

## **The Oregonian**

# **Portland will appeal judge's ruling to learn how much is an 'excessive' public records fee**

*By Everton Bailey Jr.  
February 5, 2020*

Portland will appeal a Multnomah County judge's 2019 ruling that ordered the city to stop charging excessive fees for routine email and document searches to fulfill public record requests.

The City Council voted 4-0 to appeal Circuit Court Judge Shelley D. Russell's order to the Oregon Court of Appeals.

Mayor Ted Wheeler said Wednesday the city will challenge Russell's order to get more clarity about the ruling's intent. He said he thought associating the appeal with the city being against transparency was "a ridiculous comparison."

"The only way to get clarification on the meaning of the word 'excessive' is to appeal," he said during a council meeting. "I'd love to be able to take the judge out, have a beer and have this clarified, but that is not the process we have here in America."

The case stemmed from a September 2018 lawsuit filed by attorney and activist Alan Kessler, who claimed the city overcharged him by requiring he pay \$311.67 for metadata from emails between a member of Portland's Historic Landmarks Commission and four employees at the city's Bureau of Development Services.

The city has until Friday to give official notice to challenge the ruling.

Russell wrote last November that Portland often uses high-paid employees to conduct public records request searches, which can drive up the costs for the requester. The judge also said trial testimony from Bureau of Technology Services employees showed the city made requesters like Kessler "pay the full 'worst case' estimate before the records are turned over," and didn't have a method to refund money to requesters when they are overcharged when the actual labor is less than what was estimated.

A November trial resulted in Russell's ruling and her injunction against future high search charges. The city gave Kessler a \$52 refund on Oct. 31, acknowledging it had overcharged him by overstating an employee's hourly pay.

The judge also ordered the city to pay Kessler's attorney fees, which the city said added up to around \$120,000.

Chief Deputy City Attorney Karen Moynahan said the concern is that the city could be held in contempt for "any erroneous overcalculation" of fees or if a judge of any future challenge disagrees with who the city chooses to do a public records email search.

Moynahan described the injunction as problematic because people could go straight to circuit court to request a judge hold the city in contempt, rather than go through the current process of appealing to the Multnomah County District Attorney and then going through the court system.

"It could be a nightmare," Moynahan said.

She told the council certain employees are chosen to perform email searches because they could come across sensitive information. She said the judge's order reads as if any employee can do it, which would ignore employees with security clearances.

An Oregonian/OregonLive investigation in 2018 found people seeking Portland police reports must pay at least \$30 up front and face long delays, even if they are seeking the report as a victim. In 2017, the average wait for a police report was about 4 and a half months. Wheeler announced later that year that the city would stop charging crime victims for copies of police reports.

Jenifer Johnston, a senior deputy city attorney who oversees Portland's public records requests, said she provides monthly trainings for city staff related to public inquiries. She said the city attorney's office is in the process of hiring another employee focused on aiding in requests for electronic records searches such as for texts and email.

She said the city is looking to implement test searches to help requesters narrow requests to reduce costs for reviewing the records and to "better provide the records that people are actually seeking and not records that are less useful to them." She said the city does waive request fees for records that take staff less than 30 minutes to search.

Johnston said the technology services bureau has since changed the way it calculates refunds to make sure the city is refunding people who are overcharged and that they are charging the lowest rate for a person available to perform record searches regardless of which employee actually does the work.

The city receives over 30,000 public records requests a year, and more than 22,000 of them are for records sought specifically from the Portland Police Bureau. She said the city gets the most public records request of any other entities in the state.

Emily Green, a member of the Oregon chapter of the Society of Professional Journalists, said the organization urged the council to reconsider challenging the judge's ruling and instead focus on improving its public records request process.

The state Society of Professional Journalists believe the judge's ruling is clear, said Green, who is also a senior staff reporter at Street Roots. She told the council that the city's appeal appears to send the message of "doubling down on government secrecy."

