

The Oregonian

North Ramsay Way, street honoring the late Jack Ramsay, becomes a reality: Portland City Hall Roundup

*By Andrew Theen
September 03, 2014*

When the Portland Trail Blazers' 2014-15 season begins next month, thousands of fans will cross a small street recently renamed to honor one of the NBA's biggest coaching legends.

Portland officially, and permanently, renamed a street in the Rose Quarter to honor Jack Ramsay, the legendary NBA coach who led the Trail Blazers to the World Championship in 1977.

The City Council approved the name change Wednesday, expediting the vote and the typically clunky name-changing process to ensure the 'North Ramsay Way' signs are in place when the NBA seasons begins next month.

"Jack Ramsay was a hero," Commissioner Steve Novick said, "Not just because he was a great basketball coach, but because he was a great man."

A Trail Blazers official testified before City Council and read a statement on behalf of the organization and Ramsay's family, saying the name change is "a prestigious and lasting place of honor in a city he loved very much."

Ramsay died in late April at the age of 89 after a lengthy battle with cancer.

Shortly after his death, the Blazers approached Novick, who oversees the transportation bureau, and suggested the city rename North Winning Way to honor Ramsay. The street runs through the Rose Quarter, north of Veterans Memorial Coliseum and the Moda Center.

Novick loved the idea. The City Council approved installation of temporary sign caps in May.

In the months since, the formal name change went through the bureaucratic machinations of city government in remarkably quick order.

City code stipulates streets can't be renamed to honor a deceased person until they've been dead for five years, but the city waived that requirement in this case.

The city formed a Historian Panel to review the proposal and its merit. The group unanimously approved the name change, but added, "it was important to acknowledge and recognize the historical context of the Rose Quarter." Construction of Interstate 5 and the Coliseum displaced a "vibrant part of Portland's African American community," the panel wrote.

The Planning and Sustainability Commission also reviewed and approved the proposal.

Ramsay was also a Navy veteran, and his 1976-77 championship team played at the Coliseum, adding significance to the name change.

The team is footing the \$2,640 bill for renaming the street, which pays for manufacturing and installing 11 signs, traffic control and eventually removing the Winning Way signs in five years.

The Blazers open the 2014-15 season on Oct. 29 against the Oklahoma City Thunder.

Airbnb legalization, courthouse funding top Multnomah County board's Thursday agenda

*By Kelly House
September 03, 2014*

The Multnomah County Board of Commissioners on Thursday will follow Portland City Council's lead in legalizing Airbnb-style short-term rentals within the county.

The board is set to approve an emergency amendment to the county land use code, which will regulate the short-term rentals in unincorporated areas that fall within the region's urban growth boundary.

Although the move is big news for Multnomah County residents who live within the affected area and use websites like Airbnb to rent out their homes, it represents a simple procedural matter on the county board.

The county for years has used Portland's planning code in unincorporated areas that fall inside the growth boundary. Portland also enforces the code in such areas.

As part of the agreement, Multnomah County must amend its code to align with Portland's code any time the Portland code changes. Thursday's board action follows through with that obligation.

For more on the legalization of Airbnb style rentals and what it means for renters, homeowners, businesses and government, read *The Oregonian's* previous coverage.

Courthouse funding

The board is also set to authorize an agreement to obtain state funding for the central courthouse replacement project, three weeks after a previous vote on the matter was tabled due to concerns that the resolution's language gave too much power to the county chair.

Since then, the resolution has been tweaked to make it clear that any substantial changes to the agreement would require approval from the full board.

The resolution, if approved, will allow County Chairwoman Deborah Kafoury to pursue an intergovernmental agreement with the state Department of Administrative Services to get reimbursed for ongoing costs related to the courthouse project.

As of last month, the county had spent \$521,000 of its own money on the project. Under the agreement, the state would reimburse half of that.

The state Legislature last year committed \$15 million to the courthouse with the intent to pay half of all courthouse costs over time, but the agreement specified money would be delivered for a "completed courthouse," rather than during construction. The intergovernmental agreement would work around that snag.

For more on Thursday's county board meeting, see the full agenda. The meeting starts at 9:30 a.m. at the Multnomah Building, 501 S.E. Hawthorne Blvd.

Portlanders aren't rushing to legitimize their Airbnb short-term rentals

*By Elliot Njus
September 03, 2014*

The Portland development bureau was all set to start taking applications Tuesday for newly legalized and regulated Airbnb-style rentals, but the hundreds of Portlanders operating such rentals aren't lining up to get legal.

Mike Liefeld, the bureau's enforcement manager, said there were no applications in the city's permitting system by the close of business Tuesday.

But that may change soon, Liefeld said. The city is notifying people who were following the issue that permits are now available. Perhaps more importantly, Liefeld said, Airbnb is expected to notify its Portland users soon about the permits.

"I kind of see it ramping up slowly," Liefeld said.

Application process

A "Type-A Accessory Short-Term Rental Permit" allows a Portlander to rent out one or two bedrooms in their primary residence. It applies only to single-family homes and similar structures, not to apartments and condos.

The permit costs \$178.08, which covers the cost of having a city inspector stop by and check that the bedroom being rented out was built legally and meets safety requirements — including that it's equipped with interconnected smoke and carbon monoxide detectors.

Applicants also need to notify neighbors and their neighborhood association in writing that they intend to rent out rooms in their home.

They'll also need to apply for a business license.

Inspections may back up

Liefeld said that if the city does see a surge in applications, it could take as long as four weeks to schedule an inspection after receiving an application.

"If even 50 percent of the 1,600 (users Airbnb claims to have in Portland) come in, that is a surge," Liefeld said. "Hundreds is a surge."

In the meantime, the city will continue its complaint-based enforcement against un-permitted rentals. That starts with a notification letter and can lead to fines.

Only now, Liefeld said, instead of a cease-and-desist letter, the notification will let violators know they might be able to get a permit.

Portland 'Bike City U.S.A.' no more; plummets to fourth on list of bicycle-friendly cities

*By Joseph Rose
September 02, 2014*

Good thing City Hall ordered a downtown bike shop to remove a mural crowning Portland as America's "bicycle capital" earlier this year.

