

Moore-Love, Karla

From: Teresa Roberts <trecanoe@yahoo.com>
Sent: Wednesday, February 01, 2017 7:20 PM
To: Commissioner Saltzman; Commissioner Fish; City Auditor, Mary Hull Caballero; Moore-Love, Karla; Eudaly, Chloe; Wheeler, Ted
Cc: Portland Copwatch
Subject: Autonomy for the Auditor's office

COMMENTS FOR PUBLIC RECORD

Along with Portland Copwatch, I support the Auditor's office having independence from Council and the ability to hire its own legal counsel.

I also support the various amendments calling for external review of the Auditor, though I agree there should be a minimum review period of every two years rather than every four so that a seated Auditor can make necessary corrections.

As Dan Handelman noted, more public discourse would have been preferred, streamed similarly to City Council meetings. As a disabled individual, I do appreciate the ability to watch and comment from home. Keep streaming! Stream more meetings!

In closing, please listen more carefully to the wisdom of Dan Handelman. I attended a showing of Alien Boy last year, and the entire audience erupted in applause when he first appeared on the big screen. He is MUCH respected by the community at large and was shown more respect by prior mayors than he was by Hales. He will always have our ear.

Stridently,

Teresa Roberts, Voter, 97202

RE: 104 TIME CERTAIN: 3:15 PM – Place a measure on the May 16, 2017 ballot to amend City Charter provisions to protect Auditor's independence

February 1, 2017

Good Afternoon Mayor Wheeler, Commissioners, Eudley, Fish, Fritz, Saltzman

While I fully support the role of the City Auditor's Office to remain in the City's overhead model allowing the Auditor's Office to continue to use the City's subject matter and technical expertise; and my understanding that the Auditor is committed to maintaining consistency with City rules, and policies (~~practices~~), except those rules and policies impair the Auditor's independence. And to that end, I would like to believe the Public Involvement Principles adopted by City of Portland, on August 4, 2004 does in fact support the Auditor's independence and Portlanders.
[<http://www.portlandonline.com/oni/index.cfm?c=51069&a=312804>]

Granted, at this time, the Office of Ombudsman is not explicitly described in the City Charter along with the duties of the City Auditor. Nor do I believe adding the Office of the Ombudsman to the City Charter will protect the independence and nor does it reflect at best practice. Whereas, the text reads well on paper — to be honest — it does not provide a unique benefit to the community by safeguarding the rights of individuals [of color] promoting fairness and justice in the provision of City services.

I am disappointed the City Council continues to fund the Ombudsman and staff knowing short of threatening to report the citizen's grievance to the MEDIA, the Ombudsman has no authority to problem solve for the citizen. I firmly believe their role has been to protect the City's elected official's best interest is to avoid possible costly lawsuits filed by "We-Little-People". I'll not waste my time and yours reading the list of "I can't because...." coming out of the Ombudsman's office.

Whereas, I fully support Commissioner Dan Saltzman's amendment the ombudsman function should not be specifically included in the City Charter.

Whereas, I do not support Commissioner Amanda Fritz amendment, to remove the requirement that the city auditor be credentialed as a certified public accountant, certified internals auditor, or certified management accountant.

City Council has approved far too many poorly written Bonds, Levies, and Infrastructure waterfall contracts – all of which once approved can never be cancelled. Did I fail to mention the Arts in the Schools income tax, blindsiding the middle and high school's Visual Arts Teachers, lacking a sunset, and now the city sub-contracts agency to collect \$35.00 fees? My fear, currently, our City is close to their 5% cap and the school district plans for a second Bond measure in May... . Something to think about – or not!

Respectfully,
Mary Ann Schwab, Community Advocate
605 SE 38th Avenue
Portland, Oregon 97214-3203

PS I believe these dollars would be best transferred to the ONI Bureau, where our highly skilled Crime Prevention Specialists and Noise Control Officers are in the front lines with authority to enforce regulations when investigating OLCC outlets and AirBnB 1-2 bedroom short term rentals open 24/7 within 95 neighborhoods. ...whoops, I digress!

CHARTER AMENDMENT TO PROTECT CITY AUDITOR INDEPENDENCEIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Sherry Salomon	1000 S.W. Vista Ave #807	SherrySalomon@comcast.net
✓ Stephen Salomon	1000 SW Vista Ave. #807	salomonsteve@comcast.net
✓ Daniel Salomon	Columbia Street, 1701 SW Collins Circle #118	danielsalomon@comcast.net
✓ Peter Kwong	1211 SW 5th Ave, Portland, OR	PKWong@perkinsaccounting.com
✓ Chris Broderick		cgbroderick@comcast.net
✓ Michael Mehaffy	242 SW VISTA AVE #42 PORTLAND	MICHAEL.MEHAFY@GMAIL.COM
✓ Wendy Rahm	1221 SW 10th Ave	wwrahm@aol.com
✓ Chris Neilsen	1221 SW 10th Ave	cneilsen47@msa.com
✓ Tim Helzer	220 N. Hayden Bay Drive - Pdx	helzert@comcast.net
✓ Debbie Alona	LWV Portland	

CHARTER AMENDMENT TO PROTECT CITY AUDITOR INDEPENDENCEIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ CAROL Cushman	LWV Portland personal 4207 N. Lombard	personal-therail@aol.com
✓ DAN HANDARMAN		
✓ Robert Wright	1226 SW 10th Ave, #505 Portland, OR 97205	wright-gluff@comcast.net
10/11 ✓ Joe Wacker		
Chris Brodenick	7214 SE 28th Ave Portland 97202	cgbrodenick@comcast.net
Bob Tackett	9955 SE Washington St	BTackett@nwac.org
✓ Tracy Prince	Goose Hollow	tprince@pdx.edu
John Calvin	2104 E 45th Portland 97213	jmc@nwac.comcast.net
✓ Raihana Ansary	Portland Business Alliance 200 SW Market St.	
Lightning		
✓ MARK VELIKY	1000 S.W. VISTA AVE, APT. #712 PORTLAND, OR. 97205-1137	DMC.LOTUS@YAHOO.COM

CHARTER AMENDMENT TO PROTECT CITY AUDITOR INDEPENDENCEIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Charles Bridgecrane JOHNSON		
✓ Shirley Rackner	1221 SW 10th #50	shirleyrackner@comcast.net
✓ LORA HARRIS	POB 13302 PDX OR 97213	
✓ Roger Leachman	742 SW Vista, #36	rogerleachman@hotmail.com
✓ Suzanne Lennard		suzanne.lennard@livablecities.org
Kasia Rutledge Mark Kramer	6256 N. Astor Portland 630 SW 5th Ave Sant	Kasiaeryn@gmail.com
✓ Deanna Mueller-Crispin	1221 SW 10th Ave #1013 Portland 97205	deanna@involved.com
✓ Mark Kramer	520 SW 6th #110 Pld 97204	mark@kramer-associates.com

Moore-Love, Karla

From: Kathleen Ward <kattward@gmail.com>
Sent: Tuesday, January 31, 2017 5:44 PM
To: Council Clerk – Testimony
Subject: Support Protecting the Auditor's Independence

We support all safeguards and proposed amendments to protect the independence of the Auditor's Office.

An independent Auditor's Office is crucial in maintaining the integrity of city government. The Ombudsman's Office provides a crucial bridge between the public and the city bureaucracies and should be maintained within the charter amendment as well.

Please support sending the proposed "Protecting The Auditors Independence" charter amendment to the May 2017 ballot.

Thank you,
Kathleen Ward & Rita Snodgrass
7964 SW 47th Ave
Portland, OR 97219-3428

From: Portland Copwatch <copwatch@portlandcopwatch.org>
Sent: Tuesday, January 31, 2017 1:26 PM
To: Commissioner Fritz; Commissioner Eudaly; Commissioner Saltzman; Commissioner Fish; Wheeler, Mayor; Hull Caballero, Mary
Cc: News Media
Subject: COMMENTS on Charter Amendment for Auditor's office (Item 104)

To Mayor Wheeler, members of City Council, and Auditor Hull Caballero

Last Wednesday in testifying to Council about the Auditor's proposed Charter change, I defied anybody in the room to tell me what the Council would be voting on this week, since it keeps changing. This is no way to amend the City's "constitution." A properly finished, amended version should be circulated for public input BEFORE Council votes on it, not the ragtag pile of amendments reflected in agenda item 104 for this Wednesday afternoon.

<https://www.portlandoregon.gov/auditor/article/624648>

How will the public even know whether to support the proposed Charter change until we see what it looks like without all the strike-throughs and additions? And how could anyone have given meaningful testimony last week without reading the proposals? Making matters worse, just like the adoption of the Portland Police Association contract, Council is now saying it will not take public comments this week at the hearing.

It should not have escaped your awareness that several people were testifying about how they supported the Auditor putting the Independent Police Review Division into the Charter-- even though she pulled that provision before submitting it to Council. This is just one example of how this process is rushed.

As to some of the specifics in the proposal(s), we were glad to see the Auditor changed her original language describing "employees subject to a collective bargaining agreement" since it could have banned organizing among her staff.

We support Commissioner Saltzman's amendment to remove the Ombudsman's office from the proposal, but not for the reasons he stated. We do think the Ombudsman's office should be enshrined in the Charter-- along with a civilian oversight body for the police and the Human Rights Commission-- but not as part of the Auditor's office, and not with any ban on investigating complaints against anyone in the government. (We've also argued that the Ombudsman should be able to investigate complaints against private security or other contractors hired by the City, which could be a code change but might be well suited to be part of the Charter.) As I mentioned at Council, when I had a complaint against a former Auditor and former IPR Director, the Ombudsman refused to investigate because of a perceived conflict being in the same office. My complaint did not rise to the level of a state ethics investigation. Surely there must be a mechanism to resolve such complaints locally.

We support the Auditor's office, in general, having independence from Council and the ability to hire its own legal counsel. This was a recommendation from the Stakeholders' Group on oversight in 2010.
<http://www.cdri.com/library/PoliceOversightStakeholderReport2010_V2.pdf>

We also support the various amendments calling for external review of the Auditor, though we think there should be a minimum review period of every two years rather than every four so that a seated Auditor can make necessary corrections.

The confusion about the content of the Auditor's proposal partially came about because she did not share any specific language with the broader public until the Friday before last week's hearing. The Citizen Review

Committee members received a draft in their confidential folders at their January 4 meeting, but there were no copies for the press or the community.

Normally there is a Charter Commission which makes recommendations of what to put on the ballot. This is supposed to happen once every 10 years, and the last full Commission met in 2007, with a smaller-focused one meeting in 2011.

Overall, the way this proposal has come about is very similar to the half-baked efforts to improve the IPR-- there was really no public process, and even though the Auditor keeps talking about how she reached out to people in the community with her ideas, it was never done in a public forum where people were able to talk to one another about their concerns.

Thus, even though there are parts of this we might support, our message to Council continues to be: slow this down and have a more public process to draft a charter change. While the Auditor makes a good point that she doesn't get to appoint people to a Charter Commission, it would be better to figure out a way to ensure her participation in a holistic review than to have her draft her own constitutional amendment. The Charter is the people's document.

Thank you and we hope you will consider our recommendation, and look to the November 2017 or May 2018 ballot for this Charter change.

dan handelman

--Portland Copwatch

(a project of Peace and Justice Works)

PO Box 42456

Portland, OR 97242

(503) 236-3065 (office)

(503) 321-5120 (incident report line)

copwatch@portlandcopwatch.org

<http://www.portlandcopwatch.org>

Moore-Love, Karla

From: City Auditor, Mary Hull Caballero
Sent: Tuesday, January 31, 2017 2:17 PM
To: Council Clerk – Testimony
Subject: FW: City Auditor's Proposals - testimony

From: Deanna [mailto:deanna@involved.com]
Sent: Tuesday, January 31, 2017 1:37 PM
To: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Subject: City Auditor's Proposals - testimony

Dear Auditor Hull Caballero,

I am sending the following as testimony concerning your proposals:

I previously expressed support for the proposals from the City Auditor to improve the auditor's ability to independently do its job.

I would just like to reiterate that to eliminate potential "political" risks to the Auditor's Office, the following are essential:

- The Ombudsman Office should be put into Charter so it will have the same independence as the Auditor's Office, and not subject to political pressure –e.g. reduction of its budget if its findings are unwelcome to City bureaus or officials.
- The Certified CPA requirement for the Auditor. This will help ensure the professionalism of the office, rather than letting it become a political stepping-stone to higher office.

I also strongly support the League of Women Voters' suggestion to have public comment in the rulemaking procedure. This allows the public to be heard and thus encourages "daylight" in this important process.

Thank you for taking these important steps in support of transparent and response government.

Deanna Mueller-Crispin
1221 SW 10th Ave #1013
Portland, OR 97205

From: Deanna <deanna@involved.com>
Sent: Tuesday, January 31, 2017 1:40 PM
To: Moore-Love, Karla
Subject: Testimony: City Auditor's Proposals

I would like to submit the following as testimony for the hearing on the City Auditor's Proposals:

I previously expressed support for the proposals from the City Auditor to improve the auditor's ability to independently do its job.

I would just like to reiterate that to eliminate potential "political" risks to the Auditor's Office, the following are essential:

- The Ombudsman Office should be put into Charter so it will have the same independence as the Auditor's Office, and not subject to political pressure –e.g. reduction of its budget if its findings are unwelcome to City bureaus or officials.
- The Certified CPA requirement for the Auditor. This will help ensure the professionalism of the office, rather than letting it become a political stepping-stone to higher office.

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Thank you for taking these important steps in support of transparent and responsive government.

Deanna Mueller-Crispin
1221 SW 10th Ave #1013
Portland, OR 97205

Moore-Love, Karla

From: Alex Graham <alexthegraham@gmail.com>
Sent: Tuesday, January 31, 2017 10:37 AM
To: Council Clerk – Testimony
Subject: City Auditor proposed amendments to City Charter

It should be perfectly clear to anyone looking at the situation that the proposed changes are necessary in order to ensure that the City Auditor is free to perform the duties assigned to the office.

There is no feasible way for an independent audit of government activities to occur if the City Auditor is not free from undue influence from City of Portland officials.

While I agree that the City Auditor also needs some kind of oversight and accountability, the current situation would allow those being audited far too much ability to hamstring the City Auditor's ability to do their job.

Thank you for your time.

Alex Graham
Portland, Oregon

Moore-Love, Karla

37265

From: Bob Wright <wright-stuff@comcast.net>
Sent: Tuesday, January 31, 2017 10:12 AM
To: MayorWheeler@portlandoregon.gov; Commissioner Saltzman; nick@portlandoregon.gov; Chloe@PortlandOregon.gov; Commissioner Fritz
Cc: City Auditor, Mary Hull Caballero; Moore-Love, Karla; Council Clerk – Testimony
Subject: Auditor's Proposal

Mayor Wheeler and Commissioners,

I testified before you last Wednesday strongly in favor of the Auditor's proposal. I was not alone; there was overwhelming support from others who had also testified. A few had questioned, "What's the rush?" Well, the rush is that with the current administrative structure, the Auditor's office has been subject to covert and overt pressures from other bureaus and offices in the wake of recent investigative reports. This must not stand and be fixed as soon as possible; put before the public on the upcoming May ballot.

Secondly, the Ombudsman position must be confirmed in the City Charter, not authorized just by city code, itself vulnerable to pressures not in the public interest. The Auditor's responsibilities to the citizenry are broad and vitally important. But the Ombudsman has the necessary sharp focus to address complaints of maladministration of public officials.

In the revised charter, for true independent action, the Auditor absolutely must have authority of internal staffing decisions, as well as for contracting for outside expert opinion, including legal counsel.

Sincerely,

Robert Wright
1221 SW 10th Avenue, #505
Portland, OR 97205
(503) 222.6874
January 31, 2017

Moore-Love, Karla

From: Hull Caballero, Mary
Sent: Tuesday, January 31, 2017 9:10 AM
To: Council Clerk – Testimony
Subject: FW: Charter amendment to protect Auditor's independence (Council Agenda Item 104)

-----Original Message-----

From: Beth Woodward [mailto:2bethw@comcast.net]
Sent: Tuesday, January 31, 2017 8:37 AM
To: Commissioner Fritz <amanda@portlandoregon.gov>
Subject: Charter amendment to protect Auditor's independence (Council Agenda Item 104)

Dear Commissioner Fritz,

I urge you to support the City Auditor's effort to strengthen the independence of her Office. In my estimation, some of the amendments proposed by Council members last week do not support the intended purpose and are not in character with other sections of the City Charter, which does not need to provide that level of detail.

I worked with Auditor Hull Caballero before I retired from my position as a Senior Management Auditor at the City, and I trust her motivation and judgment. She is positively and thoughtfully addressing significant problems that prior City Auditors had ignored. As a resident of the City with a professional understanding of the value and practice of auditing, I ask you to reconsider at least some of the changes you proposed for this Charter amendment, and pass it for consideration by voters. The requirement for professional certification is important for this politically neutral Office. While Commissioners make policy, the Auditor must evaluate whether and how that policy is carried out.

While working at the City I often experienced employees' desire to improve practices by discussing them with an auditor when they feared discussing them with a manager. Under our Commission form of City government, a capable, professional and independent auditor is your best way to get meaningful information about systemic problems in City bureaus, ways to address them, and risks you need to be aware of in order to make effective policy and govern the City efficiently and fairly.

Thank you for considering my comments,

Beth Woodward

Moore-Love, Karla

From: Ben Sturgill <bsturgill@mac.com>
Sent: Tuesday, January 31, 2017 8:58 AM
To: Council Clerk – Testimony
Subject: Ignoring the auditor

As I've watched several different versions of City Hall ignore the Auditors opinions on who is responsible for road repairs in SW outer SE I can safely say that any attempt to make the Council more accountable to the Auditor would be most welcome.

Were the Council to choose not to send this to the voters it would be a clear indication to many that the Council wishes to remain unaccountable. With each new Council I've always felt hopeful for change (well, not the Adams family) only to see more of the same. Once again I find myself hopeful with Wheeler at the helm. Maybe that's because I'm a fool.

