

The Portland Tribune

City Hall Update: Submit Applications for N/NE housing

By Jim Redden

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Plus, city bureaus turn in budget wish lists and PBOT awards community grants for 11 projects.

The Portland Housing Bureau announced Thursday that it will be accepting applications for two new affordable housing projects from Feb. 8 through Feb. 22.

Preference will be given to those who have been displaced or who are at risk of displacement in North and Northeast Portland. The coming projects are the Charlotte B. Rutherford Place and the Beatrice Morrow. Both are being built as part of Portland's N/NE Neighborhood Housing Strategy.

Applications can be filled out online at portlandoregon.gov/phb/preference. For assistance, call 503-823-4147 or email: PHBwaitlist@portlandoregon.gov

Bureaus turn in budget wish lists

City bureaus finished submitting their requests for next year's budgets to Mayor Ted Wheeler on Jan 29.

The submissions included a proposed 5 percent cut to comply with Wheeler's directive to help the City Council address a projected budget deficit that takes effect July 1.

The Portland Police Bureau was among those requesting additional money. It is seeking \$1.7 million in one-time funds to move its Central Precinct from the ground floor of the downtown Justice Center to the Jerome F. Sears U.S. Army Reserve Center on Southwest Multnomah Boulevard. The federal government gave the city the unused armory several years ago for an emergency response center.

Wheeler is expected to submit his proposed budget for the next fiscal year in April. The final version must be approved by the council in June.

Community grants awarded

The Portland Bureau of Transportation announced Thursday that it will fund 11 projects totaling \$100,000 through its Streets Community Grant Program. It was established to support community-driven projects focused on transportation safety, equity, innovation and placemaking.

The projects range from trail maintenance in Southwest Portland to encouraging pedestrian and bicycle access to six greenspaces in the Cully neighborhood.

"I am gratified that we are able to help these communities realize their visions for safer and more attractive streets," PBOT Director Leah Treat said of the grants.

FOOD FIGHT: RECYCLER CLAIMS METRO BIAS

By Steve Law

February 6, 2018

Regional government accused of favoritism in choosing Waste Management and city Bureau of Environmental Services to build and operate food scraps processing plant

The bridesmaid in Metro's search for a company to convert the Portland area's food scraps into renewable energy is crying foul.

Paul Woods, president of SORT Bioenergy, sent a three-page letter to elected Metro councilors Jan. 18 saying the regional government is in "a situation of legal jeopardy" by denying his company "due process" in its consideration of the food scraps recycling contract. Woods alleges Metro is colluding with Waste Management — the announced winner of the competitive process — and with Portland's Bureau of Environmental Services (BES), which is teaming with the industry giant.

Metro, Waste Management and BES all declined interview requests and issued only brief statements. Metro procurement officer Tim Collier, who will make the final contract decision, sent a written response to Woods on Jan. 25, saying the process has been "transparent and fair."

Four past Oregon efforts to turn garbage into compost or energy have been controversial, due to neighbors' complaints about foul odors, operational snafus or money issues. (See sidebar.) This time, Metro appears to be handling the selection process "close to the vest" by limiting public involvement in the siting process. Woods' complaint, and his implied threat of legal action, could thwart that effort.

Metro put out a Request for Proposals last spring, seeking a company that could turn food scraps into compost or renewable energy. To guarantee a steady supply of food scraps, the regional government is simultaneously fashioning a new mandate for major producers of food waste in Portland — such as food manufacturers, groceries, restaurants and schools — to separate out their food scraps for recycling, so the waste can be turned into useful energy rather than rot in the landfill and produce potent greenhouse gas emissions.

Two top contenders

Metro winnowed its list of six valid proposals to Waste Management and SORT, which emerged essentially tied, said Ken Ray, Metro spokesman for solid waste matters. After oral interviews with both applicants, Metro told the bidders on Jan. 5 that it would pursue a contract with Waste Management.

As the Tribune reported Jan. 14, Ray said Metro intended to issue a notice of intent to issue a contract in late April, around the time it hoped to wrap up contract negotiations with Waste Management and the BES. Any appeals of that decision would have to be filed within one week, Ray said, and such an appeal would be decided administratively by Collier, not elected Metro councilors.