Oh, how stumptown has fallen in Bicycling magazine's latest rankings of the nation's 50 bike-friendly cities. In fact, we're talking the equivalent of suddenly hitting a patch of gravel and flying over the handlebars here.

Portland has plummeted from the top spot to fourth place on the list. Ouch!

New York, Chicago and Minneapolis took first, second and third place, respectively. Minneapolis, America's top bike city in 2010, slipped one spot.

Can anyone remember the last time the Rose City finished so low on what many bicycle advocates consider the nation's most thoroughly researched and legitimate rankings of bike-friendly cities?

"We take a 'what have you done for me lately?' approach to the rankings," said Ian Dille, the writer of Bicycling's latest "Best Bike Cities" article.

"If we didn't, it could get boring and Portland would be number one every time. We look at who is taking an advanced style on bicycling policy issues and infrastructure, and who is doing events and activities to encourage bicycling."

Salem ranked 38th on the list. Here's what the magazine said about that: "Salem has a long history of accommodating bicyclists and is epitomized by local shop: Scott's Cycle, which celebrated its 100th year in business in 2014 and has had only two owners since it opened."

Bicycling magazine ranks bike-friendly cities every two years. Among transportation geeks (and mayors), it's considered the Bike Oscars.

To figure out the top 50 bike-friendly cities for 2014, the magazine evaluated places using data provided by the Alliance for Biking and Walking and the League of American Bicyclists, as well as input from local advocates and bike-ped coordinators.

Bike-friendly cities

Here's Bicycling's top 10 for 2014 (with rankings from 2012):

1. New York (7)
2. Chicago (5)
3. Minneapolis (2)
4. Portland (1)
5. Washington (4)
6. Boulder, Colo. (3)
7. San Francisco (8)
8. Seattle (10)
9. Fort Collins, Colo. *
10. Cambridge, Mass. *

* Madison, Wis., and Eugene fell off the list.

And the research didn't stop there, according to the magazine:

The editorial team mined U.S. Census data for such factors as overall percentage of bike commuters in each city and the rate by which that number is growing. They catalogued the amount and quality of cycling infrastructure in each city—including miles of protected bike lanes and roadways marked with sharrows (shared lane markings)—and how recently it's been implemented.

When it comes to Portland crashing to fourth place, Dille said it's not as much what the city has done wrong as what New York, Chicago and Minneapolis have done right.

"Those cities are pretty far ahead with things such as bike-sharing and buffered bike lanes," he said. "They are putting in the next wave of cycling amenities and Portland is falling behind."

Starting a bikeshare program is a touchy subject in Portland.

Nearly three years ago, the City Council funneled \$2 million in federal money that could have gone to sidewalks into a high-tech bike rental program. After multiple delays, and news of Portland-based contractor Alta Bicycle Share struggling with finances, the idea appears no closer to becoming a reality.

At the same time, Bicycling said Portland bicyclists have a lot to cheer:

Portland's attitude about cycling is just one of many things to cheer: a planned light-rail bridge will bring \$40 million in new buffered bike lanes and paths; a proposed apartment project with 1,200 parking spaces for bikes; and a university that supports urban cycling research, Portland State, which last year released a scientific study proving that, yes, bike commuters really do arrive happier.

It should also be noted that the percentage of Portlanders who regularly bike to work – about 6 percent – is way ahead of any other U.S. city (for now), according to the U.S. Census Bureau.

Said Dille: "Portland remains a wonderful and incredible place to ride a bike in a number of ways."

But can we call ourselves "Bike City U.S.A." any longer?

"No," he said, "you can't say that."

Dang!

Portland will force Hoyt Street Properties to sell land for affordable housing in Pearl District

*By Brad Schmidt
September 02, 2014*

The Portland Housing Bureau on Tuesday announced that it will force Hoyt Street Properties to sell land to the city because the company missed its long-term contractual goals for developing affordable housing in the Pearl District.

The decision marks a key turning point for Portland officials, who faced a Sept. 8 deadline to leverage an eventual land sale as part of a 1997 development agreement between Hoyt Street and the city.

Portland's announcement follows reporting in *The Oregonian* that showed officials have known since at least March that affordable housing goals went unmet but the city took no documented steps toward a sale.

Under the 17-year-old real estate deal, Hoyt Street agreed to a "goal" that 35 percent of new condos and apartments built on its 34 acres would be affordable to individual and families of modest means.

In return, Portland spent tens of millions of dollars rerouting traffic, building three parks and constructing the nation's first modern streetcar line.

And if affordable housing goals went unmet, Portland could buy land from Hoyt Street to ensure construction of additional inexpensive housing.

Nearly two decades later, Hoyt Street has transformed the former rail yard and warehouse district into one of the country's shining examples of urban living. But the company missed its goals for affordable housing.

Of the nearly 2,000 units built under the agreement, only 30 percent are affordable. When another 500 units in the pipeline open in coming years, that share is expected to drop even lower, to 28 percent.

An analysis by *The Oregonian* found that Hoyt Street would need to develop 258 affordable units to meet its 35 percent target.

In recent weeks, city officials said they were undecided about forcing a sale and were evaluating options. A bureau spokesman said Friday that no decision would be made in advance of a Tuesday meeting of the Portland Housing Advisory Commission.

But on Tuesday, Traci Manning, the director of the Housing Bureau, told the advisory commission that Portland will pick up its purchase option before next week's deadline.

"It make sense to move forward," Manning said after the meeting.

Manning said the city still must formally notify Hoyt Street, which will launch a complicated appraisal process meant to discount the land in exchange for Pearl District public improvements paid for by the city. The appraisal process could take months.

Hoyt Street, which has less than 6 acres of vacant, available land remaining, will chose a parcel to sell to the city. The development agreement allows Portland to buy up to half a city block.

Manning said the city will evaluate the eventual purchase price against other options for providing affordable housing to ensure the city gets a good bang for its buck. Funding for the purchase would come from Portland's River District urban renewal area, which is flush with money.

Any land purchase will go to the City Council for final approval.