Ben Sturgill
4216 SW Alice St.
Portland, Or 97219

Ashcreek and Crestwood (yup, I live in two NAs, neither of which make sense geographically)

From: Steve March <smarch@q.com>
Sent: Tuesday, January 31, 2017 8:05 AM
To: Moore-Love, Karla
Subject: written testimony - Agenda Item 104 - 2/1/2017 - Auditor's Charter Amendments

January 31, 2017

Mayor Ted Wheeler; Commissioners Dan Saltzman, Nick Fish, Amanda Fritz, & Chloe Eudaly

RE: Agenda Item 104, Wednesday February 1, 2017 – Auditor's Charter Amendments

Mayor & Commissioners,

I write in support of the concept of ensuring the independence and professionalism of the office of Portland City Auditor and bringing into the Charter some best practices. Generally Motions numbers 1, 4, 5 and 6 appear to be fine tuning of the proposed Charter Amendment and I leave those to the Council without further comment. I direct my concerns to Motions 2 and 3:

Motion 2 – Office of the Ombudsman. If this function is to continue, and there are good reasons for it to exist in the Commission form of government, then it should be placed in the Charter. If the decision is not to place it to the voters with the remaining portions of the proposed Charter Amendment it should surely be referred to the next Charter Review Committee. In the past similar issues have been referred to the Multnomah County Charter Review Committee.

Motion 3 – Amendment 1, Striking the Accountant/Auditor Qualifications for the City Auditor. I would strongly argue against such a move. Removing the professional requirements from this position could have the effect of politicizing the office. It is important to maintain the highest standards of professionalism in the office of City Auditor.

Thank you for your consideration of this written testimony.

Sincerely,

Steve March, PhD, Certified Internal Auditor,

37265

Citizen of the City of Portland

Multnomah County Auditor

842 NE 44th Avenue, Portland, OR 97213 - home phone 503-235-9708

From: Mark Bartlett <bartlett.m@comcast.net>
Sent: Monday, January 30, 2017 4:49 PM
To: Moore-Love, Karla; Council Clerk – Testimony; Hull Caballero, Mary; Wheeler, Ted
Cc: Saltzman, Dan; Fritz, Amanda; Commissioner Fish; Chloe.eaudaly@PortlandOregon.gov; Parsons, Susan
Subject: testimony for Auditors Independence review agenda item 2-1-17
Attachments: \$774,400 FOIA estimate.pdf; PWB ownership letters from Director M Stuhr.pdf; BDS letter re use determination non compliance.pdf; Use FOIA request.pdf

Karla,

Please include these attached files along with the text body into the record.

These are a few of my observations, opinions, personal experiences interacting with the Auditors office, City bureaus, and City Hall as far as transparency and compliance with audits / recommendations, and the Ombudsman's office.

Auditors Independence charter amendment review:

A) For the Auditor to be truly independent, they cannot be subject to political control over her budget. Council members can and do exert pressure by threat of reducing her budget to limit or prevent investigations.

B) The Auditor cannot be truly independent unless they can not only recommend actions and corrections, but compel compliance. They cannot be subject to outside pressure when investigating violations by any City bureau, staff, or member including Council.

For example:

In 2006 Council approved through resolution Charter section FIN 6.11 governing capital asset reporting and accounting. Reports of all bureaus assets including real property records and deeds were required to be held with that office. Any transfers of assets including sales and swaps were to be documented and those records sent to the Auditor and OMF at least annually. Those records were to be held in perpetuity.

Bureaus are still out of compliance ten years later and I believe this non compliance is intentional to enable them latitude to do as they wish rather than as the rules and laws require. I believe they know just what assets they have.
(see examples below)

C) The ombudsman is no longer effective in my view when in past they had acted to help citizens with issues and disputes.

In response to a complaint of clear ethics violations, I was told that the Charter section 1.0 on ethics was only a guideline and not enforceable. She would not investigate. Why bother having this language if it is not enforceable?

In my opinion, this office no longer performs the function it once did.

ATTACHMENTS

1) During the 2006-7-8 our MTY public group meetings to investigate

ownership issues and put forth a redevelopment plan for Mt Tabor Park, I along with 2 other citizens were provided with free document requests without filing formal FOIA requests in the name of transparency. This was approved by Randy Leonard and PWB staff was to cooperate with our requests.

In a meeting with Dan Saltzman and PPR Director Zari Santner it was agreed that she and PPR staff would provide complete and full transparency on a number of outstanding questions citizens asked at the time regarding the Parks ownership, their budgets, the levy, trust funds, and reorganization of PPR.

PPR and or PWB provided many of the ownership documents including recorded plat and parcel maps, Deed records, and accounting information necessary for us to make more informed decisions in regards to the redevelopment of Mt Tabor yard, the PPR reorganization, and the levy concerns at that time.

The information was forthcoming until a certain point when the City chose to deny further document releases by charging \$724,400 for our next request. Apparently full disclosure and the truth had become quite dear.

Recent and continued requests to our Auditor / OMF, bureau staff, and directors for that information, most of which is required by the Charter to be sent to her office and held in perpetuity, have met resistance. The Auditor has informed me that the bureaus are not compliant with that 2006 resolution, so she cannot send what she does not have. In spite of my providing many of those very records for the LUR files, handed us in 2007-8 by the same bureaus, they refused to provide them now.

In fact Council has sued me in Circuit court to block disclosure of legal information I requested on ownership and how bureaus can spend taxpayer funds. Council and the City Attorney apparently wished to keep the public from knowing if there were and are ongoing violations of our City Charter, ORS statutes, and Title 33 in order to conclude as Council wishes in those Park / PWB land use applications for proposed reservoir work in 2014-2016.

http://www.oregonlive.com/portland/index.ssf/2016/01/portland_city_council_fights_d.html

The legal opinions in question were enumerated in an e mail from PWB employee Dan Combs in 2002, handed to me in 2007. It is embedded in the above link. Read his summary and conclusion arrived at while working with the City Attorney, especially section 5.

In clear language and in concert with the City Attorney he provides a summary of the legal implications of the opinions. So one does not require the precise language to know the City / bureaus are violating those conclusion and the Charter section Fin 6.11.

(See ORS 205.130 (1), 209.070 (2) and 92.017) Also title 33.675.010 and .050 on lot consolidation

2) One of those questions discussed in those legal documents and in our MTY meetings was the issue of ownership by bureaus in the Parks. There are two distinct classes of City ownership as PWB is a revenue bureau and cannot commingle funds with a non revenue bureau like PPR. So capital assets such as real property must remain segregated and cannot be commingled. If such a transfer would take place, then documentation must be filed with the auditor. If a consolidation did occur, then it must be recorded with the County and used in any LUR.

In the attached letters one can see clearly that PWB acknowledges and claims title certain individual parcels in Mt Tabor and is willing to trade such title with PPR.

I have numerous other internal City documents and research studies that state the very same thing, that there are not one but two owners, and those funds and assets cannot be commingled. There are other internal City documents acknowledging that reservoirs 3 and 4 are primarily on Park property and not PWB parcels as they represented in their land use applications.

Reservoir 7 in Tabor is also on PPR parcels and not PWB.

Further why would the now Director of PWB offer to exchange title if all parcels in question in Mt Tabor and Washington Park were of a

homogeneous indistinct class of real property capital assets? See also 2009 McCalls swap between PWB and PPR.

This matters since PWB illegitimately consolidated a number of individual park parcels not owned by PWB (or ratepayers), to enable them to proceed through the land use application process without complying with the ORS statutes, FIN 6.11, and certain sections of Title 33(see 33.760.060), which would require a legal consolidation and recorded replat first, then an application reflecting that new plat map and correct ownership. BDS refused to acknowledge these problems with the application even after requesting the consolidation during the EA / Preapp stages of the LUR process and citizens providing documents and maps.

So PWB has taken without compensation, land belonging to Park owners (taxpayers) for the benefit of their water users who are not all Portland residents. This oversight by BDS also helped them to arrive at the preferred conclusions and approve the applications based on what was desired rather than was legally correct.

3) Seeing that the applicant and BDS were manipulating the land use process, I along with MTNA filed for a new Use Determination on Jan 07, 2015. This type 3 application by rule and ORS statute, was due me in 51 days or prior to any Council vote and the closing of the record on the proposals.

The Use finding was required by ORS statute and Title 33 to be based on the rules in place at the time of application. You see in the attached letter it says it will depend on what Council finds many months or years after. Clearly I was obstructed so that no one could not appeal this to LUBA, and BDS / PWB could get the staff report they wanted and the application approved.

I had found and provided to Council and BDS / Planning staff, many new documents during the time between 2003 and 2015 when the new findings were requested. (I handed the City clerk 63 pages for distribution) Planning staff would now have to consider these, along with any new plat maps reflecting a legal consolidation in either park. Planning simply chooses not to respond in spite of numerous written promises to provide the finding. To do so would expose them to an appeal as well as acknowledging the ownership issues I have presented as not compliant with the Charter, Title 33, and ORS laws.. To this day, I do not have that finding.

4) Because BDS and PWB were not responding to requests to clarify the ownership issue or provide the new use finding, on 6-2-15, I requested e mail correspondence between staff and the applicant that would provide guidance to the applicant on the USE discussion for the reservoir LURs in 2014 and 2015. Both PWB and BDS denied that there was any discussion, which of course was not credible since that is the very first item discussed in any land use proposal. Ironically for a topic not discussed, I was told there were approx 1300 responses, so apparently there may have been some discussion.

My estimated cost for these as you see from the attachment was approx \$150 so I sent 1/2 as requested. After further delays I received a new estimate for \$500. I assumed by that point no true records were forthcoming and relevant discussions would be omitted or redacted, so not any longer relevant considering the timeliness.

To this day I don't have those e mails and BDS still has my money.

They would be of little use now that Council has voted and demolition started. Delay was the strategy employed.

If there was a truly independent Auditors office, they would have been able to compel the bureaus to comply with the Charter, then provide citizens the legal property records in a timely fashion. BDS and the applicant would then have to comply with title 33 and provide correct information during the application process.

She or the Ombudsman's office would have intervened in or at least investigated any questionable activity by bureaus in meeting their obligations or mission to the public. The bureaus remain out of compliance and continue to prefer it that way since the Auditor cannot do anything about it, and there is no one to compel compliance short of citizens filing for legal action at their own costs. Why doesn't OMF have a role in compelling compliance?

Ask too many questions and they SLAP you with a suit to quash public disclosure of the violations. These are not state secrets, but direction on proper and legal expenditure of public funds and registers of capital assets held by bureaus. So much for transparency promised but not delivered.

Thank you,
Mark Bartlett
Irvington resident

One of numerous promises in an E mail from BDS Planning confirming intent to provide a response to my accepted application, but not until Council decides rather than as ORS statutes require, the criteria in place on Jan 07, 2015 govern. The finding was due in 51 days unless I waived that response time. I did not.

sent May 29 2015 @ 7:02 am

Hi Mark;

Just to clear the air once more;

BDS does intend to process the use determination request. When there is an active land use case that is going before City Council in which the USE has been an integral part of the case discussion, we generally do not want to further muddy the waters by having a separate land use action in process that also evaluates use. In this case, staff worked with the City Attorneys' office to determine the correct order of processing the land use actions. The Council case took precedent over any other action that could evaluate the use.

Your refund for the use determination request was processed some time ago, and my understanding is that you have received the fee back. Please let me know immediately if that is not the case. As a neighborhood association, Mt. Tabor was eligible for a fee waiver, and it has been granted.

Thanks for your patience; once Council has made a decision on the land use matter before them in regards to Mt. Tabor, that decision will inform our use determination letter, and we can issue it to you without too much further delay.

Thanks,

Jill Grenda, Supervising Planner
BDS LUS Division
(503) 823-3580
Jill.grenda@portlandoregon.gov

37265

Date: July 18, 2007 2:39:32 PM PDT

To: 'mbart' <mbart@pacifier.com>, 'CR Anderson Geller'
<cag@easystreet.com>, Shannonmloch@aol.com, "'john@press-22.net'"
<john@press-22.net>
Cc: "Schulz, Bob" <PKBOBS@ci.portland.or.us>, "Greger, Gay"
<PKGAY@ci.portland.or.us>, "Argentina, Eileen (Parks)"
<eileen.argentina@ci.portland.or.us>

Subject: The Information Quote has arrived

Hello,

We have the quote from Bureau of Technology Services (BTS) for the complete search requested. I am going to ask that you take a deep breath (as I should have before I heard this)... the total time needed to retrieve the information is: 8,473 hours at a cost (with overhead) of \$85.50/hour which equals \$724,441.50.

I will attached their quote for your review. I did talk with "Paul" at BTS to find out about a breakdown as we discussed at the Monday 5:30 meeting. Basically, as you will see in the quote, it is broken down by Online eMail search (416 hours) PST Discovery/capture/search at the workstation (490.25 hours) and the big one is as workstation file search- going through all files saved on a hard drive (7,492.50 hours), and then there is some travel time for 74 hours. To reduce cost (and time) you could modify the number of accounts down from 37 OR the number of search terms per account down from 135.

Regarding the "PST" term in the quote... I can't remember what it stands for but will double check so there is no confusion on that term.

Sincerely
Karen

<<Mt Tabor Community Mediation Group quote.pdf>>
Karen Loper Tracy
Assistant to Director
Portland Parks & Recreation



Randy Leonard, Commissioner
David G. Shaff, Administrator
1120 SW 5th Avenue, Room 600
Portland, Oregon 97204-1926
Information: 503-823-7404
www.portlandonline.com/water



An Equal Opportunity Employer

August 28, 2008

Memorandum

To: Maija Spencer, Portland Parks & Recreation,
Mt. Tabor Central Yard & Nursery Planning Group (MTCY&PG)

From: Mike Stuhr, P.E., Chief Engineer, PWB *MS*

Subject: Mt. Tabor Central Yard & Nursery Property Issues

The Portland Water Bureau (PWB) appreciates the feedback from Portland Parks and Recreation (PP&R) regarding our earlier memo dated June 16th. PWB understands the concerns regarding ownership of the land on which any proposed PP&R maintenance facilities would be constructed, and is willing to trade ownership of equal sized parcels of land to accommodate your request.

Therefore, PWB is proposing to deed the ownership of the approximate 1.8 acre parcel immediately adjacent to Division Street, also known as Parcel 2, in exchange for the following:

1. Ownership of an approximately similar sized parcel in the adjacent area just north of the existing greenhouses, also known as the "upper nursery", and as shown in the attached figure. PWB would allow PP&R its continued use of this parcel as a nursery area, until it is needed by PWB for nearby construction purposes. During periods of nearby construction, PWB would convert this parcel to a temporary construction staging and storage yard. At the close of each such use by PWB, the land would then be restored by PWB to its prior, pre-construction state, and the use of the land would be returned to PP&R.
2. Prior to the land ownership exchange described in item #1, PWB would dedicate the 50-foot wide, west most portion of Parcel 2 to PDOT as public right-of-way, and reserve a perpetual utility easement in said right-of-way.

We are confident that together, we can come to an agreement which will benefit both Bureaus and, most important forward to working with you.

*acknowledges ownership
why offer to deed to
another City Bureau
if all are City
owned and indistinguishable
from one another
See Dan Coombs*

37265



Randy Leonard, Commissioner
David G. Shaff, Administrator

1120 SW 5th Avenue, Room 600
Portland, Oregon 97204-1926
Information: 503-823-7404
www.portlandonline.com/water



An Equal Opportunity Employer

June 16, 2008

Memorandum

To: John Makler, Portland Parks & Recreation,
Mt. Tabor Central Yard & Nursery Planning Group

From: Mike Stuhr, P.E., Chief Engineer, PWB *[Signature]* 6/16/08

Subject: Mt. Tabor Central Yard & Nursery Planning Issues

The Portland Water Bureau (PWB) appreciates the opportunity to be part of the master planning process for the Mt. Tabor Central Yard and Nursery, and acknowledges the important role that both the Mt. Tabor Central Yard and the Mt. Tabor Nursery play in the City's park system.

→ PWB is the property owner of record for a 1.8 acre parcel immediately adjacent to Division Street, on which Portland Parks and Recreation (PP&R) has constructed and operated a significant portion of their Mt. Tabor Central Operation and Maintenance Yard for many, many years. At this time, and in the foreseeable future, PWB has no intention of requesting that PP&R cease and/or move their operations yard from this property. PWB desires to be a cooperative partner in the use of the land on and surrounding the Mt. Tabor Central Yard & Nursery for the mutual benefit of the public as well as both City Bureaus.

On the other hand, the Portland Water Bureau has been advised by the City Attorney's Office that PWB property should not simply give away properties to other City Bureaus. The City Charter requires that PWB be run as a separate, stand-alone, self-financing entity. Given these considerations, PWB has the following desired outcomes from the current Mt. Tabor Central Yard & Nursery master plan process:

1. Establish a Memorandum of Understanding (MOU) between PP&R and PWB which will grant continued use of the 1.8 acre parcel owned by the Portland Water Bureau for as long as PP&R desires to continue its current use of the land, or until PWB again has need for the property. A reversion clause would state that should the PWB again need use of the land or if PP&R were ever to discontinue its use of the 1.8 acres in question, possession of said parcel would revert back to the Portland Water Bureau.
2. Set aside the 50-foot wide, west most portion of the 1.8 acres that PWB owns (as well as the 50-foot wide piece of land immediately to the north up to the southern boundary of the existing SE 64th Avenue right-of-way at SE Stephens Street) as a perpetual means of access to the Mt. Tabor Park area by PWB. This route could also provide access to the park by the general public.
3. In exchange for PP&R use of PWB land, PWB would be granted the right to intermittently use a similarly sized 1.8 acre parcel in the adjacent area known as the "upper nursery" on

37265

Subject: City Public Records Request :: C006801-012516

From: "Portland Public Records Request Center" <portlandor@mycusthelp.net>

Date: 16 Feb 2016 13:15:33 -0600

To: bartlett.m@comcast.net

--- Please respond above this line ---

Mr. Bartlett,

We interpret this request as a request for a zoning confirmation letter from the Bureau of Development Services regarding the Mount Tabor Reservoirs based on an application filed January 7, 2015. No such zoning confirmation letter exists. This zoning confirmation letter will not be prepared by Bureau of Development Services until after the related land use appeal in LUR 14-218444 is resolved at the Court of Appeals and the City Council's decision is determined to be final.

Thank you,

Colleen Poole, BDS

To monitor the progress or update your request click here: [Portland Public Records Request Center](#)

©

37265



CITY OF
PORTLAND, OREGON
BUREAU OF DEVELOPMENT SERVICES
1900 SW 4th Ave., Suite 5000
Portland, OR 97201



RECEIPT #: 1776141

1/7/2015

Site Address: 6325 SE DIVISION ST

IVR Number: 3563750

Permit Number: 15-102031-000-00-PR

Public Registry

APPLICANT		MARK K BARTLETT & MT. TABOR NEIGHBORHOOD ASSOCIATION		Phone: (503) 719-5930		
Fee Code	Fee Description	Fee Amount	Paid to Date	Balance	This Transaction	New Balance
2553	Zoning Confirmation Tier 3	\$850.00				
Bill #3712884	Sub Total	\$850.00	\$0.00	\$850.00	\$850.00	\$0.00
TOTAL		\$850.00	\$0.00	\$850.00	\$850.00	\$0.00

Shaded items indicate fees not yet calculated.