"As a reporter in this city, I am often baffled with the difficulty and high cost of obtaining public records, especially as it compares to other large cities," Green said.

## **Portland Seeks \$16 Million Contract Revision Extension with On-Street Parking Vendor**

*By Andrew Theen  
February 5, 2020*

***This story has been updated.***

Portland wants to pay the vendors that operate its paid street parking meters an additional \$16.1 million over the next five years to retrofit nearly 2,000 meters and, potentially, add hundreds more stations in new parking districts.

Transportation officials on Wednesday briefed the City Council on the proposal, which would amend and extend the existing Cale America contract, which expires in April. The company based in Clearwater, Florida, in 2015 signed a five-year, \$11.9 million agreement with the city that has been revised several times, bringing it to \$14.9 million.

Lester Spitler, Portland's chief procurement officer, said the latest amendment was "significant" but the city had determined it was the best way to expand the system.

"After discussing options and associated costs, we are in agreement this is the best option," he told the council.

The City Council will hold a final vote on the proposal Feb. 12.

Under the deal, Portland could decide to buy up to 600 parking pay stations in the next five years if, or when, the city decides to expand and add paid parking districts.

Dylan Rivera, a city transportation spokesman, said there are no current plans to do so. "There's no guarantee that we expand at all," he said, "and we have no current plans to expand meter districts." If Portland opts not to buy those meters, it wouldn't have to pay for the estimated \$3.4 million expense.

The bulk of the proposed contract extension, \$9.6 million, would pay for the vendor to continue to operate the parking meters across the city.

Cale America would also upgrade 1,900 of the existing 2,200 pay stations to create systemwide uniformity. Once completed, motorists would not be issued a printed parking ticket for their transaction, but instead they would pay to park and use their license plate to identify their vehicle. That already exists at hundreds of locations across Portland.

The other significant change would beef up an online permit program for neighborhoods or business districts with on-street parking restrictions. According to city staff, about 30,000 applicants use the current permit program, but they must visit an office to submit documents. Under the revised contract, those residents could submit their applications online through the permit program's website.

Mayor Ted Wheeler asked whether pay stations will even be necessary after the contract, if extended, expires in five years.

"My assumption is we'd want to move to an app-based approach to this," he said, a nod to the Parking Kitty smartphone app that allows users to pay or extend their parking.

Chris Armes, Portland's parking operations division manager, said 40% of the city's on-street parking transactions already happen through that application.

But Commissioner Chloe Eudaly, who oversees the transportation department, said the city needs those meters for people who don't have phones, are from out of town or can't pay by credit card.

Wheeler added that he's unsure of the long-range plans. "At some point my guess is maintaining the infrastructure is not going to be cost effective," he said.

The city has a checkered history with Cale America, none of which was mentioned Wednesday during the council discussion and briefing.

The city's former parking manager, Ellis McCoy, was sentenced in 2015 to two years in federal prison for accepting bribes from one of Cale's independent distributors beginning in the 2000s. At the time, Cale officials said they had no knowledge of the bribe scheme. Records released in 2015 showed that a key Cale official who remained with the company had been told about McCoy's efforts in 2005 to manipulate the bidding process for Cale "so that no one can touch it but us."

Because Portland had already worked with Cale for more than a decade, its on-street parking machines would be “rendered useless” if city leaders picked a different company.

Portland signed its current contract with Cale in 2015. If approved, the revised deal would expire April 23, 2025.

UPDATE: This story has been clarified to reflect that the city merely has the option to buy 600 additional parking meters and it has no current plans to do so.

## **Portland Streetcar Leader: “We Need More Cars” to Cut Travel Times, Expand Service**

*By Andrew Theen  
February 5, 2020*

Portland, which led a national urban streetcar revival in the early 2000s, faces a slew of important and difficult questions about its own streetcar service’s future in coming years.