To date, about 600 units of housing affordable have been built under the Hoyt Street agreement, with those units priced for individuals or families earning up to 80 percent of the region's median. Manning called Hoyt Street a "good partner."

"A lot of great housing has been produced under this agreement," Manning told the advisory commission.

Portland should warm up to proposed propane export terminal: Editorial Agenda 2014

*By The Oregonian Editorial Board
September 02, 2014*

Those who have wondered whether there is any job-creating project involving fossil fuels that Portland could embrace should soon find out.

Tuesday morning, the Port of Portland announced that Pembina Pipeline Corp. of Calgary, Alberta, has agreed to invest more than \$500 million in a propane export facility on unused land in the Rivergate Industrial District adjacent to the Port's Terminal 6 marine facilities. It's a deal that, based on initial appearances, deserves a big bear hug from the community.

Pembina would shoulder the cost of construction of a storage facility and the pipeline that would connect it to an existing dock. It would be built on an odd-shaped piece of land that has limited uses and already is zoned for industrial use. The Port estimates the project will generate 600-800 temporary construction jobs and 35-40 permanent positions once the terminal is completed. It is expected to generate \$3.3 million in annual property taxes for the city of Portland, \$3.1 million for Portland Public Schools and \$2.4 million for Multnomah County.

Furthermore, Pembina qualified for a variety of subsidies and rebates but doesn't plan to apply for any of them, said Bill Wyatt, executive director of the Port of Portland. And most of the necessary rail infrastructure – the propane will arrive via train – already exists.

The project earned Mayor Charlie Hales' endorsement, citing the its use of available land and compliance with environmental and public safety standards. Hales told The Oregonian he wouldn't support the project "if it was a noxious activity or contrary to our ideals and overall climate plan." He noted that some might object to exporting a fossil fuel to Asian countries, including China, but propane is cleaner than the fuels it would replace.

So the mayor of Portland, which is greener than a leprechaun on St. Patrick's Day, says the project is congruent with the city's climate strategy. Pembina is paying for construction and forgoing subsidies. The Port finds a way to generate revenue, jobs and taxes from unused land. What could stop the project? Hopefully nothing gets in the way of success, but there is at least one legitimate issue that deserves review.

The No. 1 concern, as is the case with any potentially explosive material, is safety. Propane has not generated recent headlines as oil trains have, but a quick Internet search produces plenty of examples of accidents in years past. The Oregonian's Mike Francis reported that safety improvements were made in propane rail cars after accidents in the 1970s. Propane also has a narrower range of flammability than other petroleum products, according to the Propane Education and Research Council. And propane, which is commonly used for heating in rural areas and is ubiquitous as fuel for backyard grills, already is transported routinely throughout the United States.

It's also worth noting that a similar project was announced at the Port of Longview in April and negotiations are proceeding without organized opposition, according to spokeswoman Amy Fischer.

Still, it's reasonable to be concerned about possible accidents involving long trains of propane tanks. Propane export facilities do not need a Federal Energy Regulatory Commission license, so it will be up to the Port and city to ensure city residents that the facility is safe. It should be their top priority moving forward.

It's too early to gauge environmental impacts, which will depend in part on the final design of the facility. But, given the location and the amount of infrastructure that already exists, it likely would be hard to find a less disruptive and more productive use of the land.

All things considered, Pembina's proposal looks promising. In fact, barring an unexpected discovery, it's reasonable to wonder whether anyone who opposes it would be willing to support any energy export project.

Portland Tribune

New zones give colleges, hospitals room to grow

*By Steve Law
September 4, 2014*

For years in Portland, neighbors have often objected when colleges and hospitals tried to expand.

Think about past tussles involving Legacy Good Samaritan Medical Center, the University of Portland, Warner Pacific and Reed colleges.

Such friction is understandable, given that Portland's hospitals and colleges are mostly in residential zones, yet they're constantly growing. They've been the biggest source of new jobs in the city for the past decade, and in the next 20 years, hospitals and colleges are projected to supply more than 23,000 new jobs in Portland — one out of every four, says Tom Armstrong, supervising planner for the Bureau of Planning and Sustainability.

Now city planners are trying to make Portland more supportive of these job-creating engines, as they rewrite the city's comprehensive land-use plan for the first time since 1980.

The land-use process has been "difficult and challenging at times, both for the institutions and the surrounding neighbors," Armstrong says. Most Portland colleges and hospitals are functioning as "conditional uses" in residential areas, and must go through significant land-use hoops to chart their expansions.

Yet Portland's vital centers of learning and medicine often predate surrounding homes. Good Sam was founded in Northwest Portland in 1875; Lewis & Clark Law School was founded in Southwest Portland in 1884; Reed College was founded in Southeast Portland in 1908.

"As long as they're on residential land, it seems as they are treated as guests of the neighborhood," says Marty Stiven, a Lake Oswego planning consultant who has represented Providence Portland Medical Center in Northeast Portland.

City planners are still plotting how to balance the needs of institutions for orderly growth with the needs of neighborhoods to retain input on traffic and other impacts. But planners are honing in on three key changes.

Instead of calling colleges and hospitals a "conditional use" in residential areas, the city may grant them a new institutional land-use designation. That would give them a legal and psychological sense of "you belong," Armstrong says, instead of "you're special — we're just letting you be here."

The second main change would grant institutions flexibility to develop as they see fit within their campuses, with the city and neighbors having more input on the borders where campuses transition into surrounding areas. "We're trying to make it easier for them to grow up, not out," Armstrong says. City regulators and neighbors would still get a voice on potential impacts of growing institutions, such as traffic, parking, lighting and noise.

The third major change would extend some sort of new institutional designation to public high schools, allowing them freedom to add, for example, for-profit health clinics.

Right solution?

Karen Karlsson, a neighborhood activist in Northwest Portland, isn't sure the current system is broken, and is wary of the city's proposed "one size fits all" approach to institutions. Providence hospital, she says, should be allowed to have taller buildings next to the Banfield Freeway, in contrast to Legacy Good Sam, located in a neighborhood.

In the 1980s, she recalls, Northwest Portland residents fended off what they saw as Legacy Good Sam's efforts to sprawl all the way from Northwest 23rd Avenue to the Interstate 405 freeway.

