

FODOR & ASSOCIATES^{LLC}

Community
Planning Consulting

December 5, 2017

To: Mary Hull Caballero, Portland City Auditor

Subject: Follow-up on Membership Violations on the Planning and Sustainability Commission

On behalf of the Multnomah Neighborhood Association, we notified the City Council that membership on the Planning and Sustainability Commission (PSC) is in violation of Portland City Code and Oregon State Law because it includes more than two members from the development community (see attached letter dated November 17, 2017). Furthermore, one of the PSC members appears to have a direct conflict of interest in regard to the Residential Infill Project. These are very important issues since the PSC is the designated advisor to the City Council on land use planning. We are writing to request that you conduct an independent audit of the issues raised in our attached letter.

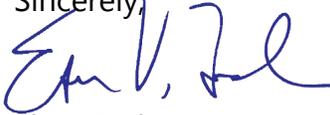
According to an article in the Portland Tribune (November 30, 2017, page), the City planning staff concluded that although two of the PSC members are a developer and a realtor, the architect and two land-use attorneys on the PSC do not "engage principally in the buying, selling, leasing, or developing of real estate for profit." If true, this would be an exception to the norm, since most architects and land-use attorneys work primarily for developers.

Without documentation, it appears that the City planning staff is engaging in pure conjecture. We believe that compliance with City Code and State law requires actual proof that these members are not primarily engaged in these activities. Lacking such proof, we request that a minimum of three of the five PSC members be removed immediately and replaced with qualified members as soon as possible.

The City Attorney is copied on this letter to give official notice that if these violations are not addressed, we intend to file an Enforcement Order with the DLCD to resolve these matters.

Please keep us informed regarding the status of this audit request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eben Fodor". The signature is stylized and cursive.

Eben Fodor
Principal Planner

Cc: Ted Wheeler, Mayor, City of Portland, City Commissioners Nick Fish, Chloe Eudaly, Amanda Fritz, Dan Saltzman, Tracy Reeve, City Attorney, Susan Anderson, Director, Bureau of Planning and Sustainability, Jim Rue, DLCD Director, Martie Sucec, Chair, Multnomah Neighborhood Association, and James Peterson, Land Use Chair, Multnomah Neighborhood Association

Attachment: Copy of November 17, 2017 letter to City Elected Officials with the subject "Membership Violations on the Planning and Sustainability Commission."