



Mike Myers
Community Safety
Transition Director

Michael Jordan
Chief Administrative
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Ted Wheeler
Mayor

CITY OF PORTLAND
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May 28, 2024

Dear City Ombudsman Jennifer Croft,

The Ombudsman released a report in July 2023 regarding one of the City's emergency board-up contractors. At the time, the Community Safety Division supported the report's recommendations. In response to your office's May 20, 2024, follow up letter, the Community Safety Division – with support from the Portland Police Bureau and City Attorney's Office – remains committed to resolving issues raised in the report. However, we respectfully disagree with how your office describes the current status of the first recommendation without providing additional context.

Recommendation 1: Provide immediate notice to the Contractor that it was found in breach of contract; that it must cease the practice of directly billing business/property owners for City-ordered board-up services; and that it must follow the procedure, as specified in the contract, of sending all invoices associated with the contract to the City for payment and at the price levels specified in the contract.

After careful review and consultation with the City Attorney's Office, we believe there is insufficient evidence to assert a material breach of contract at this time, and that the contract identified in the report does not expressly prohibit the contractor from negotiating with private parties for delivery or payment of board-up services. The Community Safety Division's investigation into the report's allegations is ongoing, and we will take appropriate measures to hold the contractor accountable if the evidence points to material breach of contract. We agree that future contracts for board-up services should contain specific language to prevent this practice from taking place.

We also want to acknowledge the vital public-safety service provided by this contract. The emergency board-up contract is used to assist property owners only when owners are unavailable or unable to immediately secure their properties that have been damaged by fire, crime, or other emergency events.



OMF OFFICE OF
MANAGEMENT
AND FINANCE

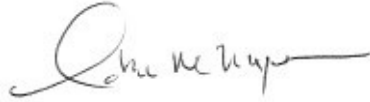
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The Community Safety Division will continue working in the coming months to address issues with the City's use of the service.

Please ensure a copy of this response letter is included with any publication of your May 20, 2024 letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Myers", with a long horizontal flourish extending to the right.

Mike Myers
Community Safety Transition Director



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