Mixing food scraps with sewage

Under the Waste Management/BES proposal, food scraps would be trucked from a garbage transfer center to a company plant on 701 N. Hunt St. There the food scraps would be processed into what is known as "bio-slurry," then hauled by truck to the city's Columbia Boulevard Wastewater Treatment Plant at 5001 N. Columbia Blvd. In a process known as co-digestion, the slurry would get mixed with treated sewage in an anaerobic digester, which deploys bacteria in

an airless container to produce a mixture of methane and carbon dioxide called biogas, an energy source. The biogas would be sold to Northwest Natural, which has a nearby pipeline.

SORT, based in Wilsonville, had proposed building an anaerobic digester next to a garbage transfer center in Wilsonville. Unlike Waste Management, SORT has already received the necessary permits from Metro and the Oregon Department of Environmental Quality.

Metro, via its pending food scraps recycling mandate, controls the feedstock needed to produce energy at either location.

Appeal deadline favors one party

After the Tribune reported last month on Metro's limited appeal process and truncated deadline, Woods decided to take his concerns directly to the elected Metro Council. "We believe the process did not provide a fair and unbiased evaluation," he wrote.

Delaying any possible appeal until late April means SORT won't have time to meet Metro's requirement that the facility be ready to operate by the end of next year, Woods said in an interview.

"Time is a critical component of all this," he explained. "If we do prevail, the challenge is we couldn't meet the commercial operation date of Dec. 31, 2019."

Waste Management, on the other hand, is piggy-backing on the city sewer bureau's existing anaerobic digester, so it may not have as much difficulty meeting the deadline.

A new digester must be "seeded with new bacteria and brought up to operational status, which takes 4-6 months," Woods said.

Woods said the oral interview process was relatively pro forma. "I just don't know what would be the distinguishing information there," he said. He complained that Metro is denying him access to its ultimate scoring of the two projects.

In Collier's response to Woods' complaint, he wrote that Metro did not view the oral interviews to be the "tiebreaker."

Collier further stated that Metro hasn't issued its intent to issue a contract yet, so there can be no appeal of a decision that hasn't been made.

In response to an interview request, Waste Management issued a two-sentence statement.

"Metro's process was rigorous and thorough," wrote Jackie Lang, regional public affairs manager. "The (Waste Management) technology supports Metro's sustainability goals with an innovative solution that diverts food waste from landfills and converts it into renewable energy."

Limited public involvement

Metro earlier refused to release copies of the six projects submitted in response to its Request for Proposals, and says it will only release them once it issues its notice of intent to issue a contract.

By then, residents will have little chance to weigh in on the decision, given Metro has set a narrow seven-day window to file appeals.

Woods argues that the Waste Management/BES and SORT proposals use the same technology and produce the same amount of energy. SORT would produce electricity, while Waste Management and BES would produce biogas.

SORT's facility would be locally owned by Equilibrium Capital, a Portland investment firm.

One reason why Metro prefers the Waste Management/BES proposal could be cost, because the city already has an anerobic digester at its sewage treatment plant.

"I'm guessing the economics are skewed to a municipal facility," said Nora Goldstein, editor of BioCycle, an Emmaus, Pennsylvania, trade journal that focuses on the industry.

Tied to city biogas plans

Interestingly, it was the economics of the BES proposal to produce biogas at its sewage treatment plant that were initially called into question. The Citizens' Utility Board (CUB) of Oregon had reviewed BES's plans, and, in a February 2016 letter to the city's Public Utility Board, questioned whether the project would pencil out without an additional supply of feedstock to supplement treated sewage.

At the time, Waste Management had been talking with the city about supplying that added feedstock.

"Waste Management was viewed as a potential partner for BES pretty early on, based on their effective use of this technology in several other cities," said Janice Thompson, CUB's consumer advocate for Portland public utilities, who authored that letter.

However, there was a timing concern about Waste Management's access to ample food scraps, Thompson said. "CUB was nervous about the food stock option linked to a partnership with Waste Management and a potential Metro project not working out."

CUB's concerns were allayed when BES showed there was an alternate feedstock available that could make the biogas plant pencil out, by adding fats, oils and greases, also collected by the BES, to sewage.

