

Parsons, Susan

From: TERESA MCGRATH <bone1953@msn.com>
Sent: Wednesday, November 08, 2017 10:28 AM
To: Council Clerk – Testimony
Subject: recusal

hi cc testimony,

"Guess what's illegal in Seattle, San Francisco, Los Angeles and San Diego? Voting to give yourself millions while serving on a city advisory committee. Yet, it's currently legal in Portland to vote on your own or your client's financial interests while serving on a city advisory committee. Portland City Council must make this illegal by requiring advisory committee members to recuse themselves from voting on their own or their clients' financial interests."

http://www.oregonlive.com/opinion/index.ssf/2017/11/portland_should_require_more_t.html



Portland needs more transparency from
citizen advisers: Guest opinion

www.oregonlive.com

Portland must remove the influence of money in our
advisory committees, commissions and boards.

thx

teresa mcgrath and nat kim

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Parsons, Susan

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From: lichenocyan <lichenocyan@yahoo.com>
Sent: Wednesday, November 08, 2017 5:14 AM
To: Council Clerk – Testimony; Wheeler, Mayor; Commissioner Fish; Commissioner Fritz; Commissioner Eudaly; Commissioner Saltzman; Planning and Sustainability Commission; Landoe, Brian; City Auditor, Mary Hull Caballero; Anderson, Susan; BDS Web mailbox; Treat, Leah; michael.jordan@portlandoregon.gov; IntermDirector.Esau@portlandoregon.gov
Subject: [Approved Sender] Transparency and Ethical Issue regarding "advising" the city

City Government Officials

I was shocked to read the Guest Editorial in the Oregonian by Tracy Prince and Stanley Penkin regarding the **lack of ethics** of people on advisory committees for the city. (I have pasted it below for you to read) **This needs to be addressed immediately and corrected.** Advisors lining their pockets by giving advice that favors their financial interests rather than an objective view and one that takes all the citizens of Portland into consideration is **a form of corruption.**

I support everything the article said regarding Best Practices that Portland should adopt to provide transparency and get money out of the decision making process for advisory committees, commissions and boards. I'd like to see you take a strong stance that not only creates ethical standards and transparency for decision making but also include fines and jail time for people not adhering to these standards. The laws/policies have already been written by major cities on the west coast so it should be easy to expatiate these changes.

I'd also like you to **strike as null any policy or decision that was made by advisors who gained financially from the advice they gave.** Then get non biased advisors and revisit and revise if necessary those decisions.

I have felt for a number of years that developers seemed to have undue influence with the city in Building Codes, the Tree Code, the Infill Project etc. The fact that the City Ombudsman states the West Quadrant Stakeholder Advisory Committee had financial interests in the projects they were advising about should be enough for you take action. Even if it means revisiting thousands of decisions - this needs to be done. I have sent this to department heads also because they are part of this solution too. The citizens of Portland elected you to carry out your job with integrity which means rectifying past decisions made by unethical advisors. I hope you will take this matter very seriously and start making the changes necessary to address this corruption in the city infrastructure.

Sincerely

B. Dugan

Native of Portland (1950's)

p.s. I would like to get a personal email back from at least one of you that makes me feel I am truly being heard.

Portland needs more transparency from citizen advisers: Guest opinion

Updated Nov 7, 4:37 PM; Posted Nov 7, 11:30 AM

On Wednesday, the Portland City Council will consider a new requirement that members of city committees and advisory councils recuse themselves on decisions that could benefit them or their clients. (*Beth Nakamura/Staff*)

BY TRACY PRINCE and STANLEY PENKIN

Guess what's illegal in Seattle, San Francisco, Los Angeles and San Diego? Voting to give yourself millions while serving on a city advisory committee. Yet, it's currently legal in Portland to vote on your own or your client's financial interests while serving on a city advisory committee. Portland City Council must make this illegal by requiring advisory committee members to recuse themselves from voting on their own or their clients' financial interests.

