

Eight reasons Portland union members should vote 'no' on the Water District measure

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Measure 26-156 is a City of Portland charter amendment placed on Portland's May primary election ballot by citizen initiative. It would take the water and sewer bureaus away from City Council and give them to a newly-elected seven-member board to oversee. For Portlanders who feel burdened by high water and sewer rates and frustrated about "Portland City Hall politicians" and their "pet projects," it might sound like a good idea ... until they get to know details of the measure. Local

unions have studied the measure and are unanimous in opposing it, and so are environmental groups, the Democratic Party, and every newspaper editorial board in Portland.

Unions, particularly AFSCME, which represents hundreds of Water Bureau employees, are making a serious effort to get the word out. Here are eight reasons Portland union members should fill out and send in their ballots with a "no" vote.

Consider the source. The Measure 26-156 campaign is led by Kent

Craford, an airline CEO and former manager of Chris Dudley's 2010 Republican campaign for Oregon governor. The campaign is advised by John DiLorenzo, partner in the Davis Wright Tremaine law firm and one of Oregon's top corporate lobbyists. The campaign is funded almost entirely by three big water users — Siltronic (\$80,000), Portland Bottling Company (\$75,000), American Property Management (\$25,000) — and by four "smaller" donors: conservative timber baron Andrew Miller (\$8,000), anti-union Marquis Nursing Homes (\$5,000); New

System Laundry (\$5,000); and Hilton Worldwide (\$5,000). And the campaign is supported, with arguments in the Voters' Pamphlet, by Richard Leonetti, a blogger associated with the right-wing think tank Cascade Policy Institute, and Robert Clark of the Taxpayers Association of Oregon, a group funded by Nevada millionaire Loren Parks, the longtime backer of union arch-enemy Bill Sizemore.

It would disenfranchise residents of Portland's outer east side. Literally. Measure 26-156 gives Portland City Council two months to draw up boundaries for seven new Water District board zones. Voters in each zone would elect a resident of the zone to represent them. "To the extent feasible" the zones are to be established "coextensive with the zones established for the board of Portland Public Schools." That works great until about 92nd Avenue, where the Portland Public Schools district ends. But the City of Portland extends another 70 to 90 blocks east of that. Outer-east-side Portlanders who live in the Parkrose, David Douglas, Reynolds and Centennial school districts would either have no representation on the new Water District board, or City Council would have to immediately violate the amended City charter. Either way, it's sloppy legal work, and a colossal screw-up by the measure's backers. If this amendment to the city charter had gone through a public process — instead of being crafted by private parties on the 24th floor of the Wells Fargo building — someone might have pointed out this was a problem.

Sloppy legal work, Part 2: Only retirees and rich people need apply. Providing water and sewer service has been part of the mission and charter of the City of Portland for 119 years. So when Measure 26-156 authors were crafting the initiative that would take those bureaus away from the City, they combed through the City Charter and specified which sections they didn't want to apply to the new water district, like the power to compel testimony, and the right of the City's independently elected auditor to review the books. But they missed a section, the part that says that Portland's elected officials shall have no other employment. That makes sense when the officials are full-time paid members of Portland City Council. But it's definitely going to narrow the pool of those who want to serve three-year terms on a Water District Board which is uncompensated, under Measure 26-156.

Run for Water District board. No experience necessary. In fact, no experience allowed. Overseeing the water and sewer system for Amer-

ica's 28th biggest city is a complicated business. There are federal mandates. Engineering challenges. Bond financing. Measure 26-156 says to run for the board, Portlanders must be residents of the zone and collect 100 signatures from fellow residents. But one of the strangest things about the measure is the long list of those who are barred from running or serving: anyone who's worked for the water or sewer bureaus for the last six years, anyone who works for an individual or firm that has worked for the water or sewer bureaus for the last six years, and even anyone who in the last three years served as a citizen volunteer on a water or sewer budget advisory committee. Suppose you dedicated your career to water quality and retired from the Water Bureau five years ago — you're barred from running. Maybe you're a building trades union member; you weren't one of the thousands who worked on the City's \$1.4 billion Big Pipe project, but you've taken dispatch to work for a company that did some of the work — you're barred. The list goes on. In sum, as public interest attorney Dan Meek put it in a Voters' Pamphlet statement, "The measure would prohibit nearly anyone with Portland water or sewer experience from serving on the board, clearing the field for the big money candidates."

Drown the attorneys. Flush the accountants. Is this public policy, or someone's personal agenda? Measure 26-156 doesn't just guarantee that the new Water District will have an inexperienced board; it ensures that it will have inexperienced attorneys and accountants too. The measure says no attorney who's done work for the City — or even for firms that did work for the City for the previous three years — may be employed by the new Water District. And it says no accountant who does work for the City — or even for a firm that does work for the City — can do work for the Water District.

It puts regular City workers in limbo. Measure 26-156 directs the City to "transfer" its water and sewer bureau employees to the new Water District, and says the new district "shall take charge of the employees and employ them..." It also says the obligations of the City legally incurred under contracts entered into before the charter amendment takes effect are transferred to the new district. Does that include the union contracts that cover over 500 water and sewer bureau employees? The measure doesn't say specifically, but it's a tricky puzzle to solve. The largest group of City water and sewer employees are members of unions like AFSCME Local 189, Laborers Local 483, and IBEW Local 48 who are cov-

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