* Fees marked with an asterisk are due at application.

PAYOR		MARK K BARTLETT		Phone: (503) 719-5930	
Payment #: 1776141		Method of Payment: 012010 visa bartlett		Receipt By: Ray Galinat	
CITY CONTACT				Phone:	
E-Mail:				Fax: (503) 823-4172	

Notice: This document is not a permit. This document may not represent all fees owing for this permit. All fees are subject to change based on new or corrected information. For more information, consult your City of Portland Contact listed above.

Name: MARK B ☐ CO ☐ RS ☐ Info only

LWR TECH
Booth #: 99

Address/Permit/Case IVR # 3563750

1st Screen Comments

Box:

- A ☐ 2nd Screen
 B ☒ Planning and Zoning
 ☐ Urban Forestry
 C ☐ BES Development Review
 ☐ BES Pollution Prevention
 D ☐ Transportation
 E ☐ Water
 ☐ Water Quality
 F ☐ Commercial Plumbing
 ☐ Mechanical ☐ Fire Marshal
 G ☐ Bldg Plans Examiner

Route Order	In	Out	Staff	Comments
	11	1:20		EA + PAR

ROUTING ONLY

dsc_route 12/19/14

Marks Dr Request for
LUR on Mt Tabor
37265



CITY OF PORTLAND
OFFICE OF MANAGEMENT AND FINANCE

Charlie Hales, Mayor
Fred Miller, Chief Administrative Officer

Bureau of Technology Services
Ben Berry
Chief Technology Officer
1120 SW Fifth Ave., Suite 450
Portland, Oregon 97204-1912
(503) 823-5198
FAX (503) 823-5194
TTY (503) 823-6868

3/10/2015

BTS Public Records Search - Budgetary Planning Estimate

NOTE: This estimate is for budgetary planning purposes only. Billing will be based on actual work performed.

BTS Case Reference No: 15-23PR

Search Title: BDS Bartlett / Mt Tabor Reservoirs

Basic Services (Labor)	Qty (Hrs)	Unit Cost	Total	Description	Search Criteria
Project Management	0.50	\$ 81.25	\$ 40.62		Search email boxes of Tom Carter, Rebecca Esau, Douglas Hardy, Kimberley Tallant, Hillary Adams and Sheila Frugoli using search terms
Email search via City's email server	1.55	69.69	108.03	Scan 6 email account(s) on the City's email server using 8 search term(s) or phrase(s).	"existing use", "use determination", "conditional use", "LU 13-236792", "EA 14-118276", "IQ 03-153994", "PR 03-186237 ZC", between 6/1/2014 and 2/6/2015.
Email search via individual archives	0.00	69.69	-	eMail archive files will not be searched.	
Email recovery from backup (up to 14 days available)				Recovery from email backup not requested.	
Recovery environment setup	0.00	69.69	-		
Data recovery & search	0.00	69.69	-		
File search (excluding email)	0.00	69.69	-	Workstation file search not requested.	
Travel time to / from workstation	0.00	69.69	-		
Other Costs	0.00	81.25	-		
Totals			\$ 148.65		

See Corrections
to Request Below

- (1) DATE to be 6-1-2013 NOT 2014
- (2) LISTED LUR files ARE MADE AVAILABLE by BDS for NO charge - so NO COST to Review These

MARK K. BARTLETT
2747 NE 22ND AVE.
PORTLAND, OR 97212

15-2015-00148
3250
1019

DATE 3-23-15

PAY TO THE ORDER OF BDS

CHASE

Portland Chase Bank, N.A.
www.chase.com

MEMO 15-23 PR

73250101480131151019

\$ 75.00

DOLLARS

1019

Moore-Love, Karla

From: Steve March <smarch@q.com>
Sent: Tuesday, January 31, 2017 8:05 AM
To: Moore-Love, Karla
Subject: written testimony - Agenda Item 104 - 2/1/2017 - Auditor's Charter Amendments

January 31, 2017

Mayor Ted Wheeler; Commissioners Dan Saltzman, Nick Fish, Amanda Fritz, & Chloe Eudaly

RE: Agenda Item 104, Wednesday February 1, 2017 – Auditor's Charter Amendments

Mayor & Commissioners,

I write in support of the concept of ensuring the independence and professionalism of the office of Portland City Auditor and bringing into the Charter some best practices. Generally Motions numbers 1, 4, 5 and 6 appear to be fine tuning of the proposed Charter Amendment and I leave those to the Council without further comment. I direct my concerns to Motions 2 and 3:

Motion 2 – Office of the Ombudsman. If this function is to continue, and there are good reasons for it to exist in the Commission form of government, then it should be placed in the Charter. If the decision is not to place it to the voters with the remaining portions of the proposed Charter Amendment it should surely be referred to the next Charter Review Committee. In the past similar issues have been referred to the Multnomah County Charter Review Committee.

Motion 3 – Amendment 1, Striking the Accountant/Auditor Qualifications for the City Auditor. I would strongly argue against such a move. Removing the professional requirements from this position could have the effect of politicizing the office. It is important to maintain the highest standards of professionalism in the office of City Auditor.

Thank you for your consideration of this written testimony.

Sincerely,

Steve March, PhD, Certified Internal Auditor,

37265

Citizen of the City of Portland

Multnomah County Auditor

842 NE 44th Avenue, Portland, OR 97213 - home phone 503-235-9708

From: Jennifer McGuirk <jmcmcguirk@gmail.com>
Sent: Monday, January 30, 2017 3:43 PM
To: Council Clerk – Testimony
Subject: written testimony supporting Charter amendment to protect Auditor's independence

Dear Mayor Wheeler, Commissioners Eudaly, Fish, Fritz, and Saltzman, and Auditor Hull Caballero,

My name is Jennifer McGuirk, my zip code is 97213, and I vote in every election for our city's elected officials. I am providing this written testimony to urge the Council to approve the resolution to refer the Charter Amendment to protect the Auditor's independence to voters at the May 16, 2017 Special Election.

As a Portland voter, I urge Council to approve the resolution. Your approval will give voters the chance to consider an amendment that is needed for practical reasons. The Charter needs to be brought current to reflect changes in the Auditor's Office that have occurred over the last 30 years.

Auditor independence is also a voter expectation, and the amendment will bring the Charter into alignment with the independence voters expect the Auditor to have. This amendment will also help ensure the Charter reflects Portland values of integrity and accountability. Around the nation, a signal that a community values government accountability and integrity is that its Auditor's Office has budgetary independence. I urge you to approve this resolution so that our community can vote to be a standard bearer in this area, as we are in so many others.

At the same time, I urge you not to approve Motion 2 or Motion 3.

Motion 2 would remove the Office of the Ombudsman from the Charter proposal. The Ombudsman is currently in the Auditor's Office, and as a voter, I am glad that the Charter amendment would keep the Ombudsman within the Auditor's Office. Both offices are dedicated to ensuring government accountability. Like auditors, ombudsmen are to be neutral, impartial, and independent. Both offices help preserve the public's trust in government. For these reasons, the Auditor's Office is the natural home for the Ombudsman. Preserving this organization through Charter amendment makes sense. Not including the Office of the Ombudsman in the Charter amendment would not make sense. Please do not approve Motion 2.

I also urge the Council not to approve Motion 3, which would remove the requirement that the Auditor, and candidates for Auditor, be Certified Public Accountants, Certified Internal Auditors, or Certified Management Accountants. Requiring one of these certifications is essential to ensuring the Auditor has adequate professional proficiency to do the job.

I have a good understanding of how earning one of these certifications helps an auditor ensure government accountability. In addition to being a regular Portland voter, I am a CIA. To become a CIA, I had to pass intensive exams in areas including internal control, fraud risks, information technology and business continuity, financial management, communication, and risk management. To maintain my certification, I must take continuing professional education courses each year to stay up-to-date on best practices. I must also abide by a code of ethics.

This training and adherence to a code of ethics are vital to ensuring that the person who is our elected as City Auditor has the professional acumen and ethical compass to serve as the Clerk of the Council, guide audits, and supervise elections, among other duties. It would be a disservice to the public to no longer require certification of the Auditor as a CPA, CIA, or CMA.

37265

I appreciate your consideration and urge you to approve the Resolution without Motions 2 or 3.

Sincerely,

Jennifer McGuirk

Moore-Love, Karla

From: Zac Padgett <zac.padgett@gmail.com>
Sent: Sunday, January 29, 2017 9:44 PM
To: Council Clerk – Testimony
Subject: PROTECTING THE AUDITOR'S INDEPENDENCE: PROPOSAL TO SEND CHARTER AMENDMENTS TO MAY 2017 BALLOT

I am in strong support of the auditor's proposal. I urge city council to send the proposal to a vote of the people.

Zac Padgett
St. Johns

Moore-Love, Karla

From: Judy Bell <jbell1125@comcast.net>
Sent: Sunday, January 29, 2017 4:47 PM
To: Wheeler, Mayor; Commissioner Saltzman; Commissioner Fish; Commissioner Eudaly; Commissioner Fritz
Cc: City Auditor, Mary Hull Caballero; Moore-Love, Karla; BPS Central City 2035
Subject: Auditor Office Autonomy is Critical

Mayor Wheeler and Commissioners:

First, relative to the City Council Hearing on Wednesday, January 25, I want to say that at a time when faith in the political process has been shaken, I have a new confidence in our city government. I think this is largely thanks to Mayor Wheeler and the tone he has set.

I am writing today with two requests:

1. Keep the Certification Requirement for the elected Auditor position. One amendment proposes removing the Certified CPA requirement but it is important to keep it, along with two other certification requirement options: Certified Internal Auditor or a Certified Management Accountant. A certification requirement is what helps de-politicize the Auditor's Office and ensure it is a professional operation. Certification ensures that people don't just use this elected position as a spring board or easy entry point to later run for a City Council position, thus politicizing the office, leading to potential public distrust of audit/Ombudsman finding results. It keeps the office professional and less political.
2. The Auditor's Ombudsman's Office should be put into Charter. Having the Ombudsman written into the Charter is critical to ensure that Ombudsman findings are less likely to be subjected to political pressure. The Auditor's Ombudsman's office has been in code for years and one amendment suggests no change. However, being in code has not prevented Ombudsman findings from being subjected to immense political pressure, including according to testimony given yesterday, a threat to reduce the Auditor's budget over the CC2035 process conflicts of interest finding. *Code* can be changed by City Council, which opens the door to possible City Council pressure. *Charter* changes must go to voters. Being in Charter establishes autonomy. Autonomy for this office, just as for the Auditor, is a critical check and balance leading to better government.

Please vote to send this proposal to a May 2017 ballot.

Judy Bell
1221 SW 10th Avenue #1005
Portland, OR 97205

Moore-Love, Karla

From: Wwrahm@aol.com
Sent: Sunday, January 29, 2017 1:50 PM
To: Wheeler, Mayor; Commissioner Saltzman; Commissioner Fish; Commissioner Eudaly; Commissioner Fritz
Cc: City Auditor, Mary Hull Caballero; Moore-Love, Karla; Council Clerk – Testimony
Subject: Testimony on Auditor's Proposal for new Charter Language

Mayor Wheeler and Commissioners

I first would like to thank Mayor Wheeler for conducting such a good hearing last Wednesday, January 25, on the Auditor's proposal. His leadership showed respect both for fellow Commissioners and for the public who had come to testify. This effectively sets a new tone for us all. You have my gratitude.

In addition to my testimony on Wednesday, I decided to follow up on two of the amendments that I heard.

1. I request City Council **oppose the amendment to remove any of the three options for certification** that are required of anyone considering running for City Auditor. These certification requirements emphasize the professionalism needed for this position. All elected positions are to some extent political, but without these certifications I believe the Auditor's Office could lose the public's confidence as it became politicized, increasing the possibility of the position becoming a political stepping stone to other elected offices. That would not serve either the public or our democracy well.
2. I also request City Council **oppose the amendment that would leave the Ombudsman position in code rather than writing it into charter**. After this amendment was offered, we all heard a lot of testimony opposing the amendment. Removing the threat of political pressure is an imperative for this office, just as for the Auditor's Office, to ensure that accountability is required by all elected and non-elected officials working in our government. We have seen the kind of political retaliation that is possible when undeclared conflicts of interest were exposed by the Ombudsman. We hope to never see that again. Writing the Ombudsman's position into charter is an imperative.

And I will restate key points of my earlier oral testimony of January 25 supporting the Auditor's proposal by amending the City Charter to:

- Authorize the Auditor to submit budget requests directly to City Council without prior review by an audited bureau,
- Give the Auditor autonomy over the Auditor's Office staffing decisions,
- Designate the Auditor's Office as a contracting agency, and
- Allow the Auditor's Office to seek independent legal advice.

Please vote to send this proposal to a May 2017 ballot. Thank you for listening.

Wendy Rahm
 1221 SW 10th Avenue, #1001
 Portland, OR 97205
 wwrahm@aol.com
 January 30, 2017

Moore-Love, Karla

From: bensin46@comcast.net
Sent: Sunday, January 29, 2017 1:48 PM
To: Council Clerk – Testimony
Subject: Proposal to Send Charter Amendments to May 2017 Ballot

The Portland City Council should vote to refer the City Auditor's Proposed Charter Amendment to the May 2017 Ballot for the voters to decide.

I believe that the proposed changes, if passed, would help to eliminate any possible conflict of interest and would bring the City Charter up to date.

Thank you

Darlene M Bensin
1855 NE 138th Place
Portland OR 97230

503 255 3813

Moore-Love, Karla

From: Steve Walker <shwalk202@gmail.com>
Sent: Saturday, January 28, 2017 10:21 AM
To: Council Clerk – Testimony
Subject: Auditor's proposed charter amendment

As an active voter, I fully support the proposed charter amendment.

I believe it is important for the auditor, audit department and staff to be independent from Council "control". Having worked in Finance in industry at both Corporate and operations levels, the audit department provided an important independent review and analysis function both for finance as well as operations. I believe if the the audit function is not fully independent, then they are operating at less than optimal standards. Please support this proposed amendment.

Regards, Steve Walker
cell: 617-852-4262

Moore-Love, Karla

From: Judith Taves <junctiondeals@gmail.com>
Sent: Friday, January 27, 2017 2:41 PM
To: Council Clerk – Testimony
Subject: Proposed charter changes for City Auditor

Alll proposed changes have merit. There needs to be multiple checks and balances to ensure accountability. I would like to know to proposed cost of setting these changes in place and maintain oversight.

J C Taves

Moore-Love, Karla

From: Simon Fulford <simonfulford@gmail.com>
Sent: Friday, January 27, 2017 1:32 PM
To: Council Clerk – Testimony
Subject: Support for City Auditor's Charter Ammendments

I would like to voice my support for the Charter Ammendments proposed by the City Auditor.

Thank you.

Simon Fulford
7314 SE 14th Avenue
97202

Sent from my iPad

Moore-Love, Karla

From: Bora <borahbora@aol.com>
Sent: Friday, January 27, 2017 12:57 PM
To: Council Clerk – Testimony
Cc: borahbora@aol.com
Subject: MEASURE MAY 16 BALLOT

I find it most critical place these Amendments before the voters on the May 16, 2017 ballot. Voters will have the opportunity to focus on the issue with full attention. In conversations with persons in the community, they have shared their focus is on key players in major elections and do not take, nor have the time to review other measures. IT MUST BE PLACED BEFORE VOTERS ON MAY 17, 2017. Personal issues a council person has needs to be put in the background AND focus on what is in the best interest of the people. Let the communities began to have more of a VOICE. WE ARE SERVANTS OF THE PEOPLE, NOT ABOUT US.

Thank you ☺

Sent from my iPhone

Moore-Love, Karla

From: Chris Neilsen <cneilsen47@gmail.com>
Sent: Friday, January 27, 2017 12:33 PM
To: Council Clerk – Testimony
Subject: Amendments suggested to Auditor's Charter amendments proposal

Dear Mayor and Commissioners,

I appreciate the chance to have testified last Wednesday on the Charter amendment proposal which I support referring to voters in May 2017.

I would further add, based on amendments proposed in that session, it is my belief that the certifications required of the Auditor must be kept as shown in the proposed draft.
And that the Ombudsman must be put into the Charter.

This will help insure the highest quality, least politicized, most credible work from the Auditor's office.

Thank you for your time and service,

Chris Neilsen
1221 SW 10th Avenue, Portland OR 97205

Moore-Love, Karla

From: Sheila Seitz <sheila.seitz@gmail.com>
Sent: Friday, January 27, 2017 8:59 AM
To: Wheeler, Mayor; Commissioner Saltzman; Commissioner Fish; Commissioner Eudaly; Commissioner Fritz; City Auditor, Mary Hull Caballero; Moore-Love, Karla
Subject: City Auditor Position vote

Dear Mayor and City Council,

Given the fact that we are living in a time of extreme distrust of elected officials, we believe it is crucial for the Portland City Council you TO BE SEEN TO do everything possible to insure trust. Allowing a city wide vote to make the Auditor's position a truly independent one is in our opinion an easy first step in regaining community trust. Placing the Office of the Ombudsman into the City Charter; authorizing the Auditor to obtain independent legal advice on the mission of it's office; creating a budget process ensuring appropriate funding and insulation from political interference; and affirming separation and autonomy from the City's Office of Management, Finance and other City agencies is a step forward in demonstrating your desire to allow independent oversight of Council practices and decisions. However, adding amendments that eliminate CPA certification and or the Ombudsman position from the Charter will only prove to Portland Citizens that the Council is not serious about creating an independent oversight position and is actually using it's influence to weaken the Auditor's position. Another bait and switch???????

Thank you for the opportunity to share our concerns with you.

Sincerely,

Sheila and Gary Seitz
1221 SW 10th
Portland, Oregon 97759

-
-

Moore-Love, Karla

From: MaryEllen Stesney <maryellen.stesney@gmail.com>
Sent: Wednesday, January 25, 2017 7:04 PM
To: Council Clerk – Testimony
Subject: Item #85 independent city auditor

The city auditor must have independence from the city council. The only way to assure the tax payers that the city is handling public funds legally. There have been multiple incidents where the city auditor has informed the city commissioners of questionable practices. Rather than acting in a transparent way to correct the situation, the Council has instead disinvited the city auditor to commission meetings. If the city wants more funds from taxpayers, the city needs to prove that funds are handled responsibly through an independent review. The city is paying for a city auditor, so use her services.