"There's a concern that institutional zoning would restrict neighborhood input into the institution's growth and relationship to the neighborhood," Karlsson says.

Hospitals and colleges seem to like the way the city effort is headed.

Right now, most hospitals and colleges need to submit Conditional Use Master Plans at least every 10 years, which must spell out all their future growth plans. Colleges and hospitals complain their plans often change depending on the market and fundraising campaigns.

“So the best strategy is to put every conceivable development that you might be considering over the next 10 years into the plan even if you’ll only do a tenth of it,” says David Ellis, Lewis & Clark College vice president and general counsel.

If there is a change — even moving the footprint of a building by 10 feet — they must go through the process again, Armstrong says. “Any time you wanted some sort of minor change it would reopen the entire debate.”

And conditional-use applications mean neighborhood input must be solicited, and decisions are rendered by an independent hearing officer in a quasi-judicial process. Hearing officer decisions may be appealed to the Portland City Council.

Under Oregon land-use law, it only takes one neighborhood critic to tie up a college’s or hospital’s construction plans.

It cost Lewis & Clark \$300,000 to \$500,000 the last time it went through the conditional-use process, Ellis says.

When the hearings officer didn’t go along with some lesser aspects of the college’s proposal to build the new Gregg Pavilion, a small building near the chapel, back in 2008, Lewis & Clark couldn’t risk appealing the decision, because of a deadline from a project donor.

The conditional-use process isn’t the “right lever,” Ellis says, “to make sure institutions work with the neighborhood around them.”

Lewis & Clark tries to work closely with neighbors, and invites them to use its pool, library, tennis courts and other facilities, he notes. “We think we’re pretty good at planning and development here at Lewis & Clark.”

Another option

In response to longstanding complaints about the Conditional Use Master Plan process, the city launched an alternative system, called Impact Mitigation Plans.

Portland Community College went that route to build out its Cascadia campus on North Killingsworth Street, and found it was just as cumbersome. Because the campus is within the Piedmont Conservation District, “We had to have a design review for replacement of windows,” says Rebecca Ocken, PCC’s bond project manager. Another review was required when the college added a surface parking lot.

Despite the supposedly more flexible process, PCC had to undergo seven or eight formal processes through the hearings officer.

That was a sharp contrast to PCC’s work at the Southeast campus on Division Street and 82nd Avenue, because that was already zoned for commercial use, giving the college more flexibility.

The new institutional zoning also wouldn’t apply to Portland State University and Oregon Health & Science University, because they also operate under different requirements.

The University of Portland, after encountering big fights with neighbors over its expansion plans in the 1990s and 2000s, came up with a different notion in 2012, when it got a hearings officer to sign off on a plan granting it more flexibility for work in the campus interior, with neighbors retaining more input on the edge of the campus where it affected the neighborhood.

“We saw that as a model,” Armstrong says, and it became the basis for the current proposal.

City planners are now trying to commit their ideas into new language for the comprehensive land-use plan that will go to the Planning and Sustainability Commission, and then the Portland City Council.

Ocken is hopeful, but says the “devil’s in the details” of new planning and zoning regulations.

“I think it’s a real promising first step,” she says.

Planners see more uses for high schools High schools may be next.

After Portland city planners sort out how to give hospitals and colleges more flexibility for development within their campuses, planners want to extend the idea to high schools in the city.

It's unclear how giving high schools a new institutional zoning might evolve or what it might mean. But some interesting ideas have emerged as planners plot the first update of the city's comprehensive land-use plan since 1980.

"There are some things that can't be done at high schools that maybe should be done," says Karen Karlsson, a land use and development consultant and neighborhood activist in Northwest Portland.

"How about a small market that brings in fresh produce in some of these neighborhoods that don't have that opportunity?"

Or a for-profit health clinic, which one company proposed at one of the city's high schools, says Tom Armstrong, supervising planner for the Bureau of Planning and Sustainability.

Another possibility cited by planners is occupational training programs at Benson High School.

"Maybe they want to have a computer repair shop for the neighborhood," Armstrong says.

Under current zoning rules, though, public schools are barred from operating any commercial enterprises.

"We want to be able to provide that flexibility within reason," Armstrong says.

City planners note that high schools are increasingly viewed as community centers, hosting a variety of functions that may or may not relate to education. That fits the city's vision of providing essential services within a 20-minute walk of most residents, now called "complete neighborhoods."

Hales, city officials leave for Japanese trade mission

*By Jim Redden
September 3, 2014*

Mayor Charlie Hales is leading a trade mission to Japan this week.

The small delegation of city leaders departed from Portland on Wednesday, Sept. 3, and will return on Tuesday, Sept. 9.

"Portland is an international city, and we are seeing this increasingly in our economy," says Hales. "We have come through the Great Recession and we are seeing our economy on the rise. But broadening international relations will hedge the city's bet against the next recession."

Joining Hales on the trip are two members of the city's Office of Government Relations — Director Martha Pellegrino and Hector Miramontes, the city's international relations director — and Mitsushiro Yamazaki, business development officer at the Portland Development Commission.

As part of the mission, Hales will visit Sapporo, Portland's official sister city in Japan. There, he and Sapporo Mayor Fumio Ueda will sign an agreement to form an arts exchange between the sister cities.

Hales will also visit the Hokkaido Shimbun Newspaper, tour the Sapporo International Art Festival, and take part in the 55th anniversary ceremony of the Portland Pavilion in Sapporo Art Park. And the delegation will tour Portland Square at Horoshira Bridge.

On Saturday, Hales will speak at a symposium focused on "Lifestyle Portland" along with Yamazaki and Jeff Hammerly of Travel Portland.

After that, the delegation heads to Tokyo on Sunday, where it will meet with representatives of Sekisui House, Japan's second-largest homebuilder, which is focusing on green building and sustainability.

"We have a lot to learn from Japan's green building industry, and they have a lot to learn from us," Hales says. "This is an opportunity share best practices."

