



brentwood-darlington
neighborhood association

July 17th, 2019

Dear Portland City Commissioners and Auditor:

The board of Brentwood-Darlington Neighborhood Association (BDNA) writes to express its concerns regarding the planned changes to Portland City Code 3.96.

Before and during the code change process for 3.96, the Office of Community and Civic Life (Civic Life) has lacked transparency and communication. This highlights the ongoing pattern of Civic Life's failure to uphold its code-specified responsibilities ¹, as detailed in the 2016 audit by Mary Hull Caballero ². Despite a change in Commissioner and Director, these code violations have continued, causing Neighborhood Associations (NAs) to struggle to attract diverse membership and communicate with neighbors in appropriate languages.

The audit also shows a severe mismanagement of funds within Civic Life, resulting in extremely inequitable financial distributions, favoring affluent, gentrified neighborhoods. Instead of taking responsibility for previous mistakes and implementing safeguards, Civic Life has vilified NAs and is working diligently to remove them from city code. In doing so, Civic Life is not only removing their responsibilities, but also their power. NAs and other civic organizations that engage with Civic Life will no longer be required to adhere to important standards, including requirements for open meetings, public records, and non-discriminatory practices. This is very concerning, as the strength of existing 3.96 was invoked only recently to prevent discriminatory bylaw amendments. ^{3,4}

Starting with the rebranding, Civic Life has shown a disregard for public input and due process. The proposed language is lofty and unclear, more reminiscent of a vision statement or Good Neighbor Agreement than legally binding city code. It also gives an excessive amount of unchecked personal power to the Director, including the power to decide which organizations will be recognized within other bureaus now and in the future.

Early in the code change process, Civic Life conducted five minimally attended conversations regarding code 3.96. It also offered a digital survey that was removed early and whose results were not publicized. Despite claims that communications were sent, NAs were not convened as a group regarding this code change. Multiple NAs report never receiving communications and Civic Life has not provided any evidence of such communications. Committee 3.96 has been inconsistent with information, updating language as late as July 16, 2019 with a meeting to vote on it scheduled for July 18, 2019, less than seven days' public notice.

Rather than removing Portland's only geographically representative groups from Code 3.96, Civic Life should update the existing language to welcome additional groups that represent cultural and social identities. Code requirements for open meetings, public records, and non-discriminatory practices should be applied to all organizations connecting with Civic Life and not left to the Director's discretion. These code changes would empower NAs and non-geographically specific groups to collaborate to make Portland a better place for all residents.

As currently written, the code will do the opposite. The lack of guaranteed funding, insurance, and support will destroy many NAs' abilities to offer free community events, contribute to schools, advocate for neighbors, and more. It will turn advocacy into a pay-to-play system, further marginalizing disadvantaged communities. Removing the checks and balances on developers will gentrify already squeezed neighborhoods, forcing out vulnerable citizens. The city relies heavily on NAs for grass roots advocacy, outreach, and community building. The proposed language for 3.96 is antithetical to all that Portland claims to stand for.

Finally, because of the bureau's previously identified programmatic and financial management issues, and because of the excessive discretion afforded the bureau director in the proposed Code language, audits of Civic Life as well as district coalitions should be carried out annually, to ensure that the bureau is distributing funds equitably and that the bureau and its contractors have sound financial controls in place.^{5,6}

Sincerely,

Chelsea Powers
Board Chair
Brentwood-Darlington Neighborhood Association

Citations:

- 1) Code violation examples: Failing to equitably:
 - "assist Neighborhood Associations . . . in planning and developing programs for public involvement . . ." 3.96.060 (A)
 - "act as an information clearinghouse and resource to Neighborhood . . . Associations" 3.96.060 (B)
 - "Support and promote public involvement within the Neighborhood Association framework" 3.96.060 (F)
- 2) Report by Mary Hull Cabellero: <https://www.portlandoregon.gov/auditservices/article/597834>
- 3) City Threatens to Cease Recognizing Neighborhood Association Considering Homeless Discrimination Bylaw:
<https://www.portlandmercury.com/blogtown/2017/08/12/19234035/city-threatens-to-disband-neighborhood-association-considering-homeless-discrimination-bylaw>
- 4) Overlook Neighborhood Association looks to exclude homeless from membership:
<https://pamplinmedia.com/pt/9-news/368865-251428-overlook-neighborhood-association-looks-to-exclude-homeless-from-membership>
- 5) According to the 2016 audit report, City bureau engagement programs were budgeted at almost \$5 million per year. If the 95 neighborhood associations had been funded directly with the money divided equally (irrespective of actual population), BDNA would have received approximately \$50,000/year. BDNA typically receives less than \$5,000/year in public engagement funds from the City.
- 6) Independent report on accounting inconsistencies at Southeast Uplift:
<https://drive.google.com/open?id=1NUo6HsIScTnWnVZ645nzHhgvGoxO3HmA>