

The Oregonian

Is Portland disinvesting in affordable housing for the Pearl and Old Town?

*By Brad Schmidt
November 06, 2014*

After falling behind on its affordable housing goals for the River District, Portland is about to dramatically reduce the share of urban renewal funding that the city dedicates to housing construction in the area.

An analysis by The Oregonian found that the River District would need to add about 1,300 units of affordable housing to meet the city's affordability goals for the area, requiring an estimated \$240 million.

The city would not need to come up with all of the money. Typically the cost of affordable housing projects is shared by a broad list of sources including the city, federal grants, non-profit contributions and investment by private developers.

But shifting more city funding toward this purpose in the River District would mean less money for priorities such as redeveloping Old Town Chinatown or the city's Centennial Mills waterfront property.

Those projects will take up a growing share of annual urban renewal budgets for the district in coming years, under a spending plan the City Council voted 5-0 to endorse in May.

Big pot

City officials have a big pot of money in the River District to try to meet their goals. The potential source: urban renewal dollars.

Tax dollars corralled within urban renewal districts are a frequent source for affordable housing, public infrastructure and commercial development.

It works like this: The city sells urban renewal bonds to pay for these improvements. It repays the debt with property tax revenues that pour in when property values in the urban renewal district rise.

Portland's River District urban renewal area is the city's richest, with a debt limit of \$489.5 million. That's the highest debt limit among the city's six active urban renewal districts.

Now 16 years into the creation of the district, the city still has the ability to issue an additional \$185 million in bonds to pay for projects. That's also the highest amount of new bonding capacity available to any active renewal district.

Shrinking spending

While the funding remains available, the city plans to reduce the share of urban renewal spending in the River District that goes to low-income housing.

Since fiscal year 2007, Portland officials have made it a goal to spend at least 30 percent of urban renewal funds on affordable housing under a "set-aside policy." Within the River District, which includes the Pearl District and Old Town Chinatown, the rate of funding for affordable housing has been even higher.

Between fiscal years 2007 and 2014, the Portland Development Commission allocated \$60.6 million of \$165.3 million toward affordable housing projects. That's 37 percent.

But in the agency's latest budget, which forecasts spending for five years, through fiscal year 2019, the rate of affordable housing spending will drop off dramatically.

Housing funding during the current fiscal year through fiscal year 2019 is projected at \$40.5 million out of a total of \$166.8 million. That's 24 percent.

Nearly half of the housing money is earmarked for projects that are already under construction.

Agency's explanation

Patrick Quinton, executive director of the Portland Development Commission, emphasized that the overall percentage of money dedicated for affordable housing will fluctuate in any given year based on projects in the pipeline.

Quinton said there has been an "extraordinary amount of affordable housing built in the Pearl."

Quinton also noted that much of the city's investment in affordable housing was front-loaded into the early years of the set-aside policy.

As an example, Quinton pointed to the Bud Clark Commons. The city contributed \$29.5 million from its River District urban renewal area toward the project, which opened in 2011 and features 130 affordable rental units and a 90-bed shelter.

"I don't think there's been an active disinvestment in affordable housing," Quinton said. Quinton's agency passes set-aside funding to the Portland Housing Bureau; any increase in housing money would mean less for the Portland Development Commission.

The cumulative percentage within the district spent on affordable housing through 2019 is expected to meet the 30 percent set-aside requirement. Projections show \$101.1 million for housing out of \$332.1 million total.

But that level of spending won't be enough to meet a longer-standing city housing goal in the River District: making 35 percent of units affordable.

Proposed Portland street fee virtually ignores heavy transportation: Guest opinion

*By Guest Columnist Robert McCullough
November 06, 2014*

In 1845, a coin toss renamed the city then known as "the clearing" as "Portland." The name stuck because Portland is a hub where two rivers, two railroads and two interstate highways meet. Portland reflects our status as a major port. The city hosts truck depots, 12 rail yards, a major sea port and an international airport.

This shows up in road use and fuel use. Approximately 17 percent of the diesel consumed in Oregon is consumed in Portland — a majority of which is used by heavy trailer trucks in town. To contrast this figure, only 12 percent of the state's gasoline is consumed in Portland. While about a third of statewide fuel consumption is diesel, within city limits diesel makes up about 40 percent of all the petroleum that is used on the roads in our city.

Portland's City Council is currently considering a "street fee" to fund improvements to the city's road system. The structure of the new fee is split into a progressive income tax structure for city residents and a regressive tax for business. A careful review of the street fee indicates that the largest users — trucking companies and railroads — are largely exempted from the fee.