The delegation will also meet with representatives of the Japanese government's Ministry of Land, Infrastructure, Transportation and Tourism, which has jurisdiction over such issues as land-use planning, urban development, housing, harbors and disaster preparedness.

"The ministry's areas of expertise align with a lot of the driving issues here in Portland," Hales says.

The Tokyo visit also includes a meeting with Mitsui Fudosan, the largest real estate developer in Japan and founding member of Japan's Smart City Planning Inc.

The trip comes after Mayor Ueda of Sapporo brought a delegation of approximately 90 people to Portland in June during the Portland Rose Festival. It also marks the 55th anniversary of Portland's sister city relationship with Sapporo.

This is Hales's third overseas trip since taking office in January 2013, following trips to China and South Africa.

Large propane terminal proposed for Portland

*By Jim Redden
September 2, 2014*

A Canadian company wants to build a major rail-based propane storage and export terminal in Portland that could receive approximately 37,000 barrels a day by 2018, the Port of Portland announced Tuesday.

"This is great news," Mayor Charlie Hales said in a prepared statement. "We welcome this investment and these jobs in Portland. The city is committed to growing our economy on the land we already have, and holding industry to very high environmental and public safety standards. This proposal meets these goals."

The project is still in the planning stage and will likely require a number of permits from regulatory agencies. If approved and constructed, most of the propane would be exported to Asian markets, where it is used for various residential and industrial purposes.

"We have been extremely discerning when considering recent energy sector cargo opportunities, and after saying 'no' to coal and 'not now' to crude by rail, we are confident that we are saying 'yes' to the right partner at the right time," Port of Portland Executive Director Bill Wyatt said in the statement. "Propane has an excellent track record as a clean and safe alternative fuel, and I am impressed by the level of experience, expertise and commitment to safety that Pembina brings to the table."

According to the port, the Pembina Pipeline Corporation is planning to construct and operate the facility on land adjacent to the east end of the Port's marine Terminal 6 in Rivergate Industrial District. The company, which is based in Calgary, Alberta, is one of Canada's leading providers of transportation and logistics for the North American energy sector.

"Signing an agreement with the Port of Portland is a tremendous start to making this project real. It marks the beginning of consulting with government and stakeholders," Mick Dilger, Pembina's President and CEO, said in the statement. "Building trust with the communities where we operate is a top priority for Pembina. Over the last 60 years, we've developed a reputation for honesty, transparency and treating our stakeholders with respect."

The port says the company will invest over \$500 million in the facility, making it one of the largest single private capital investments in the city's history. The project will create between 600 and 800 temporary construction jobs and approximately 35 to 40 new, permanent positions to operate the terminal. This employment is valued at approximately \$7.2 million in wages and benefits annually.

In addition, an estimated \$3.3 million in annual tax revenues would go to the City of Portland, as well as \$2.4 million to Multnomah County and \$3.1 million to Portland Public Schools annually.

"It is not an overstatement to say this would be transformative not only for the Port's bottom line, but for the significant influx of city, county and state tax revenue supporting our region," Wyatt said. "We already

handle exports of potash and wheat from Canada, and we're excited to serve as the gateway for this new cargo type from our neighbors to the north."

Willamette Week

Street Talk

Community policing has come to Hawthorne Boulevard—and it seems to be working.

*By Sami Edge
September 2, 2014*

After 32 years, Robert Proctor and his wife, Jocelyn, had gotten used to the "travelers"—the influx of homeless people who gathered each summer near their home next to the CD Gamexchange on Southeast 36th Avenue, just off Hawthorne Boulevard.

But four years ago, the numbers of homeless started to grow. They camped across the street from the Proctors' house, and crowds of 10 to 15 grew to 30—gatherings so large they blocked passersby. Proctor watched drug deals from his porch and shoveled human feces from his yard.

"We wanted to move," he says. "Screaming and fighting with these people was stressing me out."

This year is different—the numbers of homeless are down and the tensions have eased. Proctor sees it. So do other neighbors, Hawthorne business owners and even street people who frequent the area.

They credit the change to a shift in tactics by Portland police, who this summer have gotten out of their patrol cars and increased walking patrols along Hawthorne and adjacent streets.

"I don't think it's ever been this peaceful," Proctor says.

Business owners say they no longer find people sleeping on their doorsteps when they open in the morning. The street musicians and people selling jewelry on the sidewalk are still there, but most drug dealers and aggressive panhandlers have moved along.

"There are people outside right now, and that's totally fine—it kind of adds to the color of the street," says Miranda Levin, owner of gift boutique Memento PDX and vice president of the Hawthorne Boulevard Business Association. "The people that just kind of disappeared were the ones really causing problems."

The Portland Police Bureau says it hasn't yet compiled statistics showing whether the crime rate has actually decreased along Hawthorne. Bureau officials say they believe there have been fewer police calls since the patrols started.

"This has taken a lot of emotional investment that we're accustomed to resist," says Sgt. Ric DeLand, who oversees the effort. "My team is exhausted. At the same time, nobody wants it to end."

If true, the changes along Hawthorne represent a rare success for Mayor Charlie Hales' approach to homelessness and changing the tactics of Portland police.

As a mayoral candidate, Hales talked about a return to community policing, which puts officers in more direct contact with citizens. Some officers said what Hales promised was not that different from the way cops already operated.

And last summer, Hales launched an aggressive sweep of homeless people from in front of City Hall, off of downtown sidewalks, from under overpasses, and out of city parks.

Dan Handelman of Portland Copwatch says he hasn't heard about the bureau's efforts to change its tactics along Hawthorne.

"It would be nice if what you're saying is true. Our experience is that these kinds of things target people who are vulnerable, like poor people or people of color," Handelman says. "Usually, when something like this happens, we get calls and complaints."

Central Precinct Commander Bob Day says he saw Portland's sense of security plummet last year after a number of attacks credited to summer travelers—including a highly publicized incident in July in which a 70-year-old employee of the Portland Outdoor Store on Southwest Broadway was clobbered over the head with a skateboard.

"The perception was that we were really off the hook on a lot of problems," Day says.

This summer, five two-officer teams worked the areas of Southwest 3rd Avenue and Oak Street, and along Hawthorne between Southeast 21st and 50th avenues.