Planners are looking at a 2.3-mile extension through Northwest Portland to Montgomery Park. The city would need six additional streetcars to run on that new line.

There’s the potential for a massive disruption if the state transportation department moves forward with its more than \$715 million to \$795 million Rose Quarter freeway project.

“How are we going to manage your transit investment in that area through the construction period?” Dan Bower, Portland Streetcar Inc’s executive director asked the City Council Wednesday, saying that would be “an important conversation.”

And there’s another looming, and as-yet-unanswered question: What to do with its existing aging fleet?

Bower made that issue as plain as he could Wednesday: “We need more cars,” he said.

The streetcar needs to run every 10 minutes, not every 20 minutes, he told the Portland City Council during an annual briefing to the elected officials. To get there, the city would need 21 vehicles, plus five spares.

The city typically has 14 streetcars in active service around town on its three routes, but it was down two vehicles for more than a year due to a derailment and crash in May 2018. Last fall, crews brought another vehicle back online, but it’s still down one streetcar from what it considers a full fleet.

Portland expects three new streetcars to arrive in 2021, part of a larger order it compiled with Seattle’s Sound Transit. Those streetcars will come from Brookville, a Pennsylvania-based manufacturer.

But much of the existing fleet is in need of either replacement or refurbishment.

One new streetcar could cost around \$4.5 million.

Andrew Plambeck, a streetcar spokesman, said initial estimates indicate it could cost \$1.8 million to \$2 million to overhaul a single streetcar’s motors, propulsion and interiors. He said roughly 11 of the existing cars need such service.

There’s no timeline for addressing those needs, he said, characterizing it as an ongoing conversation and one that will likely occur over the next few years. “We’re meeting regularly

with PBOT leadership about asset management, operational improvements and specifically identifying funding to direct toward scenarios based in vehicle procurement to run more frequent service, but we have not reached a conclusion on the question of refurbishment vs. replacement,” Plambeck said in an email.

By this September, the streetcar line should be back at full strength.

Bower said he’s encouraged by the city’s attention to giving streetcars and buses a leg up over traffic, a program now branded as the Rose Lane project by transportation officials and Commissioner Chloe Eudaly’s office.

One project on Northeast Grand Avenue at the Interstate 84 interchange took five years to address, Bower said, but now has carved travel times from 17 to 19 minutes on a nine-block stretch through there to 2 to 3 minutes.

Bower started his presentation by encouraging City Council to do more for the streetcar line, pointing out its overall ridership (averaging 12,800 per day) is higher than any TriMet bus, and the fact 96% of riders get onboard a streetcar by walking, according to a recent rider survey.

He said City Council should continue to direct housing projects toward areas near streetcar stations. The streetcar rose as it did, he said, thanks to housing and development. The Pearl District and South Waterfront neighborhoods tell that story. Bower said that half of all housing units in Portland built since 2001 occurred within a quarter-mile of a streetcar line. “It’s beginning to bear fruit,” he said.

## **The Portland Tribune**

### **New details on SW Corridor MAX stations include Bridgeport**

*By Ray Pitz  
February 05, 2020*

#### **Design concepts envision new MAX line through Southwest Portland and Tigard to Tualatin.**

A transit center in Tualatin with room for up to 960 vehicles. A short underpass that dips under Highway 99W as it enters Tigard. An elevated light rail station overlooking Southwest Bonita Road.

All of these features and more are on the list of light rail stations and park-and-rides planned for TriMet’s newest MAX line, which could start running as soon as 2026. A draft conceptual design plan for the Southwest Corridor Light Rail Project was released last week.

Preliminary design plans for the \$2.5 billion project call for a total of five park-and-ride locations along the 12-mile light rail line. Two will be located in Portland, two in Tigard and one at the northern edge of Tualatin, in the Bridgeport Village area. In addition, five more rail stations are planned for Tigard.

A major transit center — which will include both a station and a park and ride — is planned at the Bridgeport Village location.