For example, as currently proposed, a single family can pay a street fee as high as \$600 per year. The Portland Bureau of Transportation estimates that Union Pacific Railroad's Brooklyn Rail Yard will be paying only \$480 per year — even though the family has only one or two cars and the Brooklyn yard has thousands of trucks loading and unloading freight from all over the U.S. The family's cars weigh one or two tons. A single semi going to or coming from the Brooklyn yards weighs 40 tons. Something seems amiss with the city's fee calculations.

Common sense would lead us to the conclusion that a major rail yard should pay more — hundreds or thousands of times more — than a single family.

Although diesel is 40 percent of the fuel used in Portland, transportation is forecasted to pay less than 1 percent of the total street fee. However, diesel is the fuel of choice for transportation. The trains and trucks that carry the freight to and from Portland run on diesel. The heavy trucks contribute massively to road wear and maintenance. How did these large road and fuel users get exempted from paying their fair share of the tax burden?

A careful review of the history of the street fee proposal can provide a shrewd guess as to how the deficiency crept into the city's calculations. In May of this year, the original proposal involved the use of a standard traffic planning reference — the ITE Trip Generation Manual — to figure the tax burden for each business. Since the ITE manual is primarily focused on small business, the proposal envisaged a "transportation use fee administrator" to address special cases. When the proposal was changed this

summer, the preliminary figures prepared for May were used to calculate 15 broad categories ranging from agricultural to transportation.

Since this was a case of making the "square pegs fit into the round holes," the edges needed to be filed off to make all the pieces fit. The fact that transportation is characterized by major sites like airports and railroads — and not well addressed in the ITC manual — was apparently overlooked in that process.

Clearly the existing transportation category is inappropriate for major transportation players — the Brooklyn Rail Yard should certainly shoulder a street fee larger than that of a single family. Based on fuel use, tonnage or the number of associated trips, almost anyone would assign a much higher fee. If the city published the calculations that are behind its existing fee-calculator, street fees for major transportation businesses could be computed on the same basis.

In the end, if the street fee does address the major transportation players, this would allow for either a great deal more revenue — potentially 40 percent more — or a 40 percent reduction in the fees to the rest of the city. In either case, everyone should pay their share or the tax should be shelved until the bugs are worked out of the calculations.

Portland Mayor Charlie Hales favors out-of-state team with Oregon ties to monitor police reforms

*By Maxine Bernstein
November 07, 2014*

Portland's City Council plans to select a team of criminal justice academics from Chicago who will work closely with retired Oregon Supreme Court Justice Paul J. DeMuniz and nationally recognized policing expert Geoffrey P. Alpert to monitor federally mandated police reforms.

Mayor Charlie Hales, who serves as police commissioner, is set to make the announcement at 11:30 a.m. Friday. The council will vote on the contract Wednesday. Commissioners Amanda Fritz and Nick Fish are supportive of the Chicago team.

The team led by Dennis Rosenbaum, director of the Center for Research in Law & Justice at the University of Illinois at Chicago, was one of three groups of finalists for the city's compliance officer-community liaison contract.

Rosenbaum, DeMuniz and Alpert all have Oregon ties, and Rosenbaum grew up in Portland and attended Central Catholic High School.

The team would monitor the city's settlement agreement stemming from a 2012 U.S. Department of Justice investigation that found Portland police engaged in a pattern or practice of excessive force against people with mental illness or perceived to have mental illness. The investigation also found that stun gun use by officers was unjustified and excessive at times. The negotiated settlement, approved by a federal judge in late August, calls for changes to Portland policies, training and oversight.

The finalists for the job were whittled from 12 applicants and attended a public forum on Sept. 29. The council's choice veers from the recommendation of most members of a city selection advisory committee who favored finalist Daniel Ward based on interviews during the September forum. Several of the committee members were concerned that the Chicago academics weren't in touch with Portland.

"We are acutely aware that we could be perceived by the community as 'outsiders,'" Rosenbaum's team wrote in material provided to the city. "In order to build trust and relationships, we will do everything necessary to provide a high level of in-person service to the public and the city."

Rosenbaum and team members Amy C. Watson, an associate professor of social work at the University of Illinois at Chicago who specializes in police handling of mental health issues, and Tom Christoff, a doctoral student working on a dissertation on police citizen interactions, have said they will travel to Portland regularly for meetings, interviews, observations and data compilation.

"Everyone on the Rosenbaum-Watson team is eager to spend as much time in Portland as necessary to see this project through to a successful conclusion," Rosenbaum wrote.