The strategy, Day says, was fewer arrests and tickets, and more effort to talk to travelers and street people, and to connect them with services. As a result, he says, officers have reduced the antagonism between travelers, businesses and homeowners.

DeLand says it was also an effort to put aside policing tactics that officers knew were pointless.

"Getting a ticket is not a significant moment in their life," DeLand says. "We've worn out the power of that tool."

On a recent visit to Hawthorne, DeLand points to a literal wall—"that used to be called 'Drinkers Wall'"—between Oasis Cafe and the Gold Door Jewelry, where drunken people routinely gathered. Now, aside from some teenage girls huddled around a cellphone, there's no one there.

The officers working Hawthorne have gotten to the point where they have learned the ins and outs of everyday life among many homeless youth and other travelers. While DeLand is sitting at a cafe table outside Starbucks, Officers Jon Richardson and Greg Moore show up and report on the latest news.

They discuss a homeless couple they have not seen before and the theft of one of the travelers' dogs. Richardson also had an update about two homeless youths they know well.

"Austin's got a pet squirrel," Richardson says, "and Troy tried to give himself a brand."

A few minutes later, the two youths hail DeLand. Austin, without his squirrel, has a pit bull mix named Dune on a rope. DeLand stops to pet the dog before asking Troy about two splotchy, red-brown marks on his upper left arm. Troy explains it's the first few letters of a burned-on tattoo that will say "LOVE."

"You don't approve," says a young woman standing nearby.

"It's not that," DeLand says. "I'm just afraid it will get infected."

The next day, without police around, Troy is on the corner outside the Baghdad Theater, sitting with his friends and holding a flute.

The 21-year-old says he's been on the road from Tampa, Fla., for two years and hitched a ride to Portland with some other Floridians he met at a commune in Utah. Troy says he always thought cops were "aggressive, hostile and mean." But his experience on Hawthorne has changed that.

"I'm used to being worried about the cops, but here I just look forward to seeing them," Troy says.

"They're literally just here to help people."

Julius Henagan, 24, says he comes through Portland every summer, camping in parks and hanging out along Hawthorne during the day. He says the problems are caused by other travelers who have heard that Portland is the place to come to get "drunk and rowdy." It had become so unpleasant for homeless people, he says, that he almost skipped coming to Portland this year.

Police say their effort to get to know individual travelers has allowed many of them to identify which people posed the biggest threat. "When we go out and there's a problem, everyone is really communicating with us," Richardson says. "Before, they never would have come to us because they thought we wouldn't help them or they'd get in trouble."

Director Dennis Lundberg of Janus Youth Programs says he tends to be wary of police contact with Portland's homeless youth. After 13 years with the advocacy group, Lundberg says he's learned cops often don't have the proper tools or training.

But for the first time, he considers the police "partners." "It's unprecedented in my experience," he adds.

Hales himself toured Hawthorne on Aug. 29, talked to several street people and declared his determination to ensure the program is continued next year. (He also dropped bills into the cups or instrument cases of every street musician he saw.)

Day and DeLand worry money will be the problem going forward. Day says he's organized these community-policing patrols by shifting officers from other assignments. He'll do the same next year.

"I'm 100 percent committed," Day says. "I'm not backing off."

Cost of Renaming City Street for Trail Blazers' Jack Ramsay: \$2,640

*By Nigel Jaquiss
September 2, 2014*

City Commissioner Steve Novick is not much accustomed to the slings and arrows of a skeptical public or press.

He's taken heat from both for the proposed new transportation funding measure he and Mayor Charlie Hales have pursued this year.

But this week, Novick will finalize a council that promises to be far less controversial: renaming North Winning Way, a small street adjacent to the Moda Center. He'd like to rename it North Ramsay Way, in honor of the late Jack Ramsay, the coach who led the Portland Trail Blazers to their only NBA championship, way back in 1977.

It's the kind of political theater that will bring good feelings to City Hall, earn the Blazers some pre-pre-season press and cost the relatively modest sum of \$2,640—which the Blazers, according to the resolution council will consider on Wednesday at 10 am—have agreed to donate.

Now all Novick has to do is find taxpayers who feel as positively about paying his \$50 million street fee as Portlanders feel about the Blazers and Jack Ramsay.

The Mercury

Hall Monitor Watching a Promise

*By Denis C. Theriault
September 3, 2014*

IT WAS EASY to get caught up in the unfortunate symmetry of the other week's big announcement from Mayor Charlie Hales and the Portland Development Commission (PDC).

The hip and convenient Trader Joe's that had been planned for a woebegone lot at NE MLK and Alberta—until a fierce debate over gentrification and the city's treatment of African Americans drove it off—now seems like it will be replaced with another crunchy, upscale grocery store.

On Thursday, August 28, it was revealed that Colorado-based chain Natural Grocers has agreed to slide in as the fallback anchor tenant in a retail project pushed by a Southern California developer—reviving a land deal made possible with deep urban renewal subsidies.

Or, put another way?

Months after one grocery store popular with white, yuppie Portlanders was kept out of a traditionally black part of town, a different grocery store popular with white, monied yuppies is neatly taking its place, while maybe even charging higher prices.

For a lot of people, remembering all the noise over Trader Joe's this winter—including protests and letters from the National Association for the Advancement of Colored People and the Portland African American Leadership Forum—it looked like nothing was gained. For anyone.

When the Oregonian broke the news about a preview meeting Hales held with African American business leaders just before the announcement, the lead quote was almost comically tepid:

"It's going to be better than nothing," James Posey, a business owner, told the daily.

That might be the prevailing sentiment. It's also missing the point—and maybe blithely giving city hall a pass on another promise that still needs watching.

Back in March, you'll recall, Hales reached an accord with the groups who'd criticized the Trader Joe's deal—airing grievances whose roots run decades deep into the city's lamentable history of redlining and neglecting some African American neighborhoods while dismantling others—only to rebuild and re-invest in those neighborhoods when they gentrified.