Moore-Love, Karla

From: Dianne K. Whitney <mshollywood1111@gmail.com>
Sent: Wednesday, January 25, 2017 4:36 PM
To: Council Clerk – Testimony
Subject: Support Auditor Who Is INDEPENDENT

Too long has graft, cronyism, and selfish nepotism controlled City \$\$\$ - we need an INDEPENDENT, autonomous, HONEST City Auditor w/ it's own internal budget generous enough to actually be effective in enforcing the laws, rules and protocols governing the city budget.

Sincerely,

DWhitney

Moore-Love, Karla

From: Karin Hamilton <dingdongdoorbellsringing@gmail.com>
Sent: Wednesday, January 25, 2017 2:13 PM
To: Council Clerk – Testimony
Subject: Agenda Item # 85, City Auditor's Proposal

I am writing, as a voter, to heartily support the City Auditor's proposal to insulate her office from the power and interference of the City Council, whose performance she audits. Protecting her watchdog position, and allowing her to do her job without being railroaded by the City Council is absolutely necessary. The City Council in Portland has flat-out cheated, lied, deceived and blatantly disregarded voter's interests. The need for our city officials to be held accountable is one of the most urgent needs of our community.

One glaring example would be the South Waterfront Development Park, which they covertly traded away millions of dollars of transferable real estate credits, 900,000 square feet of credits, for a piece of land they knew to be extensively contaminated with toxic waste. The 900,000 square feet of credits that allowed developers to build a couple more stories on top of buildings, stories that would not normally be allowed, and charge by the square foot for rent in perpetuity. This was the trade for a 190,000 square foot plot of poison.

They went on to spend more than 15 million dollars for a rarely used park with a shallow fish haven in contaminated water; a park that costs more than 500,000 dollars a year to keep up. We are only paying 375,000 dollars a year for all of Tom McCall Waterfront park, showing the ongoing waste of the City Council gift that just keeps on giving.

City players involved in this boonswoggle:

Harry Auerbach, a chief deputy city attorney, at the request of developers, placed the plan on the City Council's consent agenda, where it was immediately approved with no discussion. Details of the deal, in which the city took ownership through condemnation, were not made public.

Hmmm, the chief deputy city attorney. This is why the Auditor needs to be able to obtain independent legal advice that is focused on the mission of the Auditor's Office, rather than being required to rely on the same attorneys who advise those she holds accountable, the city attorneys.

Creating a budget process that ensures the Auditor's Office is appropriately funded and insulated from political interference is another issue. The current process leaves the Auditor's budget vulnerable to other elected officials whose bureaus are the subjects of audits and investigations.

Amanda Fritz, who is now in charge of the bureau, voted for the deal. Asked if she knew Portland was taking on the cleanup, did not answer the question. She said in an email: "We didn't look into the liability issue."

Nick Fish, in charge of the bureau would not comment. Which says a lot.

Patrick Quinton, who at the time was the Portland Development Commission's manager of South Waterfront development, couldn't remember why he agreed to change the original plan to have developers clean up the plot before city ownership took place. "Dike(the developer)would have come in with an argument," said Quinton, who is now executive director of the Portland Development Commission. "I just cannot, for the life of me, remember what that argument was." To further show his disdain for accountability, when asked about the lack of a paper trail in deciding to purchase poison, "Dike Dame likes to have meetings to talk about things," Quinton said. "Dike Dame does not engage in email exchanges." Breathtaking and baldfaced disregard.

I can see how they would feel the need to keep this stuff quiet by quietly defunding the auditor's office.

LaVonne Griffin-Valade, Portland's former auditor, said the City Council blatantly maneuvered around an open public process.

"When Council allows any kind of large contractual agreement to undergo significant changes without a public discussion, they leave unsuspecting taxpayers holding the proverbial bag," she said. "It's little wonder then the public often mistrusts elected leaders to be transparent or accountable in their decision-making."

In this case, we are not holding a proverbial bag, but funding ongoing premeditated waste.

It is imperative that the city auditor be able to do her job, and the charter needs to be amended as proposed.

Thank you for listening to one of thousands of horrified taxpayers,

Karin Hamilton

Email: Dingdongdoorbellsringing@gmail.com

Moore-Love, Karla

From: Michael James <[REDACTED]>
Sent: Wednesday, January 25, 2017 9:38 AM
To: Moore-Love, Karla
Subject: Fwd: Support Auditor's recommendations for May 2017 Ballot on Charter changes

A staffer suggested I send this to you so it may be entered into the official records. Please remove my mailing address and other private information from this email before posting.

thank you

----- Forwarded message -----

From: Michael James <[REDACTED]>
Date: Tue, Jan 24, 2017 at 4:16 PM
Subject: Support Auditor's recommendations for May 2017 Ballot on Charter changes
To: MayorWheeler@portlandoregon.gov, dan@portlandoregon.gov, Commissioner Fish
<nick@portlandoregon.gov>, chloe@portlandoregon.gov, Amanda@portlandoregon.gov

Sorry for the late email, but I have been out of town.

Please support the Auditor's recommendations for Charter changes on the May 2017 ballot.

The auditor's recommendations will strengthen the office and help ensure its independence.

Thank you for your consideration of this important request.

Ms. Michael James

[REDACTED]
97209

Moore-Love, Karla

From: Suzanne Lennard <suzanne.lennard@livablecities.org>
Sent: Monday, January 23, 2017 9:43 PM
To: Wheeler, Mayor; Commissioner Saltzman; Commissioner Fish; Commissioner Eudaly; Commissioner Fritz; City Auditor, Mary Hull Caballero; Moore-Love, Karla
Subject: Auditor's proposed Charter Amendment
Attachments: PastedGraphic-1.tiff; City Auditor Charter Amendment.pdf

Dear Mayor Wheeler and Commissioners,

I respectfully encourage you to accept the City Auditor's proposed Charter amendment, and place it on the May ballot.

It is essential that the City Auditor's office is independent, free from the fact or appearance of conflicts of interest. The public expect, and deserve transparency and accountability in their city government.

The Charter's four amendments are most appropriate:

- Placing the Independent Police Review and the Office of the Ombudsman into Charter.
- Authorizing the Auditor to obtain independent legal advice that is focused on the mission of the Auditor's Office.
- Creating an independent budget process that ensures the Auditor's Office is appropriately funded and insulated from political interference. and
- Affirming the Auditor's Office is autonomous from the Office of Management and Finance and other bureaus.

I hope Portland will lead the way in government accountability and transparency. Please accept the Charter amendment, and place it on the May ballot.

With best regards,

Suzanne H. Crowhurst Lennard, Ph.D.(Arch.)
Director, International Making Cities Livable Conferences LLC
suzanne.lennard@livablecities.org

Moore-Love, Karla

From: Rgrahm@aol.com
Sent: Monday, January 23, 2017 10:47 PM
To: Wheeler, Mayor; Commissioner Saltzman; Commissioner Fish; Commissioner Eudaly; Commissioner Fritz; City Auditor, Mary Hull Caballero; Moore-Love, Karla
Subject: Independent City Auditor

Portland's City Council and its citizens need a truly independent City Auditor to enhance efficiency and insure integrity in our governance. We have a history of first class Auditors. Please strengthen this office.

Richard G. Rahm
1221 SW 10th Avenue, #1001
Portland, OR 97205
503/227-8527

Moore-Love, Karla

From: Janice Thompson <janice@oregoncub.org>
Sent: Wednesday, January 18, 2017 5:32 PM
To: Moore-Love, Karla
Subject: Council Work Session records

Hi Karla – I am trying to track down the date of a Council Work Session where the findings from the Public Utility Oversight Blue Ribbon Commission were presented and discussed with Council. I think the date was in November or December of 2014 or early in 2015. On the website I see records for City Council meetings but am not seeing records of Council Work Sessions. Is that info somewhere on the website but I am just missing it? Or is there somebody else I should be looking? I can check with the Archives folks too but wanted to start with you.

Thanks for your help with this question. Janice



Janice Thompson
Advocacy Director

Citizens' Utility Board of Oregon
610 SW Broadway Suite 400
Portland OR 97205
O: 503 227-1984 ext 24
C: 503-890-9227
janice@oregoncub.org
www.oregoncub.org

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Testimony before the Portland City Council
May 16, 2017
Resolution – City Charter Provisions to Protect Auditor's independence

My name is Robert Wright. I live in the West End and am a proud Portland native. After a 27-year career in the United States Air Force, and seeing much of the world, I returned to the best place on earth.

In the Air Force, I shouldered the responsibilities of command four times. Certainly, military and civil organizations are not the same, but they hold something very much in common, the need for independent, unfettered investigation and reporting, outside of the influence and pressures of the chain of command. At the highest levels in a major military organization, there was the office of the inspector general, the IG. Investigations helped ensure that taxpayer money was spent legally and efficiently, that graft and corruption did not exist, and that people were treated fairly, with equal opportunity for all service members. Of course, commanders had these same fundamental responsibilities. But, the IG was there, just to make sure. The directly-elected City Auditor is essentially the IG for the City Council, and the citizens of Portland, to ensure unbiased planning and execution of programs in the best interests of city.

Auditor responsibilities for this elected position are on par with commissioners. The office should not be buried within city government bureaucracy. This has the appearance of being vulnerable to biased pressures from the very offices and bureaus, and their programs, subject to investigation.

But this may be more than appearance. During the last year, the Ombudsman in the Auditor's office reported serious conflicts-of-interest and violation of long-established ethics requirements in the development of the Central City 2035 Plan for the West Quadrant. Some that had served on an advisory committee simply refused to comply with the report's recommendations for full disclosure of financial interests. With no city follow-up, this is more than troublesome.

To ensure freedom-of-action and independence in operations and budgeting, the Auditor must report directly to the City Council. This amendment to the City Charter must be put before the voters on the upcoming May ballot.

Robert Wright
1221 SW 10th Avenue, #505
Portland, Oregon 97205
(503) 222.6874
wright-stuff@comcast.net

Shirley Rackner
1221 SW 10th Avenue, #501
Portland, OR 97205

Good Afternoon Mayor Wheeler and Commissioners,

I was on my way to Washington DC last Thursday to join a million other Americans in support of all we value and honor about our Democracy. Knowing it was a long trip, I had taken a local newspaper to read and the first article I read was concerning the Auditor's Office. I admit the extent of my knowledge about the Auditor's office is that I had voted for someone to do this important job. The further I read, I realized that this issue was complex and that the commissioners might have concerns on the question of independence for the Auditor's office. That was somewhat understandable. What was not understandable was why not give the residents of Portland a voice on this and allow them to look at the question and vote one way or the other.

To further understand the issue I found that under the current structure the elected Auditor Office could be second guessed by the commissioners and other unelected City Offices. Which is confusing since the definition of an audit is "an official inspection of an individual's or organization's accounts, typically by *an independent* body led by a CPA."

Like you, the auditor is democratically elected and should be independent.

I ask the question, What makes this so difficult for this Council to give the voters the opportunity to democratically decide on this question?

The irony did not escape me as I was flying to a people's march asking for a voice in our government.

**NATIONAL LAWYERS GUILD
PORTLAND, OREGON CHAPTER**



POST OFFICE BOX 40723
PORTLAND, OREGON 97240-0723

DATE: January 25, 2017

TO: Mayor Ted Wheeler
Commissioner Chloe Eudaly
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Dan Saltzman

FROM: Portland Chapter of the National Lawyers Guild

CC: Auditor Mary Hull Caballero
Ombudsman Margie Sollinger

RE: SUPPORT FOR AUDITOR'S INDEPENDENCE PROPOSAL

Dear Mayor Wheeler and City Commissioners:

The Portland Chapter of the National Lawyers Guild (NLG) supports the Auditor's independence proposal. For over a decade, the NLG has been intimately involved in police accountability in Portland, and thus has come to know the ways in which the Auditor's lack of independence negatively impacts the effectiveness of its programs. The credibility of the Ombudsman and Independent Police Review depends entirely on their independence from the City.

The most obvious problem is the Auditor's lack of independent legal counsel. The NLG, along with many other community organizations, recommended independent counsel as part of the Police Oversight Stakeholder Committee convened by the Mayor in 2010. Regardless of whether the City Attorney's joint representation of the City and the Auditor's office is an ongoing ethical conflict of interest, there are certainly times where the Auditor takes positions which are materially adverse to the City's. Furthermore, there is a strong community perception that the City Attorney has incentive to not act in the Auditor's best interest when oversight of the City is involved. This perceived conflict, whether real or not, reduces transparency in

government and creates a lack of trust in the Auditor's services. The proposals regarding the Auditor's ability to independently manage its budget, staff, and resources are necessary reforms for similar reasons.

The NLG strongly urges the City to adopt the Auditor's proposed Charter changes, and to do so now. Making changes to City Code will not suffice because what Council creates in Code it can also take away. This power gives the City unfair leverage and puts political pressure on the Auditor. It is also in the City's best interest to propose these Charter changes immediately to increase confidence in the Auditor's programs.

We appreciate your thoughtful consideration of these issues.

Sincerely,

Portland National Lawyers Guild

A small rectangular box with a grid pattern, likely a redacted signature or stamp.

Portland City Council Meeting: January 25, 2017: Agenda Item #85

In favor of protecting City Auditor's independence in Charter revision.

I've been a resident of Portland since 1946, with the last fifteen on Hayden Island. Our economically diverse residential and commercial community is home to approximately 3000 full-time residents and many retail and recreational interests. We are near major rail, barge, air, deep-water marine, and interstate highway systems, making it very attractive for industrial development. The area is also a fragile primarily marine-based ecological region, with several thousand acres of urban wildlife habitat for a wide variety of birds, mammals, amphibians, fish, specialized forests, and other species assets.

Portland's City Council has sponsored, as a major investment partner, the development of huge projects that would have had high economic, environmental, transit, and social impact on a major portion of Hayden Island and the City. Here are three of at least 17 such projects that have been in great need of City Auditor oversight.

First, the City Council was a major supporter of a several-billion-dollar investment in the Columbia River Crossing replacement bridge, with up to 22 lanes across Hayden Island, massive environmental impact, and extraordinary change in vehicle movement between Oregon and Washington. With no oversight by the City Auditor's Office, more than \$100 million in engineering and other costs became totally unaccounted for. Where as, an independent financial fraud investigation auditor identified this massive rip-off, and blew the whistle on it to the Washington State Senate. Project cancelled.

Next, a sprawling marine-based industrial complex was grandly proposed and aggressively promoted by the Port of Portland to Portland's City Council on the 825 acres of West Hayden Island for which there was never any proven economic need. Eventually, the Port admitted only five permanent full-time jobs at the site, at the investment cost of \$200 million, destroying 300 acres of natural wildlife habitat, threatening another 500, and seriously disrupting ground and rail transportation across the communities of Hayden Island and all of North Portland. No in-depth oversight by the City Auditor's Office was provided in Portland's planning and contractual agreements included in this project. Plans rejected.

Further, Portland's City Council sponsored the exploration of a multi-million gallon Pembina propane storage and transfer facility again aggressively promoted by the Port of Portland, at the cost of several hundred million dollars. However, it was proven to have put at risk of massive destruction in a six-mile radius all built infrastructure, death to tens of thousands of local residents, long-term contamination of the land and rivers, and the bankrupting of the regional economy for a decade. The advantage claimed by the Port of Portland was approximately three permanent full-time jobs; but again, no oversight by the City

Auditor's Office for economic and catastrophic risk assessment in any of the City's relationships included in this project. Proposal withdrawn.

In all three of these and many other cases, these City Council-sponsored projects were beaten back by the sound and careful research of independent citizens groups from Hayden Island and across the City. It was largely accomplished with the especially great leadership of the Audubon Society of Portland, with valid and reliable testimony provided to numerous local government commissions and councils for much better informed and more enlightened decision making on behalf of all Portlanders.

Hayden Island is but one of Portland's many communities that has been threatened by a variety of basically irresponsible and greedy special interest-driven projects seriously considered by Portland's City Council, but without the greatly needed special assessment and auditing skills of an independent and adequately funded City Auditor's Office. If these threats have happened on Hayden Island and across North Portland, multiply them many fold to get the complete demand for such a ballot measure this spring. This Council needs the protection from future disastrous decisions that can be provided to you by an independent City Auditor's Office through an appropriate amendment to the City Charter.

Respectfully,

Timme A. Helzer, Ph.D.

Co-Founder of Northwest Citizen Science Initiative

Professor/Consultant – Organizational Systems Thinking

220 North Hayden Bay Drive - Portland, Oregon 97217

helzert@comcast.net, (503) 247-0303



TIMME A. HELZER, Ph.D.

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Systems Thinking, Learning, Research

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HELZERT@COMCAST.NET

[Credentials on LINKEDIN](#)

Wendy Rahm
1121 SW 10th Avenue, #1001
Portland, OR 97205

January 25, 2017

Good Afternoon, Mayor and Commissioners

I hope to explain why I think it is so important for you to approve the Auditor's proposal -- all aspects of it, including incorporating it into Charter and putting it to a May 2017 vote.

After 27 years of test driving the current system, the flaws are known. A prominent lawyer, past auditors of Portland and of the State of Oregon and even of another major city endorsed the proposal at the earlier work session as "best practices." They all testified that the Auditor's Office, including the Ombudsman ~~XXXXXX~~, must have complete independence from political pressure, both in *appearance* and in *fact*. Even our Secretary of State has stressed both *appearance* and *fact*. Any scent of political pressure on an audit process can distort the results and the public's confidence in those results. And that is where we are in Portland, with the public questioning results because of shaky processes, some with appearances of having been subjected to political pressures.

In fact, the Auditor is obliged to seek autonomy by guidelines, called *Generally Accepted Government Auditing Standards*, which specifically requires an auditor to address threats to an auditor's independence. Our Auditor is responding to this higher standard. An auditor should be able to hire independent legal counsel, and not be obliged to use the City Attorney, who is hired by City Council. An auditor should be able to have some control of that Office's budget, without first having to get approval from another City bureau also competing for dollars, and which is hired by City Council. An auditor should be able to make management decisions independent of other City bureaus, which are hired by City Council.

Checks on the Auditor exist. First, the Auditor is an elected official. Also, the Auditor is required to follow all HR rules outlined in Federal Law. And, City Council may play a part in contracting an independent professional audit review agency to review the Auditor's Office, and those results would be made public.

I hope my testimony helps to lead you to do the right thing: Ensure that effective checks and balances in our government are in our charter. Please vote to put this entire proposal to the voters.

January 25, 2017

Comments to Portland City Council regarding referral to voters of City Charter changes proposed by the City Auditor

Mayor, Commissioners,

I am Chris Neilsen. I reside at 1221 SW 10th Avenue, Portland.

I am here today to speak in support of the Auditor's request to the City Council to refer to the voters of the City of Portland amendments to the City Charter to protect the Auditor's independence.