Portland senior deputy city attorney David Woboril has said the team would ensure the Police Bureau follows the settlement agreement, would oversee Police Bureau inspections and use-of-force audits, and promote community outreach through a new community oversight advisory board. The team members will create quarterly and semi-annual reports on the police reforms and provide annual updates to the judge on the bureau's progress.

To gain a local perspective, Rosenbaum said DeMuniz agreed to be on the team and chair the quarterly meetings of the city's community oversight advisory board. DeMuniz had served as a mediator between the city, the police union and the U.S. Department of Justice, helping each side come to a negotiated settlement.

Rosenbaum also chose to work with Alpert, a criminology professor at the University of South Carolina, for his expertise on police use of force.

Rosenbaum stressed their expertise in collecting data and advising dozens of U.S. cities on police practices. He said his team can check Police Bureau data and the bureau's conclusions and collect data to do their own analyses.

"We are science researchers," Rosenbaum said in September. "We can talk about best practices in other places. We don't have some set agenda about this."

Rosenbaum said he had not applied to monitor settlement agreements reached with Justice officials in other cities, but was interested in working with Portland. "I see Portland as a progressive place that could adopt innovation," he said. "I think there's a potential for a new model here that's driven by the people of Portland, not by Washington."

Watson told community members that she's worked closely with people who suffer from mental illness and have had encounters with police. She said she's worked to push Chicago police to better track their mental health-related calls, and said Chicago police have an advanced crisis intervention training solely based on encounters with juveniles.

Beckie Child, a mental health advocate who was on the selection advisory committee, has said she was disappointed in the pool of candidates and objected to each of the finalists.

The Portland Tribune

Hearing set for latest street fee proposal

*By Jim Redden
November 6, 2014*

The first City Council hearing on the revised Portland street fee is set for 2 p.m. on Nov. 20 at City Hall.

Although Mayor Charlie Hales and Commissioner Steve Novick have not released a final version of their proposal, it apparently will include a progressive personal income tax for the residential portion. Novick recently noted that local income taxes can be deducted from federal taxes, potentially reducing the impact on those with higher taxes who would pay the most.

"So if we have a transportation income tax, people who itemize will actually be out of pocket less than the face amount," Novick wrote in an Oct. 31 email.

Representatives from more than a dozen advocacy organizations, including AARP and the Coalition for a Livable Future, say they are willing to considering supporting a progressive income tax for maintenance and safety projects, with some suggesting a cap of \$200 a month for the wealthiest Portlanders. In his email, Novick noted that city residents whose payments are capped at \$200 a month could end up paying \$120.80 a month if they itemize their taxes.

It is unclear whether Hales and Novick have agreed to cap the monthly payments at \$200, however. During an Oct. 13 council work session on the evolving proposal, Hales said he supports capping the payments at \$50 a month. Novick notes that would increase the tax on people with less money if the proposal is still intended to raise \$20 million or so from city residents, which is what the council was told.

"Reducing the cap at the top increases the payments in the middle," Novick says.

When Hales and Novick unveiled the fee in May, they proposed to assess all households \$144 a year to pay for maintenance and safety projects. That proposal was criticized by advocates for low-income families as hurting those who could least afford it. Commissioner Amanda Fritz, who was considered the most likely third vote on the council for the fee, said that concerned her as well.

Hales and Novick apparently are substituting a progressive income tax to address those concerns. Lower-income individuals will be except from the tax, and those earning the most will pay the most. State law also prohibits cities from taxing Public Employees Retirement System payments. That is also true of the city's \$35-a-year arts tax, which does not apply to people living in households with incomes below the poverty line.

Exactly where the tax would kick in and how it would progress to the highest income levels may not be revealed for another week. The final proposal will have to be filed with the City Auditor's Office by Nov. 13 if the first hearing is Nov. 20. The date for the vote has not yet been scheduled.

Details on property fees unknown

Hales and Novick also have yet to detail the other half of the fee — the portion imposed on nonresidential properties. But it appears to have changed as much as the residential portion.

The original proposals would have assessed nonresidential properties a fee based on how many motor vehicles they generate, as estimated by a formula developed by the Institute of Transportation Engineers. It would have applied to businesses, nonprofit organizations and government agencies.

That idea also ran into resistance, and Hales and Novick now appear to have substituted a formula based on such factors as the business classifications and sizes. Nonprofits and government agencies could get discounts or be entirely exempt. The exact details have not been released yet, although one estimate says businesses could pay between \$2.50 and \$120 a month.