In exchange for the neighborhood groups' blessing as he tried to re-light the flame with Trader Joe's, Hales promised a major concession that directly addressed one of his critics' biggest concerns: He agreed to spend an additional \$20 million on affordable housing in the urban renewal zone that stretches up MLK and over to St. Johns—money that presumably might keep more non-white Portlanders from being priced out of their neighborhoods.

The Natural Grocers announcement even mentioned that money, including some new details on how and when it might be spent.

The big news? Though it could be spent anywhere in that zone, it's mostly going to be used on MLK. And community groups, working with the Portland Housing Bureau, will be asked how they'd like to see it directed.

And here's why we still need to pay attention. Much of that money will be coming on top of what's already earmarked for truly affordable housing in the district—people making 30 percent or less of the city's median income. And that could mean the PDC is allowed to spend it on developments for people earning closer to the median income—like it's doing in Old Town.

As of press time, officials hadn't answered questions asking if that had been ruled out. If not, and that new housing money winds up fueling displacement, too? Maybe then you can say nothing was gained. Hell, you'd have a good case for arguing something was lost.

The Finish Line

Federal Judge Okays Police Reforms, Ending Months of Uncertainty

*By Denis C. Theriault
September 3, 2014*

A BRUISING MARATHON seems to have finally finished for Portland police officials and city hall—now that a federal judge has accepted a wide-ranging package of policy changes, more than three years in the making, meant to rein in officers' use of excessive force against people with mental illness.

US District Court Judge Michael Simon ended months of legal wrangling on Friday, August 29, when he issued a five-page ruling formally approving a series of reforms first put before him in late 2012. Simon is expected to retain limited oversight of the approved deal for up to five more years.

"After reviewing the settlement agreement and considering the views of the parties and all public comments received," Simon wrote in his opinion, first reported by the Mercury, "the court finds that the settlement agreement, as a whole, is fair, adequate, and reasonable."

That ruling comes more than three years after the US Department of Justice (DOJ), in the spring of 2011, first announced its plans to investigate the Portland Police Bureau in the wake of several high-profile police shootings. It also comes just under two years after the DOJ issued stinging findings accusing the bureau of constitutional violations by allowing its officers to engage in a pattern or practice of using excessive force, particularly against those in crisis.

Simon's seal of recognition might have come far sooner if not for legal maneuvers by the Portland Police Association (PPA), the city's rank-and-file police union, and community advocates led by the Albina Ministerial Alliance Coalition for Justice and Police Reform.

And because of that delay, Simon has blessed several changes that have already been put in place: new limits on how cops can use their Tasers, revised use-of-force and performance policies, training that

emphasizes de-escalation, speedier misconduct investigations, and the creation of new units meant to deal with mental health.

"We all want our police bureau to treat all people with humanity and dignity, and to have the tools and training necessary to deal with the complexities of mental illness," wrote Mayor Charlie Hales, who inherited the reforms, largely negotiated by his predecessor, Sam Adams, and also the fight to see them implemented. "This agreement, now affirmed, solidifies Portland's commitment to serving our diverse community."

But Simon's ruling also stakes out some new ground.

As he warned he might do earlier this year, Simon has ordered everyone back in his courtroom once a year for updates on the pace and progress of reforms. The city and PPA both strenuously objected to the reunions, arguing Simon had no right to impose them.

It's still unclear, as of press time, if either party can or will try to challenge Simon's ruling based on their objections.

PPA President Daryl Turner has declined a handful of requests to comment on Simon's ruling. Hales' statement suggests a willingness to move forward, but his office hasn't returned messages explicitly asking if that's the case.

City Attorney Tracy Reeve, in an interview with the Mercury, gave the following statement: "We're delighted [Judge Simon] has entered the settlement agreement and the city is pleased to be going forward with the settlement agreement we negotiated with the DOJ."

It could be there are other things to think about.

The reform package also calls for the hiring of an independent monitor and the seating of a community advisory board within the deal's first 90 days.

City hall's been working on hiring the monitor, called a "compliance officer/community liaison," since January—well before Simon was ready to rule. Officials could announce the three finalists for the job in the next several days.

That milestone, however, has come earlier than anticipated, in part because so few candidates applied. A selection committee will consider the three remaining names publicly before sending them to the city's elected officials for a final round of interviews.

Commissioner Amanda Fritz, leading that effort, says the committee can still decide if one or more of the final candidates should not advance—forcing a new round of recruiting.

One police reform advocate, Jason Renaud of the Mental Health Association of Portland, is rooting for that implosion and dropping names like ex-Governor Ted Kulongoski or Paul De Muniz, former chief justice of the Oregon Supreme Court.

"We're going to regret going with persons who are inexperienced or unfamiliar with our issues," Renaud says. "If the advisory group can say, 'No, these people are not sufficient,' then we can shift gears and go out and recruit."

The Sickness... and the Cure

In September 2012, the federal Department of Justice (DOJ) turned up troubling details surrounding Portland cops' training, and the lax scrutiny officers received when accused of wrongdoing. The findings confirmed what many had long suspected: that Portland's police had a pattern of using unconstitutional force against the mentally ill.

It turned out cops weren't being adequately schooled in how to deal with often-delicate situations—some cops would refer to people in mental health crises as "mentals"—and the DOJ said Portland officers were more fearful of people with mental illness than police in other cities. And it wasn't just mental health that cops had a problem with. The Portland Police Bureau (PPB) had been using an infamous 2009 incident where a 12-year-old girl was shot with a beanbag shotgun as a good example of how to handle a situation.

Meanwhile, the system set up to discipline officers who'd overstepped their bounds? The feds said it was so "byzantine" that it was ineffective.