On Thursday, Feb. 6, the community advisory committee for the project will meet to discuss the new plan from 5:30 to 7 p.m. in the Tigard Public Works auditorium, 8777 S.W. Burnham St.

The conceptual design plan includes details of the stations and park-and-rides in Portland.

As the rail track enters Tigard, heading west along Highway 99W — signed as Southwest Barbur Boulevard in Portland and Southwest Pacific Highway in Washington County — it will dip underneath the highway near Southwest 64th Avenue, re-emerging above ground a short distance later, just west of Southwest Coronado Street.

This will mean a reconfigured intersection at 64th Avenue where pedestrian crossings will be improved, according to the plan.

Some highlights of the Tigard and Tualatin stations:

- The 68th Parkway Station would include a park-and-ride with 350 parking spaces at the corner of Southwest Pacific Highway and 68th Parkway in the Tigard Triangle — a stretch of city bounded by Highway 99W to the north, Highway 217 to the west and south, and Interstate 5 to the east. Tigard has set up a so-called "lean code" in the Triangle to encourage development. The structure would provide a natural amphitheater overlooking Red Rock Creek, according to TriMet engineers.
- The Elmhurst Street Station, in the heart of the Tigard Triangle at Southwest 70th Avenue and Elmhurst Street, would include a light rail bridge that would cross Southwest Dartmouth Street at 70th Avenue. From the Elmhurst station, the rail line will head west toward Highway 217, traveling past the south side of the Walmart Supercenter before an elevated bridge takes it across Highway 217 just north of the current 72nd Avenue overpass.
- The Hall Boulevard Station, on the other side of Highway 217 from the Elmhurst station, will include a park-and-ride with up to 100 vehicle spaces. It will have close access to the Tigard Transit Center and the WES commuter rail, with TriMet officials touting it as a "critical node" for the Southwest Corridor project. Also planned is a TriMet light rail maintenance center just east of Tigard City Hall.
- An elevated station at the intersection of Bonita Road and Southwest 74th Avenue will provide an entry point for the Fanno Creek Trail, making the trail system more accessible to walkers, joggers and bicyclists who don't live nearby. It will be the only elevated station along the route.
- For the Upper Boones Ferry Road station, crossings with gates are planned for both Southwest Upper Boones Ferry Road between Southwest 72nd Avenue and Sequoia Parkway, as well as along 72nd Avenue, just north of Upper Boones Ferry Road.
- The Bridgeport Transit Center will be the end of the route, at least for now, for the proposed project. Plans call for the construction of an elevated pedestrian bridge that would cross Southwest Lower Boones Ferry Road from the transit center — which would include parking on the south side of the roadway — to a planned station on the north side of that road.

"The Bridgeport Transit Center will be more than just a light rail station," states a description of the proposed structure. "It will be an iconic mobility node and visible gateway to those traveling across the region."

Tualatin Mayor Frank Bubenik said he is pleased not only with the fact that current plans refer to the Tualatin stop as a transit center rather than a park-and-ride, but also that there is mention of having up to 960 parking spaces, the maximum amount studied during the draft environmental statement. Recently, Tualatin city leaders had told TriMet it wanted more than only 700 slots in order to make it a regional transportation center.

In addition, Bubenik said he's happy to see TriMet is planning safety improvements to 72nd Avenue to allow pedestrians to safely walk between the station and the Bridgeport Village

shopping complex, as well as plans to "address traffic congestion, mobility, and connection to I-5."

Finally, Bubenik said he's pleased to see that a Village Inn restaurant near the proposed stop will be spared from demolition. Early plans had mentioned its possible removal.

Tigard Mayor Jason Snider said his city supports the corridor alignment and, most importantly, that the rail line reaches Bridgeport Village, which is expected to be the most heavily used site of the light rail alignment.

"No one wants more traffic congestion and drive-through commuters in downtown Tigard, so we will limit park-and-ride there and continue to support TriMet's effort to raise the funding necessary to build the project all the way to Bridgeport," said Snider.