As the City Ombudsman has stated - and local media reported -- members of the West Quadrant Stakeholder Advisory Committee had financial interests in specific properties or had been hired by developers of those properties. Thus, the "advice" they gave to raise heights, remove long-standing protections for view corridors and increase floor area ratios was ethically-conflicted advice. We have little doubt that conflicts of interest have occurred on other committees as well since the city lacks specific city rules for advisory committees. Portland shouldn't be doing business this way.

In Seattle, Los Angeles and San Diego, these "advisers" would receive a hefty fine for voting to benefit themselves or their clients. In San Francisco, they could receive jail time. In most of these cities, advisory committee members must recuse themselves if they have direct *or indirect* financial interests in the matter being discussed.

In Los Angeles, a committee member who has more than three recusals in a year indicates a "significant and continuing conflict," which requires that member to quit committee service. That prevents those with patronage relationships from advocating for their clients' interests, such as architects who serve on commissions and advocate for developers who frequently hire them.

In Seattle, you can't bid on a competitive process for a year, if, as an advisory committee member, you helped design the contract, the scope of work or the process to be used. In San Diego and Seattle, advisory committee members must recuse themselves if a client or anyone who has paid them more than \$500 in the past year has a financial stake in the matter.

These are best practices that Portland should be emulating.

We agree with the Oregon League of Women Voters' stated goal for 2017 to protect "democracy by minimizing the influence of money in politics." Portland must remove the influence of money in our advisory committees, commissions and boards. Portland should be at least as ethical and transparent as these other major West Coast cities by requiring recusals and asking those who stand to gain financially to leave the room during discussions.

It's inexcusable how far Portland lags behind other cities. We are the only major West Coast city that allows people to vote to give themselves or their clients more money while "advising" the city. We admire the council's efforts to bring greater transparency to the committee process and appreciate the addition of a disclosure requirement. But, Portland City Council must also include required recusals as the law.

As City Council now deliberates on changing the way advisory committees function, this is the opportunity for our city to get it right.

Tracy Prince, Ph.D., is a historian and vice president of the Goose Hollow Foothills League. She lives in Southwest Portland. Stanley Penkin is an arts and community activist who lives in Northwest Portland.

Parsons, Susan

From: Angie Even <justmeng@gmail.com>
Sent: Tuesday, November 07, 2017 4:04 PM
To: Council Clerk – Testimony
Subject: City Council Item 1212 - Nov. 8, 2017 Testimony

November 7, 2017.

Re: Item 1212 Enhance community service opportunities and strengthen the transparency and accountability of City advisory bodies - Previous Agenda 1185.

Dear Mayor Wheeler and City Councilors:

Portland has an opportunity to improve its policies in a bold way. This discussion is a small step toward reform, but does not go far enough. Transparency and Accountability will not be achieved unless steps are taken to not only identify City advisory members who have conflicts, but to also require those members to recuse themselves from deliberations and decision making.

If community member expertise is needed to inform a process, the inclusion of those members makes sense. Past an informational or advisory role, those members with conflicts should not be allowed to participate in discussion where they have the ability to sway opinion or to vote on any recommendation that would be passed on to a governing body.

The City of Portland's current Advisory Committee process lacks public trust. The relationship is adversarial. Citizens of Portland who feel a civic responsibility to advocate within the city are frustrated by the inequitable composition of committees and their lack of balance. A policy that recuses those members with conflicts of interest would help to mend some of that erosion of public trust.

I ask each of you to be bold. Change is often bold. If reform is possible, Portland must be bold.

Respectfully,

Angie Even

CITY ADVISORY BODIES (CITIZEN BOARDS & COMMISSIONS)

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print) ADDRESS AND ZIP CODE (Optional) Email (Optional)

✓ Tracy Pringe		
✓ JERRY PARKER	P.O. Box 13503	
John Hollister	526 NW 13th Ave	
✓ MARK VELKY	1000 SW VISTA AVE APT. #712	PORTLAND, OR. 97205-1137
✓ Daniel Salomon		
✓ MARY SIPE		
✓ Robert Wright	1221 SW 10th Ave, #505 Portland, OR 97205	wright-stuff@comcast.net
✓ Margaret Noel	2941 NW Quimby St. Portland 97210	mrgtnoel@comcast.net
left Linda Nettikoven	2018 SE Ladd Ave P+1nd 97214	
✓ Roger Leachman	742 SW Vista Ave #36	