Among the prescribed changes:

- The PPB has revised its force and performance directives, stipulating that officers must use only enough muscle as necessary to "lawfully perform" their duties. Officers also can be graded on the decisions they make leading up to the use of force. The bureau also created a "discipline matrix," spelling out likely consequences for various kinds of misdeeds.
- The PPB revised its Taser policy, dictating the weapons should be used against someone with mental illness only in "exigent circumstances," and urging cops not to cycle their Tasers more than twice when trying to apprehend someone. They're also now told to try handcuffing someone between Taser cycles, so long as it's "feasible" and safe.
- New quarterly audits of use-of-force cases were implemented, looking specifically at mental health information. Sergeants now respond after each use of force.
- Officers are now given "refresher training" on dealing with people in mental health crisis—in addition to the 40 hours of training required before they're allowed on the street.
- The bureau created a Behavioral Health Unit advised by community stakeholders, expanded its roving pairings of cops and mental health workers, and started an enhanced Crisis Intervention Team.
- The city dramatically sped up its timeframe for investigating misconduct and the improper use of force, promising to finish investigations and appeals within 180 days.
- The reforms made mention of constructing and staffing either a walk-in or drop-off center for people in crisis, tied to health-care reform efforts. But that multimillion-dollar provision has languished, with officials declaring it merely "aspirational."

—Dirk VanderHart

The Long Road to Reforms

FEBRUARY 19, 2010: Then-Mayor Sam Adams joins then-Police Commissioner Dan Saltzman in heeding outrage over the fatal shooting of Aaron Campbell and asking for the US Department of Justice (DOJ) to investigate.

JUNE 7-8, 2011: DOJ says it won't bring charges in the Campbell shooting, instead announcing an investigation into whether Portland police officers' overall use of force violates the Constitution or federal law.

SEPTEMBER 13, 2012: DOJ issues a harsh letter, announcing, "There is reasonable cause to believe that the Portland Police Bureau is engaged in a pattern or practice of using excessive force against people with mental illness." DOJ pledges to work with city leaders on reforms.

NOVEMBER 14, 2012: Portland City Council unanimously approves tentative reforms, spelling out changes in training, oversight, force policies, and misconduct investigations.

FEBRUARY 19, 2013: US District Court Judge Michael Simon, asked to approve the deal, allows the Portland Police Association (PPA) to join the case as a defendant, and confers "friend of the court" status on the Albina Ministerial Alliance Coalition for Justice and Police Reform. He sends everyone into mediation over potential changes.

JULY 18, 2013: Simon threatens a "bench trial" after mediation fails to solve an impasse between the city, feds, and PPA over how the deal affects the PPA's labor contract.

NOVEMBER 6, 2013: The city and PPA unveil an accord on both police reforms and the union's labor contract, making some minor tweaks while clearing the way for policy changes to move forward even without Simon's assent.

JANUARY 8, 2014: After several public hearings, city council approves federally mandated code changes meant to speed up misconduct investigations—over the PPA's objections.

FEBRUARY 18, 2014: Simon holds a "fairness hearing" on the deal, where, for a day and a half, community members say they don't think the changes go far enough. The city also admits, during testimony at the hearing, that much-hyped plans for a crisis center are merely "aspirational."

MARCH 24, 2014: Simon indicates he'll accept the reforms, at last, but insists on annual updates in his courtroom—a condition that almost immediately sees the city and PPA balk and prompts several more rounds of arguments and briefings.

JULY 2, 2014: Simon closes the official record without the city or PPA agreeing to annual updates in his courtroom, while promising a decision imminently.

AUGUST 29, 2014: Simon accepts the settlement agreement—still insisting on annual updates, potentially leaving room for an appeal or challenge.

NOVEMBER 28, 2014: Ninety days after Simon's order, the city is supposed to have a compliance officer/community liaison in place, as well as a community advisory board, to help oversee the reforms.

SEPTEMBER 14, 2015: Simon's first scheduled annual update hearing.

—*Denis C. Theriault*

The Portland Observer

Good with MLK and Alberta

'Natural Grocers' to construct store on vacant site

By Portland Observer Staff
September 3, 2014

Mayor Charlie Hales and the co-president of Natural Grocers announced Friday that property owned by the Portland Development Commission at Northeast Martin Luther King Jr. Boulevard and Alberta Street will be the site for a new community-centric grocery store that focuses on free nutrition education and healthy food.

Three months ago, Hales and PDC staff urged the project developer, Majestic Realty Co., to remain committed to the project and to find another anchor tenant for the 1.79-acre property, following the decision by Trader Joe's not to locate a store on the site.

"The challenges this development has faced have been well documented," Hales said. "But thanks to the determination of the public and private partners involved, we're now able to present a development that will benefit the residents of northeast Portland, support neighboring businesses, introduce Portlanders to a high-quality, affordable grocer and revitalize a parcel of land that has sat dormant for 15 years."

In March, the mayor committed an additional \$20 million in urban renewal funds to affordable housing in north and northeast Portland to complement commercial development efforts on MLK. The Portland Housing Bureau, led by Commissioner Dan Saltzman, is conducting a community involvement process to develop a housing strategy to help direct that investment.

Natural Grocers is a Colorado-based chain with stores in 14 states. The company has seven locations in Oregon, including four in the Portland area.

"The values Portlanders embrace around fresh, local food; resource conservation; and community involvement are perfectly aligned with the business model we've had in place since my parents founded the company nearly 60 years ago," said Kemper Isely, Natural Grocers co-president.

Beyond a place to buy healthy food, the new store brings many additional benefits to the community, including: an on-site credentialed nutritional health coach, provided at no charge, to answer questions, help with meal planning and provide one-on-one nutrition counseling, along with other free nutrition education options like cooking classes and demonstrations, and lectures on topics of interest to the community.

"We work hard to make healthy options affordable so that customers feel empowered in our stores," Isely added. "We are deeply committed to our neighbors and we look forward to being part of the Portland community for years to come."

Preliminary design work will start in early September. In addition to Natural Grocers, the development, when complete, will include commercial and retail space to house between four and 10 businesses.

A community benefits agreement and elements of the project design will be developed by a project working group. The group will include representatives from nearby neighborhood, business and community associations and will be formed in the next few weeks. Their work will inform the overall project design and development.

Colas Construction of Portland was selected in January as project general contractor. "I grew up and now reside in north Portland and I am honored to have Colas Construction lead a project that will deliver real jobs, real amenities and real opportunities for neighborhood residents," said Andrew Colas, president of Colas Construction. "I want to thank Majestic Realty for the commitment to us, to this neighborhood and to this project. I am so excited to break ground."

Work on the project is expected to begin in late fall.