At the same time, the Tigard mayor said the city is planning for redevelopment around both stations in downtown Tigard and the Tigard Triangle.

"TriMet needs to think carefully about station layouts that will connect existing and new Tigard residents and workers to clean and healthy transportation options like walking, cycling and light rail," Snider said.

Much of the funding for the MAX line hinges on passage of a Metro transportation bond sent to voters in November. The bond includes \$975 million earmarked for the Southwest Corridor Light Rail project.

TriMet recently released showing a video fly-through the proposed route.

Subsequent open houses highlighting the planned route are set for Feb. 12, from 6 to 8 p.m., at the Multnomah Arts Center, 7688 S.W. Capitol Highway in Portland; and on Feb. 18, from 6 to 8 p.m., at the Tigard Public Library, 13500 S.W. Hall Blvd.

## **Sources: Big money bills heading for ballot, voter approval**

*By Jim Redden*

*February 05, 2020*

### **Plus, Portland saw 7th-highest rent hike in U.S. and public rules set for first police contract meeting**

Portland-area voters could be asked to approve more than \$5 billion in higher taxes and fees this year.

The Portland City Council was expected to refer a \$74.5 million renewal of the 10-cent-per-gallon gas tax to the May 19 primary election ballot by press time.

Metro also is considering referring a \$300 million homeless services measure to the same ballot.

Beyond that, Metro also is considering referring a \$4.1 billion regional transportation funding measure to the Nov. 3 general election ballot.

Also being consider are a \$404 million Multnomah County Library measure, a \$238 million Portland Public Schools measure, and a Multnomah County measure, whose cost has yet to be determined, to provide free preschool for all children.

More voters traditionally return ballots during presidential election years, and both the Democratic primary and presidential general elections are expected to be fiercely contested this year.

### **Portland saw 7th-highest rent hike in U.S.**

A recent study confirms what homeless and affordable housing advocates have been saying for years — Portland rents increased faster than almost every other city in the country over the past decade.

Portland experienced the seventh-highest rent increase in the country between 2010 and 2020, according to the analysis of Zillow rent figures by Property Club, a New York-based real estate company.

The report found the median rent in Portland increased 40% for the decade, jumping from \$1,182 to \$1,657 per month. That's a higher rate of increase than every other major West Coast city except Oakland, California and Seattle, where rents increased 46% and 45% respectively.

Other recent reports say Portland rent increases slowed in 2019 as more and more apartment buildings have been completed.

### **Public rules set for first police contract meeting**

The public can attend the first meeting between the city of Portland and the Portland Police Association to discuss the upcoming contract negotiation under numerous restrictions.

The meeting will be held at 2 p.m. Friday, Feb. 7, at Portland Community College Southeast Community Hall, 2305 S.E. 82nd Ave., Portland.

Restrictions agreed to by both parties include: no speaking or other disruptions while negotiations are occurring; no photographs, video or audio recordings; no live social media reporting, or even cell phone or laptop use; and no attending caucuses or sidebar meetings.

According to Mayor Ted Wheeler's office, anyone who violates those restrictions will be asked to leave the meeting and may be excluded from that bargaining session.

Wheeler has said he is committed to negotiating a fair contract that addresses longstanding disciplinary issues. The police union has declined to speak directly about the upcoming negotiations, but has called for the City Council to hire more officers.

## **The Portland Mercury**

### **Portland City Council Agrees to Appeal a Court Ruling on Pricy Public Records Fees**

*By Alex Zielinski*

*February 5, 2020*

What makes a public fee "excessive"? That's what Portland City Council wants to ask in its appeal of a Multnomah County Circuit Court ruling. That recent ruling accuses the city of overcharging members of the public who request copies of city documents.

