thanks to officers' jarring response to their critics and the smug satisfaction of the PPA.

This time around, police reform advocates plan to push for four key demands to be included in the new contracts: improving Portland's civilian police oversight system, holding officers accountable for excessive force or displays of bias, requiring comprehensive drug testing for officers, and changing the public complaint process.

“[There is a] long history of incidents of unaccountable and bias-based policing in our community,” said Will Layng of Portland Jobs with Justice, which is member of the coalition, at a Wednesday morning press conference. “That is why we will be speaking out for a community-focused police contract in the upcoming contract negotiations.”

Additional coalition members include Unite Oregon, the Portland chapters of the NAACP and Democratic Socialists of America, Portland Copwatch, the Albina Ministerial Alliance, and others.

The Albina Ministerial Alliance, a leader in Portland's African American community, was among the groups that in 2010 called for a federal investigation into how Portland police officers treat the city's Black residents. As a result of that investigation, the Department of Justice found Portland police officers had used unreasonable force when interacting with people experiencing mental illness.

LeRoy Haynes, a co-chair of the alliance's Coalition for Justice and Police Reform, said “accountability is an issue that we still grapple with in the city of Portland,” at Wednesday's press conference.

“We will not be able to change the number of police shootings until we change this contract,” Haynes said. “We will not be able to fully change the responsibility of holding officers accountable until we change this contract.”

The coalition's priorities are further detailed in a resolution they hope to present to Portland City Council before contract negotiations begin, which is expected to happen before the end of the year. Coalition leaders say no city commissioner has yet agreed to introduce the resolution, but that they plan to start meeting with commissioners soon to discuss their demands.

Under the heading of improving civilian oversight, the coalition calls for giving an independent civilian agency authority over cases involving deadly force, and for ensuring that in investigations of allegations of police misconduct, “the officer being investigated should not have special privileges the public does not have.”

The coalition is also asking that the new contract make it easier to fire police officers who have “used excessive force or exhibited racism,” and that members of the public will be able to “make complaints without the offending officer having access to their name and information.”

While the Portland Police Bureau (PPB) currently has the power to drug-test officers when there is “reasonable suspicion” they may be using drugs, there isn't a policy in place for mandatory officer drug-testing after a police shooting or use of force. Haynes said that policy gap presents a “double standard.”

“Sometimes officers use too much alcohol,” Haynes said. “Sometimes they have other drugs, including steroids, in their systems.... When you are stopped by a police officer for a ticket and



they are concerned you may have had a little too much alcohol, you are immediately asked to take a test on the spot.”

When asked if the coalition expected the PPA to push back on its demands, Haynes answered, “Of course there will be resistance.”

“Every inch of reform in this city,” he added, “has been fought against by the Portland Police Association.”

For more on the history and future of PPA contract negotiations, read this week’s Hall Monitor by Alex Zielinski.

## **The Portland Business Journal**

### **The Schnitz to get a \$1.8M marquee refresh**

*By Jon Bell  
September 10, 2019*

Two years after its iconic "Portland" sign got a \$500,000 refresh, the Arlene Schnitzer Concert Hall is teeing up a \$1.8 million update of its marquee.

At its meeting tomorrow, Portland City Council will take up an ordinance that would authorize an agreement allowing Prosper Portland to provide \$1.5 million in funding for the project.

The concert hall, which is on the National Register of Historic Places, sits in the South Park Blocks Urban Renewal Area. As a result, Prosper Portland is able to use proceeds from a 2008 tax increment financing bond to invest in tax-exempt projects in the URA.

Earlier this year, Prosper Portland also amended the urban renewal plan for the area to allow expenditures for public buildings. The city owns the concert hall, which opened in 1928.

According to council documents, the marquee that hangs above the Schnitz's main entrance is nearing the end of its life and needs multiple electrical, structural and seismic upgrades. New digital technology will also enable remote programming and changing of the lettering while also returning "the appearance of the marquee closer to the historical original."

"These enhancements will greatly improve the appearance and functionality of the marquee, eliminate the time-consuming and hazardous process of manually changing the lettering and allow Portland's to use the marquee to easily welcome multiple events and audiences in a single day," the council document reports.

Portland's Centers for the Arts is the Metro entity that runs the Schnitzer as well as four other theaters in three downtown buildings.

If council approves the ordinance, the project should be completed next year.

**OPB**

## **Portland Community Groups Ask For More Accountability In New Police Contract**

*By Meerah Powell  
September 11, 2019*

As the city of Portland approaches the start of negotiations for a new collective bargaining agreement with the Portland Police Association, community advocates and activists Wednesday made requests for more accountability and oversight.

“In the past the contract between the city of Portland and the PPA has made it almost impossible for our community to hold officers accountable when they harm our community,” said Kayse Jama, executive director with Unite Oregon — a group that says it’s focused on building a unified intercultural justice movement in Oregon.

“It’s been a major barrier to civilian oversight of police,” he said.

The Portland Police Association, or PPA, is the union that represents sworn Portland Police Bureau officers. The current contract expires next June.

Jama and others with groups including Portland NAACP, League of Women Voters and Portland Jobs with Justice gathered across from City Hall Wednesday morning to discuss their needs for the new contract.

The most specific changes they call for include improving civilian oversight — they would like to involve an independent civilian agency in reviewing police deadly force cases and to give that agency the power to compel officer testimony and recommend discipline.

Currently, police deadly force cases are investigated by the bureau’s internal Detective Division and Professional Standards Division. Those cases then go to the Police Review Board, which has some civilian members, and which can make disciplinary recommendations.

“Officers should not receive special treatment in oversight investigations,” Jama said.

Advocates are also asking for more accountability following excessive force incidents and bias-based policing. Specifically, they ask that the city be able to fire officers who have exhibited either of those behaviors.

This past February, City Council approved a controversial settlement with a Portland police officer, who received \$100,000 and a three-week unpaid suspension in exchange for his forced retirement after he made a racist remark about killing black people.

City commissioners voted 4-1 to approve the settlement because of a guideline in the current police union contract that states that the maximum penalty for an officer who makes racist remarks is three weeks without pay.

Advocates also call for mandatory police drug testing after officers use force on the public and for improving the public complaint process by not allowing officers to access the names or information of people who have filed complaints against them.

Sixteen community groups have signed onto a letter, so far, in support of these recommendations.

As far as the negotiation process itself goes, these community members are asking the city to be more transparent.

“The city must be clear about the intended timeline of negotiations and the intended timeline of setting the city’s bargaining priorities,” Jama said. “To insure that the next contract upholds our community’s vision, the city’s priority for the contract must be set through public process involving the entire council and the community.”

Advocates said they’re in the process of setting up meetings with city commissioners to discuss their requests.