Portland is the "City that Works". Yet in the 2016 Community Survey, reported in November 2016, rankings of Portland as a Livable City and City Government's Overall Delivery of Services have declined by double digits from the 2012 report.

Performance audits conducted by the City Auditor's office of City Bureaus, and complaints investigated by the Ombudsman are two ways that the performance of the City's can be analyzed and improved, and that citizens such as myself can have confidence that our city government is doing the best possible job with the resources it has. My confidence is built on both the reality and appearance of the Auditor's independence, including the work of the Ombudsman which the Auditor's budget supports.

The Auditor works for me, just as all of you do. I would like the Auditor to have both actual independence and the appearance of independence. That is the backbone of the Auditor's credibility. I ask you as the City Council to give me the opportunity to vote on the Charter changes that would make that so.

Chris Neilsen

1221 SW 10th Avenue, #1604, Portland Oregon 97205

Deanna Mueller-Crispin
1221 SW 10th Ave #1013
Portland, OR 97205

I urge you to support the City Auditor's proposed changes to give the Auditor's Office, including its Ombudsman, real **independent** authority to investigate complaints about City services and practices.

Among the Ombudsman's duties are receiving and investigating citizen complaints against administrative acts of City government. This includes complaints against conflicts of interest.

The City's code of ethics declares that "the city's powers and resources are used for the benefit of the public rather than any official's personal benefit." This applies as well to appointees to boards and city volunteers – such as Stakeholder Advisory Committees (SAC) members.

Without the Ombudsman's report about conflicts of interest on the part of some SAC members in the West Quadrant planning process, their conflicts of interest would never have come to light. Such **independent** reports are essential to good governance and maintaining faith in the institution.

Currently the Auditor's Office (including the Ombudsman) can obtain legal advice only from the City Attorney's Office. It can hire outside consultants only after going through the City's Procurement Division.

It seems clear that the Auditor's Office and Ombudsman cannot have much power to effect real change in behavior of City officials, employees (or appointees) when they are dependent on the City (perhaps the same offices against which citizen complaints are brought) for their budget and legal services. (Example: the Ombudsman's requirement for *ex post facto* declarations of conflicts of interest from SAC members has not yet been fully implemented.)

For real independence and effectiveness, the Auditor's Office needs to:

- Have legal counsel independent from the City Attorney.
- Have an independent budget (not overseen by the Budget Office which reports to City Council)
- To be able to make their own management decisions (including hiring of staff)

Please vote to put the Auditor's proposals for reform on the May ballot.



37265

The League of Women Voters of Portland

618 NW Glisan St., Suite 303, Portland, OR 97209

(503) 228-1675 • info@lwvpdx.org • www.lwvpdx.org

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DATE: January 25, 2017

TO: Mayor Ted Wheeler
Commissioners Chloe Eudaly, Nick Fish,
Amanda Fritz, and Dan Saltzman
Auditor Mary Hull Caballero

FROM: League of Women Voters of Portland
Fran Dyke, President
Debbie Aiona, Action Committee Chair
Carol Cushman, Action Committee Member

RE: Proposed Charter Amendment: Auditor's independence

The League of Women Voters of Portland wholeheartedly supports the goals of the Auditor Independence proposal prepared by Mary Hull Caballero. We also support amending the charter in order to meet the goal of ensuring the administrative independence of this elected office and its vital governmental accountability role. Amending the charter is especially appropriate because Portland's commission form of government gives City Council both legislative and administrative authority, leading to real and perceived conflicts between the Auditor's office and the bureaus she audits and investigates.

The League believes there should be a very high bar for referring charter amendments to the ballot because they become a part of our city's constitution when passed. Discussion of this proposal is occurring on a very short timeline, which makes evaluating the proposal challenging. At the same time, we greatly appreciate the assistance Auditor Hull Caballero and others have given us with our numerous questions and information requests. It is encouraging to see that the proposed amendment has been improved in response to questions and concerns expressed by City Council and the public.

Nevertheless, the League strongly recommends another addition that addresses our view that the Auditor's new administrative powers must be accompanied by clear implementation procedures with accountability safeguards.

"To promote political responsibility through informed and active participation in government."

Clear and Transparent Procedures to Implement Administrative Powers with Regular Review

The proposed charter amendment should require that a clear and transparent process, including opportunities for public and stakeholder participation and input, will be used by the Auditor to develop rules and regulations to implement the administrative powers added in Section 2-506. Such a process is provided by administrative rulemaking procedures.

We therefore recommend adding a new provision “g” to Section 2-506 that would require the Auditor to:

- Use administrative rulemaking to ensure a transparent process for developing rules and regulations to implement the new Section 2-506 Administrative Powers with a comment process for obtaining input from the public and stakeholders.
- At least once during an Auditor’s four year term, form an ad hoc review committee with a focus on stakeholders such as employees and interested members of the public to review the administrative rules developed to implement Section 2-506’s administrative powers.
 - This review group would **not** evaluate whether or not the Auditor has administrative powers. Rather the focus of this group would be to review the effectiveness of the administrative rules adopted by the Auditor to implement these administrative powers and to identify possible implementation improvements.
 - This review group would also not replace the use of outside entities to review the new functions allowed under the Auditor’s administrative powers. For example, a procurement professional association might be hired by the Auditor to evaluate the compliance of the Auditor’s new procurement procedures based on industry standards. Rather the focus of this review committee would be a process evaluation of the administrative rules that govern the timeline, selection, and other elements of the Auditor’s use of an outside entity like a procurement professional association.

The League’s proposed provision “g” should be accompanied by replacing the “rules, policies, and practices” phrase in Section 2-506 (a) with “rules and regulations”. This suggested change is based on the language in Fire & Police Disability & Retirement (FPDR) administrative rule 5.1.01 – Authority: “Pursuant to Section 5-202 (a) of Chapter 5 of the City Charter, the Board of Trustees shall have the power to prescribe rules and regulations for administration of this program.”

It is important to highlight that League’s provision “g” recommendations also address *The Oregonian* editorial board’s concern (December 14, 2016) that “increased autonomy, however, should not translate into a pass from accountability.” The League fully supports providing the Section 2-506 administrative powers to the Auditor, but that increased authority and autonomy should be implemented using administrative

rulemaking procedures that ensure the accountable use of the Auditor's new administrative powers, including regular review of those rules by a broader group rather than just the Auditor.

A key illustration of why the League strongly urges adoption of provision "g" language to Section 2-506 pertains to a grievance process for employees. The League applauds an improvement from earlier versions of the proposal to clarify that a grievance process will be developed. The effectiveness of this policy, however, depends on the details. Those details do not belong in the charter.

It seems quite likely, however, that there will be stakeholders and members of the public with a particular interest in providing comments when the grievance process rules are developed. This example illustrates why we urge adoption of provision "g" language for use of administrative rulemaking that is a transparent implementation process with opportunities for input.

We recognize that the initial rulemaking and periodic review we recommend will require capacity beyond what is currently available in the Auditor's office. This concern is outweighed by the need to balance the new administrative powers given to the Auditor with clear, open, and inclusive procedures for how the Auditor uses those powers as well as a regular review of their implementation. This concern is also addressed by the following suggestions and observations.

1. The League recommends that:
 - The Auditor include in her FY 2017-18 budget the resources needed to conduct the initial administrative rulemaking. This could include hiring outside legal counsel.
 - The City Council commit to the inclusion of dollars for this administrative rulemaking in the Auditor's budget. If at all possible, such a commitment should be in the City Council resolution accompanying its referral of the proposed charter amendment to the voters.
2. The feasibility of our suggested provision "g" is demonstrated by FPDR administrative rule 5.1.02: the purpose is "To carry out the rulemaking requirement of the Board of Trustees pursuant to Chapter 5 of the City Charter, and to provide for a process that is open and inclusive of all stakeholders to this system. This process will be applicable to all provisions of these Administrative Rules."
3. The every four-year requirement for a review of the Auditor's administrative rules implementing Section 2-506 reflects an important difference between FPDR and Auditor rulemaking. FPDR has a Board of Trustees, so there is more than one person charged with this function. Our recommendation for an ad hoc review committee ensures that more people than just the Auditor are involved in a regular review of the administrative rules governing the Auditor's exercise of these new

administrative powers. This ensures checks and balances that are a priority for the League.

To summarize, adding our suggested provision “g” to Section 2-506 ensures that implementation of the Auditor’s new administrative powers occurs using a transparent and inclusive process. It also requires the accountability safeguard of periodic review of the rules governing the exercise of these administrative powers.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

General Overhead Fund Contributions

Currently the Auditor pays into the general overhead fund using an allocation process that also applies to city bureaus. Given the new administrative powers proposed in the charter amendment, several centralized services that the Auditor is paying for would no longer be used or used to a lesser extent. Instead the Auditor would be paying outside entities for these services. We recommend adding a provision to the resolution accompanying the charter amendment clarifying that the City Council is committed to a future evaluation and adjustment of the general overhead fund model regarding the Auditor.

Retain Educational Credentials for Auditor Candidates

The educational credentials requirement for Auditor candidates was adopted with an 80 percent “yes” vote in a 1986 charter amendment referral. Auditors receive training and agree to abide by professional guidelines for conducting their work, which are valuable attributes for this position. The League strongly believes this requirement should be retained.

Independent Police Review

The League supports including a civilian review board focused on police accountability in the charter, but recommends creating a separate process to explore how best to accomplish that goal. In our view, a targeted task force made up of members selected by the Mayor and Auditor and with an understanding of our existing system should be formed within the next two years and charged with developing a recommendation. A future charter commission would not be well suited for this task because charter commission members are selected by City Council without Auditor involvement.

Parsons, Susan

From: Kristen Chambers <kristen@ktp-law.com>
Sent: Wednesday, January 25, 2017 11:41 AM
To: Eudaly, Chloe; Wheeler, Ted; Commissioner Fish; Fritz, Amanda; Saltzman, Dan
Cc: Hull Caballero, Mary; Council Clerk – Testimony; Finn, Brendan; Crail, Tim; Schmanski, Sonia; Runkel, Marshall; Henderson, Maurice; Dennis, Kristin; Duhamel, Jamey
Subject: NLG Testimony re Auditor's Proposal
Attachments: NLG Testimony to City Council re Auditor's Proposal.pdf

Mayor Wheeler and City Commissioners,

Attached please find the testimony of the National Lawyers Guild in support of the Portland Auditor's proposal for increased independence. We hope to have a representative available to testify at the hearing this afternoon, but in the event that we are unable to present this testimony live, we ask that you please read the attached and take it into consideration before casting your vote.

Thank you,

Kristen Chambers

KIRKLIN THOMPSON & POPE LLP

1000 S.W. Broadway, Suite 1616, Portland, OR 97205

(TEL) 503-222-1640 (FAX) 503-227-5251 kristen@ktp-law.com www.ktp-law.com

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**NATIONAL LAWYERS GUILD
PORTLAND, OREGON CHAPTER**



POST OFFICE BOX 40723
PORTLAND, OREGON 97240-0723

DATE: January 25, 2017

TO: Mayor Ted Wheeler, Ted.Wheeler@portlandoregon.gov
 Commissioner Chloe Eudaly, Chloe.Eudaly@portlandoregon.gov
 Commissioner Nick Fish, nick@portlandoregon.gov
 Commissioner Amanda Fritz, Amanda.Fritz@portlandoregon.gov
 Commissioner Dan Saltzman, Dan.Saltzman@portlandoregon.gov

FROM: Portland Chapter of the National Lawyers Guild

CC: Auditor Mary Hull Caballero, Mary.HullCaballero@portlandoregon.gov
 Brendan Finn, Brendan.Finn@portlandoregon.gov
 Tim Crail, Tim.Crail@portlandoregon.gov
 Sonia Schmanski, Sonia.Schmanski@portlandoregon.gov
 Marshall Runkel, Marshall.Runkel@portlandoregon.gov
 Maurice Henderson, Maurice.Henderson@portlandoregon.gov
 Kristin Dennis, Kristin.Dennis@portlandoregon.gov
 Jamey Duhamel, Jamey.Duhamel@portlandoregon.gov

RE: SUPPORT FOR AUDITOR'S INDEPENDENCE PROPOSAL

Dear Mayor Wheeler and City Commissioners:

The Portland Chapter of the National Lawyers Guild (NLG) supports the Auditor's independence proposal. For over a decade, the NLG has been intimately involved in police accountability in Portland, and thus has come to know the ways in which the Auditor's lack of independence negatively impacts the effectiveness of its programs. The credibility of the Ombudsman and Independent Police Review depends entirely on their independence from the City.

The most obvious problem is the Auditor's lack of independent legal counsel. The NLG, along with many other community organizations, recommended independent counsel as part of the Police Oversight Stakeholder Committee convened by the Mayor in 2010. Regardless of whether the City Attorney's joint representation of the City and the Auditor's office is an

ongoing ethical conflict of interest, there are certainly times where the Auditor takes positions which are materially adverse to the City's. Furthermore, there is a strong community perception that the City Attorney has incentive to not act in the Auditor's best interest when oversight of the City is involved. This perceived conflict, whether real or not, reduces transparency in government and creates a lack of trust in the Auditor's services. The proposals regarding the Auditor's ability to independently manage its budget, staff, and resources are necessary reforms for similar reasons.

The NLG strongly urges the City to adopt the Auditor's proposed Charter changes, and to do so now. Making changes to City Code will not suffice because what Council creates in Code it can also take away. This power gives the City unfair leverage and puts political pressure on the Auditor. It is also in the City's best interest to propose these Charter changes immediately to increase confidence in the Auditor's programs.

We appreciate your thoughtful consideration of these issues.

Sincerely,

Portland National Lawyers Guild

Parsons, Susan

From: Daniel Friedman <daniel.friedman.portland@gmail.com> on behalf of mazich <mazich@gmail.com>
Sent: Wednesday, January 25, 2017 11:30 AM
To: Council Clerk – Testimony
Subject: charter amendments needed to preserve integrity in administration and decision-making

I support the proposed charter amendments. The auditor's office was the only city institution that seemed to notice and care about the blatant conflicts of interest in the CAC process which allowed developers to vote on proposals that directly affected their own properties (in some cases proposals they wrote, themselves, solely to enhance the value of a specific holding) and permitted committee members to evade disclosure of conflicts. This is deeply corrupt and the independence of the auditor needs to be protected in order for city business to be conducted in the public interest.

Parsons, Susan

From: Kate & Chris <samsa@pacifier.com>
Sent: Wednesday, January 25, 2017 9:27 AM
To: Council Clerk – Testimony
Subject: Today's Hearing (January 25, 2017, 2pm, Agenda #85)--Auditor's Proposed Amendments to the Charter; Testimony of K Kirkpatrick

**Testimony of Katherin Kirkpatrick in Favor
Today's Hearing (January 25, 2017, 2pm, Agenda Item #85)
Auditor's Proposed Amendments to the Charter**

Dear City Council Members:

Please support the Auditor's proposal (agenda item #85, being heard at 2pm today), and submit her suggested Charter amendments to a vote by the citizens.

Portland is a beautiful city with unique charms, and unique problems. For years our elected Auditors have valiantly reported on those unique problems, but their warnings have often gone unheeded. This proposal would fix that.

As a citizen advocate, I have sat through many Council proceedings in cases which could have been prevented had the City Attorney heeded the Auditors' warnings. Despite the best intentions of my hard-working representatives, our city has become infamous for its lack of citizen representation and its lack of bureau oversight. In one case, I personally witnessed a member of the City Attorney's office bragging to citizens in the hallway outside a land use hearing, that the City Attorney had found a loophole that would within three years unravel all of the promises her office was then making to the adjudicating body whose office we stood outside.

It was shocking. Now, I know that this is an exception and not a rule, and that there is good work being done on my behalf by the good people in the City Attorney's office. But despite this, sometimes our unique governance structure allows the City Attorney to work against the public interest.

Within Portland's advocacy community, people have long been asking for the kind of changes the Auditor is now proposing. It is time that our Auditor, whom we elect for her (or his) judgment, be empowered to seek independent counsel when her (or his) judgment sees a need. I truly believe that, had this proposal been put into effect long ago, most of our city's worst scandals (whistleblower payoffs, parking meter fiascos, lead in our school's water from unmaintained conduit pipes, etc.—all of which showed up as unheeded warning bells in Auditors' reports) could have been avoided.

We are the last major US city to continue to dilute our citizens' power through at-large Commission governance. If we are to remain so antiquated, we should at least give our Auditor the power to independently advocate for our interests when that antiquated system makes it necessary. And, at the very least, the voters should have the chance to decide this issue.

Thank you,

Katherin Kirkpatrick

1319 SE 53rd Avenue
Portland, OR 97215
(503) 232-8663

Parsons, Susan

From: Kathryn Mason <babble@bedlambarber.com>
Sent: Wednesday, January 25, 2017 9:01 AM
To: Council Clerk – Testimony
Subject: Auditor's hearing 1/25

I'm writing in behalf of my household. We are homeowners in SE Portland and we believe that the Auditors office needs more autonomy and the ability to seek independent council to counter conflicts of interest with the City Attorney when such conflicts arise. We would like to see a proposal on the next ballot.

Thank you for your consideration and this opportunity to provide input.

Cherri and Samuel Mason
4917 SE 64th Ave
Portland, OR 97206

Parsons, Susan

From: Jeff Cohen <xtendqi@gmail.com>
Sent: Tuesday, January 24, 2017 5:14 PM
To: Council Clerk – Testimony
Subject: Proposed Changes

I have read the proposed changes made by the city auditor to ensure that the auditor's office remains credible and independent. I am in full support of these changes!

Jeffrey M. Cohen
3816 SE Francis St.
Portland, OR 97202
971-998-6550

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Tuesday, January 24, 2017 5:00 PM
To: Council Clerk – Testimony
Cc: Sollinger, Margie
Subject: FW: Auditor's recommended Charter changes

From: Harvey Black [mailto:hblack@easystreet.net]
Sent: Tuesday, January 24, 2017 3:01 PM
To: Commissioner Fritz <amanda@portlandoregon.gov>
Cc: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Subject: Auditor's recommended Charter changes

Dear Comm Fritz,

I would urge you to support the Auditor's recommended Charter changes as follows:

1. SUPPORT THE CHARTER CHANGES TO END DEPENDENCY ON THE EXECUTIVE BRANCH. Changes include:

- **An ability to hire independent legal counsel.**
 Current structure requires legal support to come from the City Attorney, who is hired and reports directly to City Council. Being required to use them as legal counsel for internal investigations is an obvious conflict of interest. The Auditor is both watchdog and "the watched."
- **The right to present the Auditor's budget directly to City Council.**
 The current structure requires the Auditor's budget to be processed first by the Budget Office, which is hired and reports directly to City Council. The Charter change would ensure the Auditor's Office is autonomous, appropriately funded and insulated from political interference. The City of Dallas Auditor reported Dallas recently went through a similar revision and he recommended the Dallas' budget solution: a **standing percentage** of the annual city budget is given to the city auditor's office.)
- **The right to make personnel, management, and procurement decisions independently for the Auditor's Office.**
 The proposal would ensure the Auditor's Office is autonomous from the Office of Management and Finance and other bureaus. The Auditor will periodically procure or conduct internal quality control reviews and report the results to the public.