At Wednesday City Council meeting, commissioners unanimously approved a city attorney's request to appeal a November 2019 court decision made by Circuit Court Judge Shelly Russell. The decision was in response to a civil lawsuit filed against the city by local affordable housing

advocate Alan Kessler in September 2018. Kessler had argued that the city's \$205.61 price tag for a request (for emails involving a Historic Landmarks Commission member) was unreasonably high.

Under state law, any member of the public can request these kinds of documents, and the city is obligated to turn them over in a timely fashion. The city is allowed to pre-charge members of the public who request records with a "reasonably calculated" fee to pay for staff time spent retrieving the documents.

In 2018, Portland collected a total of \$767,659 in fees associated with records requests.

Russell agreed that Kessler faced an unreasonable fine. In her ruling, Russell said the city unnecessarily assigned overqualified (and higher paid) employees to work on his low-level request, resulting in a higher price tag. Using the city's own formula to calculate record retrieval costs, Russell estimates that Kessler was overcharged by at least \$25.

"The city's current method for determining fees for routing email and document search... is not reasonably calculated to reimburse it for its actual cost of making the records available," Russell wrote, "and results in overcharging the public records requester without providing a method to refund any overcharges."

Russell ordered the city to immediately stop charging people excessive fees for routine records requests and cover Kessler's \$120,000 attorneys fees in the case.

The city, however argues that the term "excessive" is too vague and leaves the city with blurry guidelines moving forward.

"The City Attorney's Office believes that the judgment is unclear and seeks clarification from the Court of Appeals as to the breadth and scope of the judgment," writes Karen Moynahan, Portland's chief deputy city attorney, in a council document explaining the request.

In appealing the case, city attorneys hope to get a more concrete definition. On Wednesday, Moynahan said that, at times, higher-paid employees are needed to conduct 'sensitive' records requests, since they have higher security clearance. Moynahan said Russell's ruling doesn't make it clear if the city can still use those higher-paid employees for some record retrieval.

"I support an appeal so we can get this clarity," said Mayor Ted Wheeler at Wednesday's meeting. "We are not thumbing our nose at Mr. Kessler or the judge. What we need is clarity on specific legal matters."

Members of the public were less eager to support the appeal. During the meeting's public comment period, Street Roots reporter Emily Green explained to council—on behalf of the Oregon chapter of the Society of Professional Journalists—that delaying the ruling was detrimental to press freedoms.

"I'm urging you to commit to transparency and accessibility of public records rather than appealing this case, which instead would be using public resources to fight transparency," she said.

"We believe the ruling is clear," Green continued, "Don't violate the law, don't charge excessive fees."

Wheeler responded to her comments before casting his vote.

"To equate us asking the clarification with being anti-public disclosure or anti-press, I think, frankly, is a ridiculous comparison and I reject it," Wheeler said.

In the discussion that preceded the vote, Commissioner Chloe Eudaly asked city attorneys to consider making city records free for people whose requests takes less than an hour for a city staffer to complete. Currently, fees are only waived for requests that take 30 minutes or less.

The city's already been tinkering with the way it processes records requests. In 2019, Mayor Ted Wheeler used budget funds to expand the Portland Police Bureau's records program and axe records fees for crime victims.

Yesterday, mayoral candidate Sarah Iannarone released a "good government" policy proposal, which included a promise to charge "predictable fees designed to encourage vigilance by the public and press." Iannarone has also proposed sticking a \$20 flat fee on any email record requests that captures fewer than 100 email documents.

"We will continue to make improvements," Wheeler said Wednesday, "and I look forward to the city getting the clarity we need to ensure that we are appropriately handling the approximately 30,000 public records requests we receive each year."

City attorneys have until Friday to file the appeal.

## OPB

# 'Fight Like Hell': Bitter Race Brews For Portland City Council Seat

*By Rebecca Ellis  
February 5, 2020*

Portlanders want change.

Recent surveys show a historically large swath of Portland believes the city is being steered in the wrong direction. Three and a half months out from the primary, a push for a new approach has cropped up in candidates' policy platforms, Facebook pages and TV interviews.