The League of Women Voters of Portland

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DATE: October 4, 2017

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

FROM: League of Women Voters of Portland
Frances Dyke and Doreen Binder, Co-Presidents
Debbie Aiona, Action Committee Chair
Margaret Noel, Communications Co-Chair

RE: City Advisory Bodies' Accountability/ Transparency

The League of Women Voters of Portland believes that there are many good recommendations in the documents on uniform policies for City advisory bodies developed by the Office of Neighborhood Involvement along with the staff of Commissioners Fish, Eudaly and Fritz, the City Attorney's Office and the Office of Equity and Human Rights—and with expected additions from the Public Involvement Advisory Council. However, we have concerns about some sections in the Bylaws Template—particularly the section on term limits.

Although we appreciate that the limit on years of consecutive service has been extended to eight years for Type I and Type III advisory bodies, we continue to believe that mandating term limits for all advisory groups is a poor policy. In the advisory groups we have observed, we value the contributions of the experienced members who understand the history of complex issues, as well as the fresh ideas and perspectives offered by new members. Both viewpoints are needed to guide the deliberations of the group. We believe that each group should have the flexibility to shape its own policies on term limits. We strongly oppose a mandatory two-year break after eight consecutive years of service. Also, we note that the Council recently established the new Portland Committee on Community-Engaged Policing (PCCEP), which does not have term limits.

An example of one way to foster diversity and fresh perspectives, but retain expertise in a group without term limits is the process for selecting members of the Citizen Review Committee. The CRC Selection Committee considers both demographics and experience in selecting CRC members. As it reviews the applications from nominees, the selection committee must decide which appointments will cause the CRC to best reflect the make-up of the community. CRC members serve staggered terms of three years, at which time they may be reappointed or replaced, depending on the needs of the whole CRC. They are replaced if there is another nominee whose participation would improve the

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

diversity of the CRC. We hope that the uniform Bylaws Template will be revised to offer other advisory bodies the flexibility to adopt a process like this.

The language in the Bylaws Template regarding conflicts of interest only applies to disclosures of business and financial conflicts required by Oregon law. We certainly agree financial conflicts must be disclosed. However, we also believe that such conflicts of interest should not require recusal, if advisory bodies do not make the final decisions. These groups should consider all the effects of policy changes, as they formulate recommendations for the City Council or other decision-makers. We realize that many people who want to serve on advisory bodies have other interests in the issues, which do not involve financial gains or losses. We hope that the make-up of advisory groups will be balanced with people who have experiences living, visiting or volunteering in the affected communities. Information on the backgrounds and interests of all members, as entered on their applications, should be public. In the Public Records section of the Bylaws Template, we would like to see the addition of a requirement that all formal correspondence should include, as an attachment, the names, affiliations and other connections of all the members of the advisory group, and a record of how each of these members voted on any recommendations. Although this information may be included in the minutes of the group's meetings, it would be easier for commissioners and the public to find, if it is included with the recommendations.

Finally, you are considering whether to assign coordination of the implementation of the new guidelines to Office of Neighborhood Involvement and whether to fund a new position to work across bureaus and with PIAC to support the new uniform policies. If ONI becomes the coordinating agency, we urge you to assure that the public, the advisory committees themselves, PIAC and the Office of Equity and Human Rights will continue to be involved in fine-tuning the new policies and deciding how they will be implemented.

The League strongly supports efforts to improve the transparency and effectiveness of advisory bodies; we hope you will consider our suggestions to add alternatives to term limits to the Bylaws Template and to improve the balance and enhance the transparency of advisory groups by also adding a requirement to publicly list all the interests and votes of group members with the transmittal of their recommendations.

Testimony for the Portland City Council

October 4, 2017

Item 1100: Strengthen transparency and accountability of City advisory bodies (Resolution)

My name is Robert Wright. I am a proud native of Portland and have lived in the West End for over 11 years.

Commissioner Fish, Commissioner Eudaly, Commissioner Fritz – thank you very much for your leadership to strengthen the transparency and accountability of City advisory bodies, and by direct extension, that of City government. Weakness in these fundamental pillars of good governance were identified and confirmed in the Central City 2035 planning process, but could have occurred in other advisory bodies.