2. SUPPORT PUTTING THE PROPOSAL ON THE MAY 2017 BALLOT, NOT A LATER ELECTION BALLOT.

- **Voters** must approve any charter change.
- The **cost** of being the only item on a May 2017 ballot is around \$150,000 – a small amount considering the long-overdue benefit to the public's interest.
- The current system has been **operating for 27 years**. More "testing" is not needed. Its **flaws are known** and need to be addressed now.

- There is some **urgency for autonomy**. This change will protect the Auditor's ability to hold city government accountable through independent audits and investigations. The sooner this is done, the better for the public.

3. **MAKE THESE CHANGES IN THE CHARTER, NOT TO THE CODE, which City Council can change.**

- **Charter changes are difficult to alter**, requiring a ballot for public approval. **Code is easy** for City Council to change, with the result that the Auditor's independence can be under real or perceived threat of political pressure.

Sincerely,

Harvey Black
1132 SW 19th Ave., Portland

Parsons, Susan

From: Paul Canarsky <paulcanarsky@icloud.com>
Sent: Tuesday, January 24, 2017 5:44 PM
To: Council Clerk – Testimony
Subject: [User Approved] Auditor's hearing 1/25/17

I support putting this matter to a public vote.

Maurine Canarsky

Mailing:
P.O. Box 82207
Portland, OR 97282

Residence:
1977 SE 22nd Ave.
Portland, OR 97214-4851

Parsons, Susan

From: Jeff Cohen <xtendqi@gmail.com>
Sent: Tuesday, January 24, 2017 5:14 PM
To: Council Clerk – Testimony
Subject: Proposed Changes

I have read the proposed changes made by the city auditor to ensure that the auditor's office remains credible and independent. I am in full support of these changes!

Jeffrey M. Cohen
3816 SE Francis St.
Portland, OR 97202
971-998-6550

Moore-Love, Karla

From: Benjamin Kerensa <bkerensa@gmail.com>
Sent: Tuesday, January 24, 2017 2:17 PM
To: Moore-Love, Karla
Subject: Testimony on Auditor Proposed Resolution
Attachments: AuditorLetter (1).pdf

Hello Karla,

Please find attached my written testimony in support of the Auditor's agenda item for January 25th.

--

Benjamin Kerensa

January 24, 2017

Dear Portland City Council:

I am writing you to express my support for the Auditor Mary Hull Caballero's agenda item for January 25th which proposes changes to the City Charter to allow her office more independence.

It is my belief that her proposed changes make sense and that the current relationship her office has with City Council allows the City Council inappropriate oversight of her office and say in her budget. The Auditor's job is to audit all facets of City business including performance of City Council and Bureaus that the City Council manages. It is inappropriate for the people who are subject to audit to have such great control over the Auditor's office and budget.

I would also like to express my disappointment with those City Council members who have questioned the changes as it gives the appearance that the City Council is not striving for transparency and accountability by questioning these common sense changes.

Sincerely,

Benjamin Kerensa

Benjamin Kerensa

Moore-Love, Karla

From: Debbie Aiona <mdjaiona@aracnet.com>
Sent: Tuesday, January 24, 2017 4:12 PM
To: Wheeler, Mayor; Commissioner Eudaly; Commissioner Fish; Commissioner Fritz; Commissioner Saltzman; Hull Caballero, Mary
Cc: Henderson, Maurice; Runkel, Marshall; Schmanski, Sonia; Crail, Tim; Finn, Brendan; Sollinger, Margie; President LWVPDX; Carol Cushman; Moore-Love, Karla
Subject: League of Women Voters memo: Auditor's Charter Amendment proposal
Attachments: LWV Auditor charter amendment 1-17.pdf

Dear Mayor Wheeler, Commissioners, and Auditor Hull Caballero,

Please find attached the League of Women Voters of Portland's memo on the Auditor's proposed charter amendment.

Thank you for considering our recommendations.

Sincerely,

Debbie Aiona
League of Women Voters of Portland
Action Committee Chair



The League of Women Voters of Portland

618 NW Glisan St., Suite 303, Portland, OR 97209

(503) 228-1675 • info@lwvpdx.org • www.lwvpdx.org

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DATE: January 25, 2017

TO: Mayor Ted Wheeler
Commissioners Chloe Eudaly, Nick Fish,
Amanda Fritz, and Dan Saltzman
Auditor Mary Hull Caballero

FROM: League of Women Voters of Portland
Fran Dyke, President
Debbie Aiona, Action Committee Chair
Carol Cushman, Action Committee Member

RE: Proposed Charter Amendment: Auditor's independence

The League of Women Voters of Portland wholeheartedly supports the goals of the Auditor Independence proposal prepared by Mary Hull Caballero. We also support amending the charter in order to meet the goal of ensuring the administrative independence of this elected office and its vital governmental accountability role. Amending the charter is especially appropriate because Portland's commission form of government gives City Council both legislative and administrative authority, leading to real and perceived conflicts between the Auditor's office and the bureaus she audits and investigates.

The League believes there should be a very high bar for referring charter amendments to the ballot because they become a part of our city's constitution when passed. Discussion of this proposal is occurring on a very short timeline, which makes evaluating the proposal challenging. At the same time, we greatly appreciate the assistance Auditor Hull Caballero and others have given us with our numerous questions and information requests. It is encouraging to see that the proposed amendment has been improved in response to questions and concerns expressed by City Council and the public.

Nevertheless, the League strongly recommends another addition that addresses our view that the Auditor's new administrative powers must be accompanied by clear implementation procedures with accountability safeguards.

"To promote political responsibility through informed and active participation in government."

Clear and Transparent Procedures to Implement Administrative Powers with Regular Review

The proposed charter amendment should require that a clear and transparent process, including opportunities for public and stakeholder participation and input, will be used by the Auditor to develop rules and regulations to implement the administrative powers added in Section 2-506. Such a process is provided by administrative rulemaking procedures.

We therefore recommend adding a new provision “g” to Section 2-506 that would require the Auditor to:

- Use administrative rulemaking to ensure a transparent process for developing rules and regulations to implement the new Section 2-506 Administrative Powers with a comment process for obtaining input from the public and stakeholders.
- At least once during an Auditor’s four year term, form an ad hoc review committee with a focus on stakeholders such as employees and interested members of the public to review the administrative rules developed to implement Section 2-506’s administrative powers.
 - This review group would **not** evaluate whether or not the Auditor has administrative powers. Rather the focus of this group would be to review the effectiveness of the administrative rules adopted by the Auditor to implement these administrative powers and to identify possible implementation improvements.
 - This review group would also not replace the use of outside entities to review the new functions allowed under the Auditor’s administrative powers. For example, a procurement professional association might be hired by the Auditor to evaluate the compliance of the Auditor’s new procurement procedures based on industry standards. Rather the focus of this review committee would be a process evaluation of the administrative rules that govern the timeline, selection, and other elements of the Auditor’s use of an outside entity like a procurement professional association.

The League’s proposed provision “g” should be accompanied by replacing the “rules, policies, and practices” phrase in Section 2-506 (a) with “rules and regulations”. This suggested change is based on the language in Fire & Police Disability & Retirement (FPDR) administrative rule 5.1.01 – Authority: “Pursuant to Section 5-202 (a) of Chapter 5 of the City Charter, the Board of Trustees shall have the power to prescribe rules and regulations for administration of this program.”

It is important to highlight that League’s provision “g” recommendations also address *The Oregonian* editorial board’s concern (December 14, 2016) that “increased autonomy, however, should not translate into a pass from accountability.” The League fully supports providing the Section 2-506 administrative powers to the Auditor, but that increased authority and autonomy should be implemented using administrative

rulemaking procedures that ensure the accountable use of the Auditor's new administrative powers, including regular review of those rules by a broader group rather than just the Auditor.

A key illustration of why the League strongly urges adoption of provision "g" language to Section 2-506 pertains to a grievance process for employees. The League applauds an improvement from earlier versions of the proposal to clarify that a grievance process will be developed. The effectiveness of this policy, however, depends on the details. Those details do not belong in the charter.

It seems quite likely, however, that there will be stakeholders and members of the public with a particular interest in providing comments when the grievance process rules are developed. This example illustrates why we urge adoption of provision "g" language for use of administrative rulemaking that is a transparent implementation process with opportunities for input.

We recognize that the initial rulemaking and periodic review we recommend will require capacity beyond what is currently available in the Auditor's office. This concern is outweighed by the need to balance the new administrative powers given to the Auditor with clear, open, and inclusive procedures for how the Auditor uses those powers as well as a regular review of their implementation. This concern is also addressed by the following suggestions and observations.

1. The League recommends that:
 - The Auditor include in her FY 2017-18 budget the resources needed to conduct the initial administrative rulemaking. This could include hiring outside legal counsel.
 - The City Council commit to the inclusion of dollars for this administrative rulemaking in the Auditor's budget. If at all possible, such a commitment should be in the City Council resolution accompanying its referral of the proposed charter amendment to the voters.
2. The feasibility of our suggested provision "g" is demonstrated by FPDR administrative rule 5.1.02: the purpose is "To carry out the rulemaking requirement of the Board of Trustees pursuant to Chapter 5 of the City Charter, and to provide for a process that is open and inclusive of all stakeholders to this system. This process will be applicable to all provisions of these Administrative Rules."
3. The every four-year requirement for a review of the Auditor's administrative rules implementing Section 2-506 reflects an important difference between FPDR and Auditor rulemaking. FPDR has a Board of Trustees, so there is more than one person charged with this function. Our recommendation for an ad hoc review committee ensures that more people than just the Auditor are involved in a regular review of the administrative rules governing the Auditor's exercise of these new

administrative powers. This ensures checks and balances that are a priority for the League.

To summarize, adding our suggested provision “g” to Section 2-506 ensures that implementation of the Auditor’s new administrative powers occurs using a transparent and inclusive process. It also requires the accountability safeguard of periodic review of the rules governing the exercise of these administrative powers.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

General Overhead Fund Contributions

Currently the Auditor pays into the general overhead fund using an allocation process that also applies to city bureaus. Given the new administrative powers proposed in the charter amendment, several centralized services that the Auditor is paying for would no longer be used or used to a lesser extent. Instead the Auditor would be paying outside entities for these services. We recommend adding a provision to the resolution accompanying the charter amendment clarifying that the City Council is committed to a future evaluation and adjustment of the general overhead fund model regarding the Auditor.

Retain Educational Credentials for Auditor Candidates

The educational credentials requirement for Auditor candidates was adopted with an 80 percent “yes” vote in a 1986 charter amendment referral. Auditors receive training and agree to abide by professional guidelines for conducting their work, which are valuable attributes for this position. The League strongly believes this requirement should be retained.

Independent Police Review

The League supports including a civilian review board focused on police accountability in the charter, but recommends creating a separate process to explore how best to accomplish that goal. In our view, a targeted task force made up of members selected by the Mayor and Auditor and with an understanding of our existing system should be formed within the next two years and charged with developing a recommendation. A future charter commission would not be well suited for this task because charter commission members are selected by City Council without Auditor involvement.

Moore-Love, Karla

From: Jennings, Gayla
Sent: Tuesday, January 24, 2017 10:37 AM
To: Council Clerk – Testimony
Subject: FW: Testimony on City Auditor's proposal
Attachments: City Auditor's proposed charter changes.doc

Testimony received for this Wednesday's 2:00 p.m. time certain.

Thank you!

Gayla Jennings

Deputy Auditor | Office of the City Auditor
City of Portland, Oregon
Phone (503) 823-3560

From: Deanna [mailto:deanna@involved.com]
Sent: Monday, January 23, 2017 6:40 PM
To: Jennings, Gayla <Gayla.Jennings@portlandoregon.gov>
Subject: Testimony on City Auditor's proposal

Please enter the attached as testimony for the City Council hearing on 1/25/17 to the City Auditor's proposal for more independence for that office.

Thank you.

Deanna Mueller-Crispin
1221 SW 10th Ave Unit 1013
Portland, OR 97205
503-297-6412

I urge you to support the City Auditor's proposed changes to give the Auditor's office the authority to really enforce conflicts of interest. This cannot happen until the Auditor's Office is independent from control (direct or indirect) from City Council. I strongly support the Auditor's proposals that would make this happen.

I tried to participate in the West End Planning process, and was tremendously frustrated by many members of the Stakeholder Advisory Committee (SAC) having UNDECLARED conflicts of interest – and voting in many instances for zone changes that would greatly increase the value of their own property. Without declaring their conflicts of interest. The Auditor's Office, after the fact, reported that there were indeed undeclared conflicts of interest on the SAC. But those practicing these conflicts of interest received no reprimand whatsoever and some never even filed (after the fact) the conflict of interest declarations that they were "required" to file. This situation continues to the present.

Another important issue is that the Independent Police Review Office and the Ombudsman Office have been assigned to the City Auditor's office. These need to be formalized as part of the Auditor's Office – and without delay.

The Auditor's Office needs to:

- Have legal counsel independent from the City Attorney.
- Have an independent budget (not overseen by the Budget Office which reports to City Council)
- To be able to make their own management decisions (including hiring of staff)

Changes need to be made – and as soon as possible - in the Charter, not just in city code (which City Council can change). Since any Charter changes must be approved by the public, I strongly support putting the proposal on the May 2017 Ballot. This issue has been studied enough, and changes should be implemented with absolute minimum delay.

In the name of good government, I trust City Council will do the right thing and give this important watchdog, the City Auditor's office, the tools to actually do its job.

**THERE ARE TOO MANY UNCONTESTED CONFLICTS OF INTEREST IN
PORTLAND CITY GOVERNMENT.**

This not what Portland is about. You have the ability to change this. PLEASE do so as soon as possible.

Deanna Mueller-Crispin
1221 SW 10th Ave Unit 1013
Portland, Or 97205

Moore-Love, Karla

From: Marie R Cossey <dream_hevin@yahoo.com>
Sent: Tuesday, January 24, 2017 12:28 PM
To: Council Clerk – Testimony
Subject: Charter amendment to protect Auditor's independence

Just a quick note to show my support of this amendment.

Marie Cossey
Registered voter in NE Lents neighborhood

Sent from Yahoo Mail on Android

Moore-Love, Karla

From: Barbara <barbarar@spiretech.com>
Sent: Tuesday, January 24, 2017 1:02 PM
To: Council Clerk – Testimony
Subject: Auditor Charter amendment

City Auditor Mary Hull Caballero's Charter amendment changes should be approved for voters.

Thank you,

Barbara Robertson
206 ne 103 av, 97220

Moore-Love, Karla

From: J <jcgdome@hotmail.com>
Sent: Tuesday, January 24, 2017 1:15 PM
To: Council Clerk – Testimony
Subject: City of Portland Auditor

In general, I am in favor of less rather than more government, and am reluctant to expand the power of the Auditor or any other Portland official. However, this may be an exception.

I am less impressed with the past performance of the Portland City Council and more impressed with the Auditor. I am therefore in favor of providing the authority needed to perform the job of Auditor provided the additional funding is closely monitored. This would appear to be the best method of preventing future cost overruns of Portland City Council projects, forcing the Council to live within its means, and to prioritize its projects to those for which it has primary responsibility.

Jay Goldstein
2626 NW 83rd Place.
Portland, OR. 97210

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Tuesday, January 24, 2017 7:37 AM
To: Council Clerk – Testimony
Cc: Sollinger, Margie
Subject: FW: Auditor's Proposed Charter Changes

From: SueNeedlework@aol.com [mailto:SueNeedlework@aol.com]
Sent: Monday, January 23, 2017 5:50 PM
To: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>; Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov>
Subject: Fwd: Auditor's Proposed Charter Changes

Dear City Auditor Hull Caballero and Council Clerk Moore-Love,

Below please see the e-mail I have sent to Mayor Wheeler and all of the Commissioners regarding the City Auditor's proposed Charter changes.

Sincerely,

Sue Horn-Caskey

From: SueNeedlework@aol.com
To: MayorWheeler@portlandoregon.gov
Sent: 1/23/2017 5:36:02 P.M. Pacific Standard Time
Subj: Auditor's Proposed Charter Changes

Dear Mayor Wheeler,

I strongly support **all** of the City Auditor's Proposed Charter changes and feel it is important to give your fellow citizens the opportunity to vote on these changes on the May 2017 ballot. There is no reason to delay the implementation of true independence for the City Auditor's office. Please support these measures at the Wednesday City Council meeting.

Sincerely yours,

Sue Horn-Caskey

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Tuesday, January 24, 2017 7:36 AM
To: Council Clerk – Testimony
Subject: FW: Auditor's proposed Charter Amendment
Attachments: PastedGraphic-1.tiff; City Auditor Charter Amendment.pdf

From: Suzanne Lennard [mailto:suzanne.lennard@livablecities.org]
Sent: Monday, January 23, 2017 9:43 PM
To: Wheeler, Mayor <MayorWheeler@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Eudaly <chloe@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>; Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov>
Subject: Auditor's proposed Charter Amendment

Dear Mayor Wheeler and Commissioners,

I respectfully encourage you to accept the City Auditor's proposed Charter amendment, and place it on the May ballot.

It is essential that the City Auditor's office is independent, free from the fact or appearance of conflicts of interest. The public expect, and deserve transparency and accountability in their city government.

The Charter's four amendments are most appropriate:

- Placing the Independent Police Review and the Office of the Ombudsman into Charter.
- Authorizing the Auditor to obtain independent legal advice that is focused on the mission of the Auditor's Office.
- Creating an independent budget process that ensures the Auditor's Office is appropriately funded and insulated from political interference. and
- Affirming the Auditor's Office is autonomous from the Office of Management and Finance and other bureaus.

I hope Portland will lead the way in government accountability and transparency. Please accept the Charter amendment, and place it on the May ballot.

With best regards,

Suzanne H. Crowhurst Lennard, Ph.D.(Arch.)
 Director, International Making Cities Livable Conferences LLC
suzanne.lennard@livablecities.org



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Suzanne H. Crowhurst
Lennard (Portland)

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www.livablecities.org

January 22, 2017

Mayor Ted Wheeler
Commissioner Chloe Eudaly
Commissioner Amanda Fritz
Commissioner Nick Fish
Commissioner Dan Saltzman

Re: Auditor's proposed Charter Amendment

Dear Mayor Wheeler and Commissioners,

I respectfully encourage you to accept the City Auditor's proposed Charter amendment, and place it on the May ballot.