You'll hear the same case made in the living room of former mayor and current City Council candidate Sam Adams.

Adams confounded many political observers last month when he opted not to try for either of the two open seats on the City Council, but instead pit himself against Commissioner Chloe Eudaly in the May primary. Asked the question on every local politico's mind ("Why?"), Adams said he was responding to a public clamoring for something different.

"I came back full-time to Portland without the intention of running for office," Adams said. "But what I had been observing from afar ... the challenges that are facing Portland seem to be overwhelming us. And people are not only very frustrated with that. Some are shrugging and beginning to think that, 'Well, maybe these are things we just can't fix.'"

In the other races on this year's city ballot, he continued, candidates are poised to deliver on this "change mandate." In the race for the seat left open by Amanda Fritz's retirement, he pointed to front-runner Carmen Rubio, the head of advocacy nonprofit Latino Network, who would be the second woman of color elected to City Council. In the special election for the seat formerly held by Commissioner Nick Fish, who died earlier this year, Adams said he'd noticed a "very diverse, high-quality" crop of candidates for whom he "wanted to leave space."

"And that led me to position number four," he said.

## **Off to the races**

This election season, local analysts foresee contenders in all four City Hall races fighting to position themselves as the candidate who can act decisively on the most pressing issues the city faces: an affordable housing shortage that fuels a homelessness crisis, gridlocked and crash-prone roads, a growing gap between rich and poor Portlanders.

But nowhere is this fight gearing up to be more bitter — and potentially more bizarre — than in the race for the only office with an incumbent.

“Sam and Chloe will fight like hell to try and define themselves as the leader of a force of change,” said Len Bergstein, head of the consultancy firm Northwest Strategies, a matchup he went on to call “absolutely nuts.”

The candidate most likely to run an insurgent campaign against the status quo — a former bookstore owner with little elected experience — already has an office on the second floor of City Hall. And the candidate who has spent nearly a third of his life in the place — who Bergstein refers to as “the most establishment City Hall character you can think of” — is trying to claw his way back inside.

Starting in the 1990s, Adams successfully climbed his way up the City Hall hierarchy, moving from a post as former Mayor Vera Katz’s longtime chief of staff to city commissioner to mayor, a victory that also crowned him the first openly gay leader of a major U.S. city.

This means, he said, he’s entering the race with an “experienced outsider perspective.” But he’s also bringing with him some notable baggage. Soon after Adams became mayor, Willamette Week broke the news that Adams had been involved in a sexual relationship with a former legislative intern who was 17 when they met, a charge Adams had bluntly denied before entering office. Adams later admitted he had lied, but said the relationship didn’t become physical until Breedlove turned 18, Oregon’s age of consent. Adams opted not to seek a second term and ran the City Club of Portland for several years before moving to Washington, D.C., to work for an environmental think tank. He returned to Oregon last year.

The race is just beginning. At least seven others have filed to run against Eudaly, notably former city employee Mingus Mapps, who analysts say very well could build a support base of voters dissatisfied with the two most recognizable names on the ballot. And more candidates could join. Filing for city elections doesn’t end until March 10.

## **Moving Portland forward**

Still, in interviews this month, the two candidates who had garnered the most attention so far had their fundamental pitch ready for voters: They each see themselves as the candidate best equipped to move Portland forward. Their opponent? Not so much.

“We’re poised to have the most diverse and progressive council that Portland has ever had,” said Eudaly, noting she is just the eighth woman elected to the Council. “Sam running against me feels like a step backwards.”

It’s a point Eudaly was making within hours of discovering Adams had filed to run against her. (It’s also a point that greatly irks Adams: “City Council isn’t ‘Downton Abbey,’ and city commissioner seats are not hereditary . . . . If there’s this inference that I should step aside, that also applies to Mingus Mapps.”)