The public's trust in government from federal through the city levels is at low ebb across the Nation. Portland must shed the weight of conflicts of interest, favoritism, hidden agenda and the perception of "good 'ol boy" decision making. Report and recuse must be the backbone of your proposed resolution: reporting financial interests and recusal from voting on recommendations that may impact those interests.

The proposed resolution has a chink in its armor – recusal from voting. As drafted, members could vote on recommendations that pose actual or potential conflicts of interest. Such voting must be prohibited and codified in Exhibit D under General Operating Procedures, with the proviso that the entire vote on a recommendation will be null and void if later determined that interest-conflicted voting had taken place.

Again, thank you for your work on this very important matter.

TERRY PARKER
P.O. BOX 13503
PORTLAND, OREGON 97213-0503

87328

Subject: Testimony to the Portland City Council related to under representation, equity, transparency and accountability of city advisory bodies, October 4, 2017

Frequently, I have labeled many of Portland's Citizen Advisory committees as "stacked decks" with the majority of seats at the table representing special interest agendas.

A recent example of this trend was the Residential Infill Project Stakeholder Advisory Committee organized under the auspices of then Mayor Charlie Hales. This committee was heavily weighted with developer interests. The broad range of community interests were under represented. The committee embarked on a direction with end results that distinctly reflected developer objectives.

Some of the Comp Plan Stakeholder Advisory Committees also had a tendency to be slanted as to their focus and perspective.

Where stacking the deck predominantly runs rampant is when it involves transportation issues. Although the citizen involvement may be equitably diverse as it relates to race and gender, stacking the deck has been all about fostering social engineering. No way does this represent an accurate makeup of the means by which the majority of people move about in Portland.

Equity is discriminately absent as it relates to travel mode. While there are usually one or more seats at table for all the alternative modes; and while 75 to 80 percent of the trips in Portland are made by utilizing a car or truck; most if not all PBOT committees are entirely deficient of specific representation for drivers who through the gas tax, are the primary financial stakeholders for all Transportation System projects. At the Planning and Sustainability Commission, one of commissioners has a well known reputation as one of the most vociferous car haters in the city.

There is a multiplicity of the types of equity. What other sector of city government wholly rebuffs and snubs fiscal stakeholder equity and representation? Citizen advisory bodies need to proportionally reflect the makeup of the community. At PBOT, that must include seats at the table that proportionally reflect the mode split thereby including the transport taxpaying stakeholder motorists as opposed to just beneficary non-taxed mode representation.

I support the intent of this resolution to clearly define transparency and accountability of city advisory bodies. What still may need some work is to include language that requires all types of equity.

Respectfully submitted

Terry Parker
Northeast Portland

Moore-Love, Karla

From: Meg Merrick <meg.merrick@gmail.com>
Sent: Tuesday, October 03, 2017 7:16 AM
To: Moore-Love, Karla
Subject: Support changes to serving on city committees

I strongly support the proposed changes that require ongoing financial disclosures for those serving on City committees. This does not go far enough however. Members must be required to recuse themselves from any decisions for which they have conflicts of interest.

Meg Merrick
3627 SE Cooper St
Portland, OR 97202

Sent from my iPhone

Moore-Love, Karla

From: Dean P. Gisvold <deang@mcewengisvold.com>
Sent: Wednesday, October 04, 2017 1:06 PM
To: Moore-Love, Karla
Subject: Conflict of Interest on SAC

Mayor and Commissioners

I understand that the council will consider an ordinance to deal with SACs and the conflict of interests of SAC members.

It seems to be that if a member will or could gain financially on a matter coming before the SAC he/she should not be allowed to vote on such matter. Financial gain is a conflict of interest, and should be treated as such, even for SAC members.

For example, the developers on the RIPSAC will benefit financially big time if the RIP is passed by the council with increased density in every R-5 zone. No question about it. They cannot wait for such vote.

Please strengthen the conflict of interest rules. Thanks.

Dean Gisvold
Irvington resident and chair of land use committee. My comments and not those of the committee.

Sent from my iPad