It is essential that the City Auditor's office is independent, free from the fact or appearance of conflicts of interest. The public expect, and deserve transparency and accountability in their city government.

The Charter's four amendments are most appropriate:

- Placing the Independent Police Review and the Office of the Ombudsman into Charter.
- Authorizing the Auditor to obtain independent legal advice that is focused on the mission of the Auditor's Office.
- Creating an independent budget process that ensures the Auditor's Office is appropriately funded and insulated from political interference. and
- Affirming the Auditor's Office is autonomous from the Office of Management and Finance and other bureaus.

I hope Portland will lead the way in government accountability and transparency. Please accept the Charter amendment, and place it on the May ballot.

With best regards,

Suzanne H. Crowhurst Lennard, Ph.D.(Arch.)
Co-founder, Director, International Making Cities Livable

Moore-Love, Karla

From: Elsa A. Porter <elsa@spiritone.com>
Sent: Monday, January 23, 2017 9:16 PM
To: Wheeler, Mayor; Commissioner Saltzman; Commissioner Fritz; Commissioner Fish; Commissioner Eudaly; Moore-Love, Karla
Cc: Hull Caballero, Mary
Subject: Independence of the City Auditor

January 23, 2017

TO: Mayor Ted Wheeler and Commissioners Saltzman, Fritz, Fish, and Eudaly

I write in support of the proposal to amend the Portland City Charter to strengthen the independence of the Auditor's office.

Portland's antiquated and awkward Commissioner form of Government, unique among large cities, does little to help citizens like me understand how effective our City Government programs are. The only elected officials who are held responsible for the City as a whole are the Mayor—who tends to be overwhelmed with what's happening day-to-day—and the Auditor, who can look across the boundaries of Bureau and Office silos and tell us how well the City Government is performing and what actions are needed to do a better job. Its independence and professionalism are prerequisites for doing that. The changes recommended here are designed to enhance those capabilities.

With public trust and respect for government at their nadir, the proven avenues for listening and responding to citizens are especially crucial today. In that respect it is especially important for Portland to clarify the status of the Ombudsman by including it among the Auditor's statutory responsibilities.

Rarely in bureaucracies, public or private, is change ever welcomed. As an old bureaucrat, I can sympathize with those who are faced with the changes this measure entails. I experienced the installation of Inspectors General in the Federal Government in 1978 when I was Assistant Secretary of Commerce for Administration under President Carter—almost 40 years ago. I bemoaned the loss of the audit shop, which was under my control. But I had to acknowledge that the independence of the IG was the only way he or she could be credible and effective. The same is true for Portland's Auditor. It is long past time to move our kooky city government forward towards more public accountability.

Sincerely,

Elsa A. Porter
 2309 SW First Ave. #742
 Portland, OR 97201
 503-796-6890
elsa@spiritone.com

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Tuesday, January 24, 2017 7:35 AM
To: Council Clerk – Testimony
Subject: FW: Independent City Auditor

From: Rgrahm@aol.com [mailto:Rgrahm@aol.com]
Sent: Monday, January 23, 2017 10:47 PM
To: Wheeler, Mayor <MayorWheeler@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Eudaly <chloe@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>; Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov>
Subject: Independent City Auditor

Portland's City Council and its citizens need a truly independent City Auditor to enhance efficiency and insure integrity in our governance. We have a history of first class Auditors. Please strengthen this office.

Richard G. Rahm
1221 SW 10th Avenue, #1001
Portland, OR 97205
503/227-8527

Moore-Love, Karla

From: Fish, Nick
Sent: Monday, January 23, 2017 10:18 AM
To: Michael Mehaffy; Moore-Love, Karla; Commissioner Saltzman; Commissioner Fritz; Commissioner Eudaly; Wheeler, Mayor; City Auditor, Mary Hull Caballero
Cc: GHFL BOARD
Subject: RE: Testimony from Goose Hollow Foothills League RE Auditor's Proposals

Michael—

Thanks for your letter.

I share and appreciate your commitment to transparency and accountability in government.

I am a strong supporter of the Auditor's proposal to strengthen the independence of her office.

We have been working with her to fine-tune the language. And we believe that the proposed changes should be referred to the voters in May.

I am also working with the Auditor, the City Attorney, OMF and others on a set of reforms governing Boards and Commissions. They include model bylaws, mandatory written disclosures, and training on how to handle actual and perceived conflicts of interest.

Thanks again for sharing your views with me.

Nick

From: Michael Mehaffy [mailto:michael.mehaffy@gmail.com]
Sent: Sunday, January 22, 2017 5:57 PM
To: Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Fish, Nick <NickFish@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Eudaly <chloe@portlandoregon.gov>; Wheeler, Mayor <MayorWheeler@portlandoregon.gov>; City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Cc: GHFL BOARD <board@goosehollow.org>
Subject: Testimony from Goose Hollow Foothills League RE Auditor's Proposals

Dear Mayor Wheeler, Commissioners, Auditor Hull Caballero, and Council Clerk Moore-Love,

Please see the attached letter of testimony from the Goose Hollow neighborhood association on the above-referenced proposals.

Sincerely,

Michael W. Mehaffy, Ph.D.
 President, Goose Hollow Foothills League

37265

742 SW Vista Ave., #42
Portland, OR 97205
(503) 250-4449



GOOSE HOLLOW FOOTHILLS LEAGUE

2257 NW RALEIGH STREET PORTLAND, OR 97210 503-823-4288

January 22, 2017

Mayor Ted Wheeler
Commissioner Chloe Eudaly
Commissioner Amanda Fritz
Commissioner Nick Fish
Commissioner Dan Saltzman
City of Portland
1221 SW 4th Avenue, Room 110
Portland, OR 97204

Dear Mayor Wheeler and members of the City Council,

RE: Support for Auditor's Charter Amendment Proposal for Independent Accountability

The Board of Goose Hollow Foothills League (the recognized neighborhood association for the Goose Hollow neighborhood of Portland) has unanimously voted to support the Auditor's proposal for a Charter amendment to establish greater independence from the bureaus for which the Auditor must provide oversight.

We strongly concur with the need to secure independent legal advice, create an independent budget process, and affirm the independent operations of the office, free from the fact or appearance of undue political influence. We also strongly concur that these reforms should be embodied in a Charter amendment, free of potential for changes by the Council members who serve as Bureau executives.

The issue of ethics in City government was an important campaign issue in last year's election, and rightly so, we believe. We have all seen recent evidence of disturbing lapses in ethical transparency and accountability, and we believe there is a clear mandate to restore public confidence in the integrity of the system. We congratulate Mayor Wheeler and Commissioner Eudaly on their elections, and hope that they will be joined by their colleagues in taking action on campaign pledges to address the City's evident shortcomings.


In addition, the entire West Quadrant of Central City neighborhoods has much to be grateful for in the work of the Ombudsman's report of 2015 finding potential conflicts of interest in the West Quadrant Plan Stakeholder Advisory Committee process. Goose Hollow in particular has greatly valued the transparency provided by the Auditor's office.

Mayor Ted Wheeler et al.
January 22, 2017
Page Two

We also want to thank the Auditor for making us aware of a number of important issues in the recent review of Portland's neighborhood involvement system, and the office with which it is associated. We believe this and other recent events point to a very important need for thorough reform in Portland's neighborhood involvement system. We look forward to working with the Council to address this need.

In the meantime, we believe the Auditor's proposals for independence are a crucial first step in providing greater transparency and accountability, which we also seek in our own GHFL neighborhood association processes. As we believe you are aware, the 2011 Generally Accepted Government Auditing Standards (referred to as the "Yellow Book") specifically requires Auditors to address threats to their independence. We therefore applaud the Auditor for seeking these changes, and we urge the Council to approve the request.

Sincerely,



Michael W. Mehaffy, Ph.D.
President, Goose Hollow Foothills League

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Monday, January 23, 2017 10:36 AM
To: Council Clerk – Testimony
Subject: FW: Increase Auditor independence

From: Kim Sordyl [mailto:kimsordyl@hotmail.com]
Sent: Tuesday, January 17, 2017 9:18 AM
To: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Subject: Fw: Increase Auditor independence

FYI --

From: Kim Sordyl <kimsordyl@hotmail.com>
Sent: Tuesday, January 17, 2017 9:17 AM
To: nick@portlandoregon.gov; MayorScheduling@PortlandOregon.gov; Chloe@PortlandOregon.gov; dan@portlandoregon.gov; Amanda@portlandoregon.gov
Subject: Increase Auditor independence

City Leaders -

Please vote to increase the independence of the City Auditor. The campaign cost -- \$150k, will pay for itself given the waste already exposed by this department. The Auditor should not face threats of de-funding or control by departments it is investigating. As we have seen with the ONI, this position is necessary for responsible spending and building trust and accountability in Portland.

Thank you,

Kim Sordyl
NW Portland

Parsons, Susan

From: Hull Caballero, Mary
Sent: Monday, January 23, 2017 10:14 AM
To: Council Clerk – Testimony
Subject: FW: Message of support for changes in Auditor's Office

FYI

From: Deanna [mailto:deanna@involved.com]
Sent: Monday, January 23, 2017 12:07 AM
To: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Subject: Message of support for changes in Auditor's Office

I just sent the following message to City Council:

I urge you to support the City Auditor's proposed changes to give the Auditor's office the authority to really enforce conflicts of interest. This cannot happen until the Auditor's Office is independent from control (direct or indirect) from City Council. I strongly support the Auditor's proposals that would make this happen.

I tried to participate in the West End Planning process, and was tremendously frustrated by many members of the Stakeholder Advisory Committee (SAC) having UNDECLARED conflicts of interest – and voting in many instances for zone changes that would greatly increase the value of their own property. Without declaring their conflicts of interest. The Auditor's Office, after the fact, reported that there were indeed undeclared conflicts of interest on the SAC. But those practicing these conflicts of interest received no reprimand whatsoever and some never even filed (after the fact) the conflict of interest declarations that they were "required" to file. This situation continues to the present.

Another important issue is that the Independent Police Review Office and the Ombudsman Office have been assigned to the City Auditor's office. These need to be formalized as part of the Auditor's Office – and without delay.

The Auditor's Office needs to:

- Have legal counsel independent from the City Attorney.
- Have an independent budget (not overseen by the Budget Office which reports to City Council)
- To be able to make their own management decisions (including hiring of staff)

Changes need to be made – and as soon as possible - in the Charter, not just in city code (which City Council can change). Since any Charter changes must be approved by the public, I strongly support putting the proposal on the May 2017 Ballot. This issue has been studied enough, and changes should be implemented with absolute minimum delay.

In the name of good government, I trust City Council will do the right thing and give this important watchdog, the City Auditor's office, the tools to actually do its job.

THERE ARE TOO MANY UNCONTESTED CONFLICTS OF INTEREST IN PORTLAND CITY GOVERNMENT.

This not what Portland is about. You have the ability to change this. PLEASE do so as soon as possible.

Deanna Mueller-Crispin
1221 SW 10th Ave Unit 1013
Portland, Or 97205

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Monday, January 23, 2017 10:03 AM
To: Council Clerk – Testimony
Subject: FW: Make Auditor's office independent

From: Judy Bell [mailto:jbell1125@comcast.net]
Sent: Sunday, January 22, 2017 8:05 PM
To: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Subject: Make Auditor's office independent

I support a proposal by the Auditor to make the Auditor's office independent both in fact and in appearance in order to create real independence for the Auditor's office. I followed the CC2035/West End process and was appalled at the conflicts of interest findings by the Auditor's Ombudsman's office that had no actual power to implement response.

1. I SUPPORT THE CHARTER CHANGES TO END DEPENDENCY ON THE EXECUTIVE BRANCH.
2. SUPPORT PUTTING THE PROPOSAL ON THE MAY 2017 BALLOT, NOT A LATER ELECTION BALLOT.
3. Strongly feel THESE CHANGES should be made IN THE CHARTER, NOT TO THE CODE, which City Council can change.

Thank you for your consideration
Judith Bell
1221 SW 10th Avenue
Portland, OR 97205

Parsons, Susan

From: Elliot Shuford <Elliot.Shuford@oregonmetro.gov>
Sent: Friday, January 20, 2017 3:00 PM
To: Wheeler, Ted; Eudaly, Chloe; Commissioner Fish; Fritz, Amanda; Saltzman, Dan
Cc: Hull Caballero, Mary; Council Clerk – Testimony; Finn, Brendan; Crail, Tim; Schmanski, Sonia; Runkel, Marshall; Henderson, Maurice; Dennis, Kristin; Duhamel, Jamey
Subject: ALGA Letter in Support of Auditor's Charter Amendment
Attachments: ALGA Support Letter for Portland City Auditor.pdf

Mayor Wheeler and members of the City Council,

On behalf of the Association of Local Government Auditors, please see the attached letter in support of Auditor Hull-Caballero's proposed charter amendment.

Best Regards,

Elliot

Elliot Shuford, MPA
Oregon Liason for ALGA Advocacy Committee
Senior Management Auditor
Office of the Metro Auditor
600 NE Grand Avenue
Portland, OR 97232
503-797-1943



Association of Local Government Auditors

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MEMBER SERVICES

449 Lewis Hargett Circle
Suite 290
Lexington, KY 40503
Phone: (859) 276-0686
Fax: (859) 278-0507
www.algaonline.org

January 20th, 2017

Ted Wheeler, Mayor, City of Portland
City Commissioners, City of Portland
1221 SW 4th Avenue, Room 130
Portland, OR 97204

Dear Mayor Wheeler and City Commissioners,

The Association of Local Government Auditors (ALGA) is a professional organization representing over 350 member government audit organizations across the United States and Canada. ALGA is committed to supporting independent auditing within local governments. We have followed the Portland City Auditor's effort to strengthen the independence of the office and wish to express our support for the proposed charter amendment.

An independent local auditing function, operating under applicable professional auditing standards, plays a key role in effective governance and public accountability. It provides assurance to citizens and elected officials that scarce resources are protected by strong management controls and practices.

ALGA's [model legislation](#) for audit functions states that an auditor's budget should be submitted directly to the City Council. This aims to reduce threats to independence such as potential management interference in the auditor's operations through control or manipulation of its budget. In Portland, the auditor submits a budget through a city bureau, a situation the charter amendment rightly seeks to rectify.

Independence is critical because auditors may be called upon to issue reports that critique the effectiveness or efficiency of management's programs. If auditors are not independent in areas such as budget, they may encounter pressures from management to avoid certain topics or omit or change information in a report that is critical of a program. Such pressures can be particularly acute in situations in which auditors must seek permission or approval for certain administrative functions from a department or bureau being audited. The proposed charter amendment would ensure the auditor greater independence in areas such as human resource management, procurement and legal advice. Greater independence in these areas would assure both you and the public that the auditor's reports are objective, fair and complete.

We understand that there may be interest in strengthening the auditor's independence through changes to Portland's code rather than amendment to the charter. While this option may offer some appeal, it would not provide the same guarantee of structural independence for the auditor's office. We support the use

of the charter amendment process to protect the independence of your city auditor and encourage you to pass a resolution to this effect.

If you have any questions about this letter or any other issues concerning local government auditing, please contact either me at David.Givans@Deschutes.org or (541) 330-4674, or the chair of ALGA's Advocacy Committee, David G. Jones, at davidg.jones@seattle.gov or (206) 233- 1095.

Respectfully,



David Givans, ALGA President

Parsons, Susan

From: Maurice Rahming <Maurice@oneillelectricinc.com>
Sent: Friday, January 20, 2017 11:20 AM
To: Wheeler, Ted
Cc: Hull Caballero, Mary; Council Clerk – Testimony; Finn, Brendan; Crail, Tim; Schmanski, Sonia; Runkel, Marshall; Henderson, Maurice; Dennis, Kristin; Duhamel, Jamey
Subject: Proposal to Amend Charter to Protect Auditor's Independence Statement
Attachments: Wheeler.pdf

Mayor Ted Wheeler,

Please see my attached statement pertaining to Proposal to Amend Charter to Protect Auditor's Independence.

Thank you,
Maurice Rahming

37265



4444 SE 27th Ave. Portland, OR 97202
Phone: 503 493 6045 Fax: 503 460 0956
www.oneillconstructiongroup.com
OR CCB# 129027, OR MBE/DBE #2007,
WA LEI #ONEILEI961LJ, WA MBE/DBE #D3M0023312

Date:01/20/2017

RE: Proposal to Amend Charter to Protect Auditor's Independence

Mayor Ted Wheeler,

The Auditor's office plays a critical role, acting as the core oversight function for our city government. They need to have complete independence from politicians and politics in order to serve the citizens of Portland. We rely on the Auditor's Office to provide us with unbiased transparency into government spending. Currently the Office of Management and Finance, which routinely gets audited, has too much control over what gets funded and what does not through the budget process, essentially controlling the budget of the very office we rely on to do hold our government accountable. This decision should be solely left to the Auditor. I urge they Mayor and the Commissioners to adopt the Auditor's Charter proposal.

A handwritten signature in blue ink, appearing to read 'Maurice Rahming', is written over a horizontal line.

Maurice Rahming

commercial
residential
industrial

Parsons, Susan

From: Maurice Rahming <Maurice@oneillelectricinc.com>
Sent: Friday, January 20, 2017 11:26 AM
To: Saltzman, Dan
Cc: Hull Caballero, Mary; Council Clerk – Testimony; Finn, Brendan; Crail, Tim; Schmanski, Sonia; Runkel, Marshall; Henderson, Maurice; Dennis, Kristin; Duhamel, Jamey
Subject: Proposal to Amend Charter to Protect Auditor's Independence Statement
Attachments: Saltzman.pdf

Commissioner Saltzman,

Please see my attached statement pertaining to the Proposal to Amend Charter to Protect Auditor's Independence.

Thank you,
Maurice Rahming

37265



4444 SE 27th Ave. Portland, OR 97202
Phone: 503 493 6045 Fax: 503 460 0956
www.oneillconstructiongroup.com
OR CCB# 129027, OR MBE/DBE #2007,
WA LEI #ONEILEI961LJ, WA MBE/DBE #D3M0023312

Date:01/20/2017

RE: Proposal to Amend Charter to Protect Auditor's Independence

Commissioner Saltzman,

The Auditor's office plays a critical role, acting as the core oversight function for our city government. They need to have complete independence from politicians and politics in order to serve the citizens of Portland. We rely on the Auditor's Office to provide us with unbiased transparency into government spending. Currently the Office of Management and Finance, which routinely gets audited, has too much control over what gets funded and what does not through the budget process, essentially controlling the budget of the very office we rely on to do hold our government accountable. This decision should be solely left to the Auditor. I urge they Mayor and the Commissioners to adopt the Auditor's Charter proposal.