Woods has not offered evidence of collusion between Metro and Waste Management/BES, other than saying he heard Michael Jordan, the BES director, has been pushing for the selection of the Waste Management/BES proposal, and is Metro's former chief operating officer.

The Portland City Council wound up approving the biogas plant last April. A month later, Metro issued its Request for Proposals for a food scraps plant.

The Portland Mercury

Quanice Hayes' Family Plans to Sue the City of Portland, Attorney Confirms

*By Dirk VanderHart
February 5, 2018*

It's been almost a year since 17-year-old Quanice Hayes was shot and killed by Portland police, who had the teen on his knees, at gunpoint, in front of an East Portland home.

Many details of the day Hayes died were made available in a grand jury transcript, which suggested Hayes might have used a toy gun to rob a houseless man the morning he died, and suggested police believed he was armed when they cornered the teen hours later. But a new story by Portland journalist Leah Sottile, published on Longreads this morning, goes deeper than any past coverage, melding interviews with Hayes' loved ones with the grand jury account to look at the circumstances of Hayes' death—and also meditate on the role replica and toy guns have played in police shootings locally and nationally.

It's a great and sad read, which also manages to break some news: After some indecision, Hayes' family plans to sue the City of Portland.

Sottile reports that she recently got a call from local attorney Jesse Merrithew, who "says that the Hayes family plans to take legal action. This week, they'll send a tort claim notice to the city of Portland informing them of plans to sue."

We reached out to Merrithew for details this morning. He says the tort claim notice—a first step in filing a lawsuit against City Hall—hasn't been filed yet, but that attorneys are tentatively planning a press conference this Thursday to announce the matter.

Hayes' family has long argued the teen did nothing to merit being shot three times by Portland Officer Andrew Hearst on the morning of February 9, 2017. Officers interviewed after the shooting said they didn't see Hayes draw the toy handgun he'd been seen with. Instead, Hearst shot Hayes when, while on his knees crawling toward officers, Hayes reached behind his back. A grand jury declined to file criminal charges against Hearst.

The incident caused outcry for months last year, and led to Hayes' family being given an unprecedented hearing before city council to air their grief and grievances.

The Portland Business Journal

Burlingame Residents Escalate Battle Over Proposed 21-Home Development in SW Portland

By Jon Bell

February 5, 2018

A swath of woods in a corner of Southwest Portland could be cleared for 21 new single family homes — but not if neighbors have their way.

The South Burlingame Neighborhood Association has appealed a city hearings officer's decision in December to approve the 21-home Macadam Ridge development, proposed by the Riverview Abbey Mausoleum Company. Portland City Council will take up the issue at a hearing at 2 p.m. Wednesday.

The proposal is for an approximately 14-acre site owned by Riverview adjacent to the address at 0319 S.W. Taylors Ferry Road and adjacent to Southwest Canby Street and Southwest Hume Street.

In its appeal of the land-use decision on Riverview's proposal, the SBNA claims that the proposal doesn't go far enough to limit environmental impact, that it doesn't preserve enough trees and that it doesn't properly account for impacts to traffic, transit and nearby neighborhoods. The appeal also notes that neighbors were not given enough time to review new evidence submitted to the record this past fall.

“Our neighborhood supports development honoring city code; this development does not meet the code requirements for building with innovation in Environmental Overlay Zoned property,” said Robert Lennox, SBNA's president, in a release. “We are concerned the upland habitat is being destroyed while putting current and future neighbors at risk by developing in a known ancient landslide.”

In the release, Scott Burns, a geology professor at Portland State University, said the proposed development is almost entirely within a "known ancient landslide." Plans to cut 500 mature trees on about five acres and bring in 20,000 cubic yards of fill to build upon would "significantly (increase) the risk of reactivating the slide and putting families and homes in peril," Burns said.

The hearings officer ruled in December that the proposal could move forward provided that it meet certain conditions, including that the owner re-plant with native plants, conduct a stormwater analysis, build a new bus stop or relocate an existing one, and several other modifications.

Should the council reject SBNA's appeal, neighbors could then file an appeal with the state Land Use Board of Appeals.