



September 4, 2019 (Sent this date via email)

City of Portland

Attn: Mayor Ted Wheeler & City Commissioners(karla.moore-love@portlandoregon.gov)

1221 SW Fourth Ave.

Portland, OR 97204

CC: Auditor Mary Hull Caballero(auditorsoffice@portlandoregon.gov)
City of Portland Ombudsman(ombudsman@portlandoregon.gov)
Human Resources (Serilda.Summers-McGee@portlandoregon.gov)
The Oregonian(gfriedman@oregonian.com)
The Tribune(jredde@portlandtribune.com)

Subject: Request City Council Intervention of Commissioner Chloe Eudaly & OCCL Director Suk Rhee regarding 3.96 Committee process based on Code of Ethics, Chapter 1.03 City of Portland Municipal Code, and Violation City Code Chapters: 1.07 Portland Policy Documents, BCP-ADM-4.02 & BCP-ADM-4.04; and 3.96.060- Responsibilities of the Office of Neighborhood Involvement¹.

Dear Mayor Ted Wheeler and City Commissioners:

On September 3, 2019, at a regularly scheduled meeting, the Board for Rose City Park Neighborhood Association(RCPNA) unanimously supported this letter on behalf of adopted this letter. On behalf of the RCPNA Board, I want to share my grave concern regarding the lack of compliance with the Code of Ethics, Chapter 1.03 of the Municipal Code, by Commissioner Chloe Eudaly and her staff Suk Rhee. This has been demonstrated by their clear violation of City Code 1.07 governing Portland Policy Documents relating to public involvement, including:

- BCP-ADM-4.02 – Public Involvement Principles (*Binding City Policy*)² (See: <https://www.portlandoregon.gov/citycode/article/25176>)
 - Exhibit A - City of Portland Public Involvement Principles (See: <https://www.portlandoregon.gov/citycode/article/339046>),

- BCP-ADM-4.04 – Citywide Web-Based Calendar (*Binding City Policy*),

and violation of City Code Chapter 3.96 Office of Neighborhood Involvement(renamed Office of Civic and Community Life(OCCL)) Section 3.96.060-Responsibilities of the Office of Neighborhood Involvement³(Renamed to the OCCL). The RCPBA Board and we, the undersigned, are requesting the Mayor and City Commissioners take steps to intervene with the 3.96 Code amendment process.

Finding 1. The Municipal Code Chapter 3.96 establishes the roles for City Recognized Neighborhood Coalitions, including Central NE Neighbors Coalition (CNN), and Neighborhood Associations, including Rose City Park Neighborhood Association (RCPNA), for the City of Portland. There were no

¹ Changed to Office of Community and Civic Life.

² Resolution No. 36807, adopted by City Council August 4, 2010. <Part> “NOW THEREFORE, BE IT RESOLVED, that the Council establishes the attached principles, indicators and outcomes as the formal values to guide the City's involvement of the public in the development of City policies, programs, and projects.”

³ Amended by Ordinance Nos. 186216 and 187359, effective September 30, 2015.

public announcements published nor sent out to the Executive Director of CNN⁴ nor me as Chairwoman who is a city-documented neighborhood contact for RCPNA that indicated the formation of and calling for the applications for what has become known as the Chapter 3.96 Committee. Therefore, Chapter 1.07, BCP ADM-4.02 and BCP-ADM-4.02 Exhibit A, and Section 3.96.060(c)⁵ have not been satisfied.

Finding 2. In the formation of what has become known as the Chapter 3.96 Committee, Suk Rhee hand selected the members of this Committee with no public announcement to the Neighborhood Coalitions or Neighborhood Associations, notice to the public, formal application process, and without any publicly identified application criteria. In doing so she failed to consult the City Recognized neighborhood coalitions and their neighborhood association volunteers many who have a vast wealth of knowledge regarding the important role of public involvement in all their functions. Therefore, Chapter 1.07, BCP-ADM-4.02 and BCP-ADM-4.02 Exhibit A, and Section 3.96.060(E)⁶ have not been satisfied.

Finding 3. The Office of Civic and Community Life and consultants, under the direction of both Commissioner Chloe Eudaly and Suk Rhee, failed to apply the Standards⁷ for public engagement process as stated in Chapter 3.96, the very chapter proposed for amendment. The announcements of the 3.96 Committee meetings were not published in the Citywide Web-Based Calendar, notices of these meetings did not go out to the Neighborhood Coalitions, documents presented at meetings are not included in the minutes, the minutes fail to include critical statements of concern raised by member Linda Nettekoven who proposed draft language needed to be reviewed by the Neighborhood Associations, and Committee meeting announcements that are to include location have not been published 7 days prior to the meetings. The latest one on July 18th did not post its location on the Office of Community and Civic Life website until just 2 days before the Committee meeting was to take place. Therefore, BCP-ADM-4.02 and BCP-ADM-4.02 Exhibit A, BCP-ADM-4.04, and Section 3.96.060(A),(B),(C),(E),(F),& (G)⁸ have not been satisfied.