A handwritten signature in blue ink, appearing to read 'Maurice Rahming', is written over a horizontal line.

Maurice Rahming

commercial
residential
industrial

Parsons, Susan

From: Maurice Rahming <Maurice@oneilleelectricinc.com>
Sent: Friday, January 20, 2017 11:24 AM
To: Fritz, Amanda
Subject: Proposal to Amend Charter to Protect Auditor's Independence Statement
Attachments: Fritz.pdf

Commissioner Fritz,

Please see my attached statement pertaining to the Proposal to Amend Charter to Protect Auditor's Independence.

Thank you,
Maurice Rahming



4444 SE 27th Ave. Portland, OR 97202
Phone: 503 493 6045 Fax: 503 460 0956
www.oneillconstructiongroup.com
OR CCB# 129027, OR MBE/DBE #2007,
WA LEI #ONEILEI961LJ, WA MBE/DBE #D3M0023312

Date:01/20/2017

RE: Proposal to Amend Charter to Protect Auditor's Independence

Commissioner Fritz,

The Auditor's office plays a critical role, acting as the core oversight function for our city government. They need to have complete independence from politicians and politics in order to serve the citizens of Portland. We rely on the Auditor's Office to provide us with unbiased transparency into government spending. Currently the Office of Management and Finance, which routinely gets audited, has too much control over what gets funded and what does not through the budget process, essentially controlling the budget of the very office we rely on to do hold our government accountable. This decision should be solely left to the Auditor. I urge they Mayor and the Commissioners to adopt the Auditor's Charter proposal.



Maurice Rahming

commercial
residential
industrial

Parsons, Susan

From: Maurice Rahming <Maurice@oneillelectricinc.com>
Sent: Friday, January 20, 2017 11:23 AM
To: Commissioner Fish
Cc: Hull Caballero, Mary; Council Clerk – Testimony; Finn, Brendan; Crail, Tim; Schmanski, Sonia; Runkel, Marshall; Henderson, Maurice; Dennis, Kristin; Duhamel, Jamey
Subject: Proposal to Amend Charter to Protect Auditor's Independence Statement
Attachments: Fish.pdf

Commissioner Fish,

Please see my attached statement pertaining to the Proposal to Amend Charter to Protect Auditor's Independence.

Thank you,
Maurice Rahming



4444 SE 27th Ave. Portland, OR 97202
Phone: 503 493 6045 Fax: 503 460 0956
www.oneillconstructiongroup.com
OR CCB# 129027, OR MBE/DBE #2007,
WA LEI #ONEILEI961LJ, WA MBE/DBE #D3M0023312

Date:01/20/2017

RE: Proposal to Amend Charter to Protect Auditor's Independence

Commissioner Fish,

The Auditor's office plays a critical role, acting as the core oversight function for our city government. They need to have complete independence from politicians and politics in order to serve the citizens of Portland. We rely on the Auditor's Office to provide us with unbiased transparency into government spending. Currently the Office of Management and Finance, which routinely gets audited, has too much control over what gets funded and what does not through the budget process, essentially controlling the budget of the very office we rely on to do hold our government accountable. This decision should be solely left to the Auditor. I urge they Mayor and the Commissioners to adopt the Auditor's Charter proposal.

A blue ink signature, likely of Maurice Rahming, consisting of stylized, overlapping strokes.

Maurice Rahming

commercial
residential
industrial

Moore-Love, Karla

From: Calderwood, Amy <Amy.Calderwood@kingcounty.gov>
Sent: Friday, January 06, 2017 11:14 AM
To: Wheeler, Ted; Eudaly, Chloe; Commissioner Fish; Fritz, Amanda; Saltzman, Dan
Cc: Hull Caballero, Mary; Council Clerk – Testimony; Finn, Brendan; Crail, Tim; Schmanski, Sonia; Runkel, Marshall; Henderson, Maurice; Dennis, Kristin
Subject: US Ombudsman Association Support for placing Ombudsman in Charter, adding safeguards to protect independence
Attachments: USOA Portland Ombudsman Charter Support.pdf

Greetings,

The United States Ombudsman Association Board of Directors supports placing the Portland Ombudsman in the Portland City Charter. Our letter detailing our support is attached.

The USOA Board of Directors is available in the event the Mayor or Councilmembers have any questions about our support for the proposal.

Best regards,

Amy Calderwood

USOA Outreach and Development Chair and
Ombudsman—Director

King County Ombudsman's Office

516 Third Avenue, Room W-1039

Seattle, WA 981904

206-477-1054

www.kingcounty.gov/operations/ombudsman



King County

The Ombudsman's Office is subject to the Public Records Act (RCW 42.56). All emails, written documents, and phone messages submitted to this office may be subject to a Public Records request. The Ombudsman's Office may, in some circumstances and to the extent allowed by law, assert the confidentiality of communications to our office; however, if you wish your communications to be confidential or anonymous, please consider scheduling an in-person meeting instead.

For more information about the Ombudsman's Office, please visit our website at www.kingcounty.gov/operations/ombudsman



United States Ombudsman Association

Business Office – 5619 N.W. 86th St., Ste. 600

Johnston, Iowa 50131-2955

Phone – 515-225-2323 Fax – 515-327-5050

E-mail – usoa@assoc-serv.com

January 5, 2017

Mayor Ted Wheeler
 Commissioner Chloe Eudaly
 Commissioner Nick Fish
 Commissioner Amanda Fritz
 Commissioner Dan Saltzman
 Portland City Council
 1221 S.W. 4th Ave.
 Portland, OR, 97204

Dear Mayor Wheeler and City Commissioners:

On behalf of the United States Ombudsman Association (USOA), we are writing to express our support for the Auditor's proposed City Charter amendments. The proposed revisions are necessary to protect the independence and effectiveness of the Ombudsman's Office, which is housed in the Auditor's Office. The Ombudsman provides a unique benefit to the community by safeguarding the rights of individuals and promoting fairness and justice in the provision of city services.

We would like to highlight three key components of the proposed Charter amendments:

1. **Placement in City Charter.** Formalizing the Ombudsman's organizational independence in Portland's constitution reflects a best practice. It will provide the Ombudsman's Office a strong measure of independence and allow it to scrutinize administrative acts without fear of retribution. In the 16 years since the Ombudsman was established in the Auditor's office, it has proven to be a valuable resource for the public and a strong exponent of good government. Placing the Ombudsman in Charter recognizes the value of the Office and supports the continuation of its important work.
2. **Independent legal counsel.** Currently, the Ombudsman and the agencies it investigates rely on the same legal counsel. There are often situations where the Ombudsman's position is adverse to that of an agency. For that reason, the Ombudsman should be able obtain independent legal advice that is based on the mission and interests of the Ombudsman's Office.

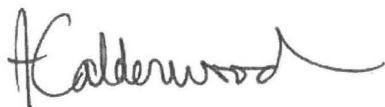
3. **Budgetary independence.** Offices that hold government accountable are often at risk of insufficient funding and line-item political interference. Having an independent budget or budgeting process ensures adequate and stable funding and sends a clear message that the City is committed to accountable and transparent government. An independent budgeting model protects the integrity of the Ombudsman and provides assurance to the public that the Ombudsman's Office can be trusted as an independent institution, beholden only to the cause of good governance.

In conclusion, the USOA supports the Auditor's proposed Charter amendments and urges the City Council to refer the proposal to the voters. We are confident the changes will add important safeguards to the Ombudsman's Office and aid the good work that it does on behalf of Portlanders. We are available to provide any information or assistance that you need as the Council considers the proposal.

Sincerely,



Robin K. Matsunaga
President, United States Ombudsman Association
Ombudsman, State of Hawaii



Amy Calderwood
Director, Outreach and Development, United States Ombudsman Association
Ombudsman – Director, King County Ombudsman's Office, Washington



January 5, 2017

To: Mayor Ted Wheeler
Commissioner Chloe Eudaly, Nick Fish, Amanda Fritz, and Dan Saltzman

Dear Mayor and Commissioners,

The National Association for the Civilian Oversight of Law Enforcement (NACOLE) supports the Portland City Auditor's proposal to amend your Charter to include police oversight as a general duty and authorize the Auditor to seek independent legal counsel.

Portland's Independent Police Review has been in the Auditor's Office for 15 years and should have Charter protection to meet the public's expectation for police accountability and increased trust in the Portland Police Bureau. The Auditor also should be able to seek legal expertise from an accountability perspective that is separate and distinct from advice given to the Police Bureau.

Established in 1995, NACOLE is a not-for-profit association of law enforcement oversight agencies and practitioners that works to enhance accountability and transparency in policing and build community trust through civilian oversight. To further our mission, we hold an annual conference to exchange information and ideas about issues facing civilian oversight and law enforcement. NACOLE also offers year-round training, support, and professional growth and development opportunities for oversight practitioners in the U.S. and other countries.

Civilian oversight provides a mechanism to bring together the many stakeholders involved in supporting trusted, respectful, and effective law enforcement efforts. Oversight breaks down the walls between police and the public, enhancing understanding by reminding police that they ultimately serve the public's interests and educating the community on the unique and difficult challenges officers encounter every day. While the public discourse and rhetoric has turned ugly in places, civilian oversight practitioners constantly strive to work collaboratively with all interests involved to ensure careful, unbiased evaluation of facts and policies, and to achieve solutions that build public trust and promote effective policing.

I urge you to invest in the relationship between the public and the Portland Police Bureau by providing Charter protection for Independent Police Review and the option for the Auditor to seek independent legal advice.

Should you have questions or would like to consult with NACOLE on this matter, you can contact me directly by phone or email at 617.254.8331 or bcorr@nacole.org.

Best regards,

Brian Corr
President

cc: Mary Hull Caballero, City Auditor
Constantin Severe, Independent Police Review Director

P.O. Box 87227 ♦ Tucson, Arizona 85754 ♦ (317)721-8133
E-mail: info@nacole.org ♦ Website: www.nacole.org

Moore-Love, Karla

From: ATKINS Jeanne <jeanne.atkins@state.or.us>
Sent: Wednesday, December 28, 2016 4:45 PM
To: Wheeler, Ted; Eudaly, Chloe; Commissioner Fish; Fritz, Amanda; Saltzman, Dan
Cc: Hull Caballero, Mary; Council Clerk – Testimony; Finn, Brendan; Crail, Tim; Schmanski, Sonia; Runkel, Marshall; Henderson, Maurice; Dennis, Kristin
Subject: Auditor Independence
Attachments: 20161228 Auditor Independence PDX.pdf

To: Mayor Ted Wheeler
 Commissioner Chloe Eudaly
 Commissioner Nick Fish
 Commissioner Amanda Fritz
 Commissioner Dan Saltzman

I write in support of the Auditor's proposal to reaffirm and more clearly establish the independence of the Auditor's Office in the City of Portland's Charter.

My tenure as Secretary of State informs this opinion. Like Portland's elected auditor, which is a separately elected official, the Oregon Secretary of State is a constitutional officer with separate and distinct responsibilities. As the Secretary of State, my responsibilities are solely to the people of Oregon. Obviously the Secretary of State is governed by the Constitution and by established law, but the Legislature has no authority to place my office's responsibilities either directly or indirectly in the hands of any other official or executive branch department.

The responsibilities of the Secretary for auditing public funds gives the office a primary responsibility for assuring good government in Oregon. The office's ability to credibly watchdog public spending and government performance and therefore to ensure Oregon taxpayers receive maximum value for their tax dollars depends on having structural independence from the Governor and her appointees as well as independent responsibilities that cannot be touched by the Legislature. Secretaries of State have vigilantly guarded this independence because the power to control and manage our own internal functions is fundamental to faithfully executing our constitutional duties.

Portlanders likewise expect their elected Auditor to have an arm's length relationship to the rest of City government. It's this distance that allows the Auditor to conduct independent and impartial audits and investigations. It is difficult to assure that this distance is maintained if it is not reflected in the Auditor's organizational structure and preserved in Charter.

The parallels to the role of the Secretary of State may not be perfect. And Portland's commission form of government makes designing structural independence a more creative exercise in certain areas, such as the Auditor's budget, but working on such a design is also an especially important one. The well-defined separation between the Secretary of State and the Department of Administrative Services serves as a useful model for how the City of Portland could structure the relationship between the Portland Auditor and the Office of Management and Finance. The Secretary of State has the authority to adopt its own system of personnel administration, separate from the state's personnel administration. Likewise, the Secretary of State has the authority to act independently in the means it chooses for meeting legal requirements related to procurement. In practice, we strive to act consistently with other state agencies, or to exceed their requirements. But because the Secretary cannot be required to follow the "directives" of officers appointed by the Governor, we retain the ability to deviate where it better serves the needs and mission of our office.

I understand that there are a number of specific issues related to the Portland Commission's role that need to be carefully considered as you move forward. But I urge you to support a proposal to amend City Charter and refer the question to the voters. Portlanders deserve and expect an independent watchdog.

Sincerely,

A handwritten signature in cursive script that reads "Jeanne P. Atkins". The signature is written in dark ink and is positioned above the printed name.

Jeanne P. Atkins
Oregon Secretary of State

JEANNE P. ATKINS
SECRETARY OF STATE



SECRETARY OF STATE
136 STATE CAPITOL
SALEM, OREGON 97310-0722

Phone 503-986-1500

December 28, 2016

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Sincerely,

A handwritten signature in cursive script that reads "Jeanne P. Atkins". The signature is written in dark ink and is positioned above the printed name and title.

Jeanne P. Atkins
Oregon Secretary of State

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Friday, December 09, 2016 3:15 PM
To: Council Clerk – Testimony
Subject: FW: Email supporting Audit changes

FYI for January

-----Original Message-----

From: Josh Berkus [mailto:josh@berkus.org]
Sent: Wednesday, December 07, 2016 8:43 PM
To: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Subject: Email supporting Audit changes

Mr. Caballero:

I don't have time to attend your town halls. However, this email is in full and unequivocal support to the proposed changes to make the Auditor's office more independent. If it comes to an initiative, I will vote for it.

--Josh Berkus
Roseway, Portland, OR

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Wednesday, December 07, 2016 4:42 PM
To: Council Clerk – Testimony
Subject: FW: Give Auditor authority needed to hold Portland govt. accountable

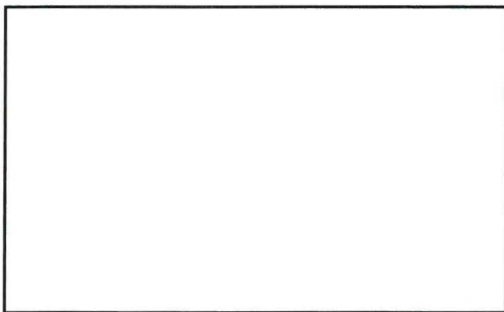
FYI for January 2017!

From: Kim Sordyl [mailto:kimsordyl@hotmail.com]
Sent: Wednesday, December 07, 2016 9:01 AM
To: Hales, Mayor <mayorcharliehales@portlandoregon.gov>; Commissioner Fish <nick@portlandoregon.gov>; Commissioner Fritz <amanda@portlandoregon.gov>; Commissioner Novick <novick@portlandoregon.gov>; Commissioner Saltzman <dan@portlandoregon.gov>; Commissioner Eudaly <chloe@portlandoregon.gov>
Cc: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>; Slovic, Beth <bslovic@wwweek.com>; dontshootportland@gmail.com; tamberlee tarver <tamtav7@gmail.com>
Subject: Give Auditor authority needed to hold Portland govt. accountable

City Leaders -

Please give the City Auditor the autonomy and authority she needs in order to fulfill her duties to our community. The City Attorney should be removed from decisions regarding the Auditor.

<http://www.wwweek.com/news/city/2016/12/07/hotseat-mary-hull-caballero-portlands-elected-auditor-wants-more-independence/>



Hotseat: Mary Hull Caballero, Portland's Elected Auditor, Wants More Independence

www.wwweek.com

Next month, Portland's elected auditor, Mary Hull Caballero, will ask the City Council to refer a charter amendment to voters in May 2017 that she says would give the auditor more control over the office's budget—and help it avoid conflicts of interest.

Thank you,
 Kim Sordyl
 NW Portland

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Friday, December 09, 2016 4:51 PM
To: Council Clerk – Testimony
Subject: FW: I support open, accountable elections!

From: Jacob Sherman [mailto:info@actionnetwork.org]
Sent: Friday, December 09, 2016 3:25 PM
To: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Subject: I support open, accountable elections!

Mary Hull Caballero,

I am asking you to support the Open and Accountable Elections Reform. As someone who lives in Portland and is a member of our community, it is important to me that every person's voice is heard in our elections.

Right now, our democracy is out-of-balance. Candidates are forced to spend more and more time raising money from wealthy donors and special interests. That creates barriers for ordinary people like me to be heard, and for people from marginalized backgrounds to be able to run for office and to represent their own communities.

Open and Accountable Elections is the reform we need. By matching small donations from people living in our city, candidates can raise enough money to run for office. They can spend more time campaigning in every neighborhood, and engaging more people in our democracy. And this reform will empower candidates from low-income and underrepresented backgrounds to have a chance to serve Portland.

Small donor matching is tested, vetted, and proven. It has worked all across this nation, and places like New York City, Los Angeles, Connecticut and Maine have seen the positive impacts of engaging more people in democracy.

I hope that you will support bringing small donor matching to Portland. We need Open and Accountable Elections in our city. I am counting on you to pass this reform when it comes up for a vote at the City Council.

37265

Thank you for your service to our community.

Jacob Sherman

jdbsherman@gmail.com

6602 SE 62nd Avenue

Portland, Colorado OR, 97206

Parsons, Susan

From: City Auditor, Mary Hull Caballero
Sent: Friday, December 09, 2016 3:07 PM
To: Council Clerk – Testimony
Subject: FW: I support open, accountable elections!

From: Judy Probber [mailto:info@actionnetwork.org]
Sent: Friday, December 09, 2016 1:25 PM
To: City Auditor, Mary Hull Caballero <AuditorHullCaballero@portlandoregon.gov>
Subject: I support open, accountable elections!

Mary Hull Caballero,

I am asking you to support the Open and Accountable Elections Reform. As someone who lives in Portland and is a member of our community, it is important to me that every person's voice is heard in our elections.

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I hope that you will support bringing small donor matching to Portland. We need Open and Accountable Elections in our city. I am counting on you to pass this reform when it comes up for a vote at the City Council.

Thank you for your service to our community.

Judy Probbler

jfrick3@aol.com

10957 SW 121 Ave

Tigard, Oregon 97223