Eudaly has since expanded her anti-Adams argument. He is more than just a white man gunning for her post, but an embodiment of an older style of politicking — responsible, she said, for failing to use the levers of City Hall to protect renters and communities of color from

displacement during the early years of the housing crisis. These are groups, she pointed out, that she has championed since day one in office.

“I represent the Portland that’s been clinging to the side of a sheer cliff, trying to survive,” she said. “He represents a kind of a network and class of people that got us to where we are right now.”

During her three years in office, Eudaly has earned a thorny reputation in certain circles, particularly neighborhood associations still reeling from her attempt to restructure them. She can be cutting in her commentary, particularly on social media; just last week, she called out Adams’ new campaign manager, Inna Levin, for friending her on Facebook, condemning the request as “pretty shady.”

But Eudaly has also been a powerful advocate for the core group of renters that fueled her surprise victory in 2016 against an incumbent, Commissioner Steve Novick. Soon after arriving in office, she passed landmark legislation to deter landlords from evicting Portlanders without cause, followed by new rules to ensure a more forgiving screening process for renters.

“Everyone’s got their own opinion on me, but one thing that can’t be disputed is that I have come here and done what I said I would do,” she said.

She suspects this has disgruntled a fair number of powerful Portlanders, who may feel they have an ally in Sam Adams.

“Some people are part of the establishment, part of the kind of old boys network,” she said. “And there are people out there that really miss those days when they had a guaranteed three votes for their business interests, let’s say.”

“I don’t think Portland wants to go back to that,” she added.

### **‘Campaign of ideas’**

But, Adams argues, Portlanders aren’t all that happy where they are, either.

Cue his “campaign of ideas and innovations.” Mid-interview, Adams, who earned a reputation as something of a policy wonk during his long stint in city government, launched into a stream of proposals — some seemingly prepared, others less so.

He thinks the city should build more co-living facilities, with common kitchens and bathrooms, to create cheaper housing. Invent a system of “street medicine” and license medics to treat people living outside. Ask each neighborhood to start a “honey-do list” in the style of his grandmother with tasks they want to check off — say, fix the aging dikes near the airport or clear out the blackberry brambles crowding the Columbia Slough in Kenton, and hire hands to do it through the Portland Clean Energy Fund. Convince commissioners to hold a weekly brainstorming meeting on how to tackle the city’s homelessness crisis. Legalize boarding houses.

John Horvick, a pollster with DHM Research, said he’s conducted a series of recent surveys showing the number of people who said they believe Portland is moving in the right direction was in the high 30s to low 40s. He said Adams’ ideas could be an asset for him.

“When I do focus groups here in Portland and just talk to people about local issues, there is a frustration often that the problems are building, and we’re not getting things done. And people will say — fair or unfair, right or wrong — ‘That Sam guy, he got things done,’” Horvick said. “But those things were not always popular. He pushed forward a street fee and then walked back from it when it wasn’t popular to fund transportation.

“... He has a reputation of a lot of ideas. But not always a clear vision or direction.”

Horvick said these concerns will pale in voters' minds next to the relationship Adams has admitted to having — and lying about — with a teenager.

“With Sam, that scandal stays with him,” Horvick said. “It’s a question of morality. It’s not just whether he balanced the books or he chose the wrong sort of agenda, but it’s whether or not people feel like he’s a trustworthy person. That is by far and away the weakness that remains with him.”

Adams is wagering that Portlanders are willing to forgive, even if they haven’t forgotten.

“Every candidate brings their humanity into public service, everyone running this race has their pros and cons,” he said, noting while the relationship was “stupid,” authorities investigated and chose not to charge him with a crime. “Portlanders are fair-minded people.”

Eudaly counts herself among them.

“I think everyone deserves a second chance,” she said.

Just don’t ask for it in her race.

“The humble thing would’ve been to run for an open seat and ask the voters for a second chance,” she said. “Running against me? It doesn’t feel like that.”