Finding 4. In addition, the hand-selected 3.96 Committee was set up to fail as the staff and consultants did not even implement basic Public Involvement Principles identified by Chapter 1.07, BCP-ADM-4.02 Exhibit A. In this Exhibit, titled 'Public Involvement Principles', it states "The following principles represent a road map to guide government officials and staff in establishing consistent, effective and high quality public involvement across Portland's City government": Partnership; Early Involvement; Inclusiveness and Equity; Good Quality Process Design; Transparency; and Accountability. Based on the above stated findings of fact the current 3.96 process fails in every category. Therefore, BCP-ADM-4.02 and BCP-ADM-4.02 Exhibit A have not been satisfied.

⁴ Stated by CNN Coalition Director date November 2018.

⁵ "In order to facilitate participation and improved communication between the public, Neighborhood Associations, Business District Associations, District Coalitions and the City, the Office of Neighborhood Involvement shall: C. Notify interested persons of meetings, hearings, elections and other public participation events of the Office of Community & Civic Life neighborhood system;"

⁶ "In order to facilitate participation and improved communication between the public, Neighborhood Associations, Business District Associations, District Coalitions and the City, the Office of Neighborhood Involvement shall: E. Promote and facilitate open communication and notification from City agencies to Neighborhood Associations, District Coalitions, and Business District Associations, promote and facilitate communication amongst City agencies about public involvement best practices and policy;"

⁷ 'Standards for Neighborhood Associations, District Coalitions, Business District Associations, and the Office of Neighborhood Involvement', adopted by Resolution 36329 by the Portland City Council on July 13, 2005.

⁸ "E. Promote and facilitate open communication and notification from City agencies to Neighborhood Associations, District Coalitions, and Business District Associations, promote and facilitate communication amongst City agencies about public involvement best practices and policy;"

In conclusion, the Office of Commissioner Chloe Eudaly and her Staff Suk Rhee are in violation of the City Codes Chapter 1.07 BCP-ADM- 4.02 and BCP-ADM-4.04 and Chapter 3.96.060

Therefore, under Section 1.03.030(D) of the Code of Ethics we are requesting an Intervention by the City Council in regard the formation and recommendations of the 3.96 Committee as they are in violation of:

Chapter 1.03 Code of Ethics

Section 1.03.030 Objectivity.

Subsection C. "City officials avoid bias or favoritism, and respect cultural differences as part of decision-making."

Section 1.03.040 Accountability.

Subsection A. "City officials exercise their authority with open meetings and public records."

Subsection B. "Officials who delegate responsibilities also follow up to make sure the work is carried out efficiently and ethically."

Section 1.03.050 Leadership.

Subsection A. "City officials obey all laws and regulations."


Subsection B. "City officials do not exploit loopholes."

Subsection C. "Leadership facilitates, rather than blocks, open discussion."

On behalf of the RCPNA Board and the undersigned we urge you to take immediate action on this issue prior to the pending Nov. 14, 2019, workshop scheduled to review the proposal by the 3.96 Committee. It is recommended:

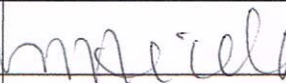
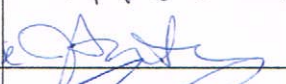
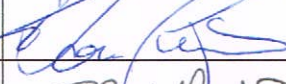
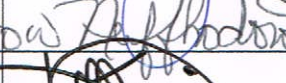

1. That the Office of Civic and Community Life be removed from Commissioner Chloe Eudaly. We ask that the Mayor chose a different Commissioner in Charge who has been proven to be a neutral actor in regard to community groups and who is willing to include a reputable public involvement consultant team as a third party to help OCCL implement the findings from the November 2016 Audit of the Office of Neighborhood Involvement;
2. The City Council identify the 3.96 Code amendment and the findings by the 3.96 Committee inadequate based on the failure of compliance with Municipal Code Section 3.96.060, the 'Standards for Neighborhood Associations, District Coalitions, Business District Associations, and the Office of Neighborhood Involvement', and City Code Chapter 1.07 BCP-ADM- 4.02 and BCP-ADM-4.04. Propose that a new 3.96 Committee be formed under new leadership, other than Suk Rhee and Commissioner Chloe Eudaly to address the issues outlined in the November 2016 Audit of the Office of Neighborhood Involvement.
3. Direct the City Auditor and Human Resources to further investigate these violations by Suk Rhee and Commissioner Eudaly; and
4. Request that the City Auditor investigate the expenses generated by Suk Rhee's 3.96 Committee review process with concern to inappropriate expenditure of tax payer funds.

Respectfully,



Tamara DeRidder, AICP
Chair, RCPNA
1707 NE 52nd Ave.
Portland, OR 97213

I, the undersigned, support the contents of this letter:

Name	Signature	Address	Date
m. neidiger		1021 NE 60 th	09/03/19
Jennifer Southworth		2445 NE 59 th	9/3/19
DOLORE LEVINE		3126 NE 59 TH AVE	9-3-2019
Neil Chodoma		2835 NE 53 rd Ave	9/3/19
Kelly Davis		2032 NE 51 st	9/3/19
Terry Pariser	TERRY PARISER	1527 NE 65 th 97213	9-3-19
Richard Crockett	Richard Crockett	2214 NE 51 st Ave 97213	3 SEP 2019
Ed Gorman	Ed Gorman	3016 NE 56 th 97213	9/3/2019