The potential charges apparently are reducing the amount the revised fee will collect. The original proposal was estimated to bring in \$53 million a year. At the Oct. 13 council work session, Hales and Novick talked about \$40 million a year. The revenue still would be divided between maintenance and safety projects, however, which was the original goal. The final percentages have not been announced.

The changes have not silenced all the original critics. Grassroots opponents are criticizing every twist and turn on a Facebook page called Stop Portland Street Fee. "Property tax, leaf tax, water tax, art tax and now yet another tax? When will it stop?" according to one recent post.

Many of those on the page also insist the council must refer the fee to the ballot for approval before it is enacted. Hales and Novick still oppose that, but have suggested it could be placed on the ballot after Portlanders have seen how it works for a few years.

Support for growth boundary not as universal as some think

*By Jim Redden
November 6, 2014*

As regional officials prepare to discuss plans for fighting climate change, some residents and politicians are pushing back against the preferred options — increased density and more transit.

Metro will convene a meeting of key advisory committees to discuss its Climate Smart Plan Friday, Nov. 7, at the World Forestry Center. They are expected to endorse several plans in the region that would concentrate new housing in urban centers and increase transit to serve them. All envision new mixed-use projects along major transportation corridors, a development trend that could support a decision by Metro to not expand the urban growth boundary next year.

But there is a growing backlash to increased density in the region, too. Last week, Clackamas County commissioners sent a letter to Metro pushing for a third lane to be built along the two-lane section of Interstate 205 to ease traffic congestion. The letter was in response to the Climate Smart Plan, which one commissioner called "Portland-centric" when they approved the letter.

Clackamas County has rebelled against increased density and transit before. Voters there approved an ineffective ballot measure intended to stop the Portland-to-Milwaukie light-rail project after legally binding agreements already had been signed.

But such protests are breaking out in other parts of the region, too. For example, neighborhood activists are challenging a plan to build a mixed-use development with 207 apartments in the heart of Lake Oswego at the state Land Use Board of Appeals. Residents in Portland's Goose Hollow neighborhood have voted to oppose a plan by the Multnomah Athletic Club to build a 265-unit apartment building there. And the Multnomah Neighborhood Association Land Use Committee wants the zoning in Multnomah Village in Southwest Portland changed to reduce its potential density.

New transit service also is under attack. For example, Lake Oswego city councilors blocked a proposed Portland Streetcar extension to their city. Voters in Tigard and Tualatin have approved measures calling for public votes on any new high-capacity transit lines, which includes possible light-rail systems.

The Climate Smart Plan that Metro is developing is in response to a state requirement to reduce greenhouse gas emissions from personal motor vehicles. Plans expected to be supported by Metro include the update of Portland's comprehensive land-use plan that seeks to attract the majority of future residential growth to the city, the Powell-Division Transit and Development Plan that would serve growth between Portland and Gresham, and the Southwest Corridor Plan that would involve a new transit line between Portland and Tualatin.

The split within the region represents a lack of consensus that is rarely noted in national news stories about land-use planning in the Portland region. Most say everyone here supports the growth boundary administered by Metro that is intended to preserve farm and forest lands.

For example, in an Oct. 20 blog post, Washington Post reporter Emily Badger says the growth boundary is a big reason young people move to Portland.

"[T]hat policy is partly responsible for producing the things about Portland that now draw them here: the compact living, the easy access to nature, the possibility that a farm might actually be near your table, the emphasis on communal assets — parks, public transit, tool shares (people kept telling me about the tool shares) — over individual ownership," Badger writes in her piece, "Why quirky Portland is winning the battle for young college grads."

Clackamas County Chairman John Ludlow thinks otherwise, saying the Climate Smart Plan that supports the urban growth boundary hurts his county more than helps it.

Leaf day gives most streets a clean sweep

*By Peter Korn
November 6, 2014*

Fall is here with its familiar sights of brilliantly colored foliage, pumpkins smashed on sidewalks, and cars being towed in Northwest Portland and Sullivan's Gulch.

Those are the two neighborhoods that for years have taken the city's Leaf Day pickup a little more seriously than others.

The rest of Portland's leafy neighborhoods also have scheduled leaf pickup days, and residents are given the option of paying a \$15 or \$30 fee for the privilege of having a street sweeper remove leaves from the street in front of their homes, or opting out and promising to take care of their leaves themselves.

But in those neighborhoods, when the street sweepers come, they dart around any cars that remain parked on the street, missing any leaves that may sit beneath the parked cars.

In Northwest and in Sullivan's Gulch in Southeast near the Lloyd Center, however, cars that remain on the street a minute past 6 a.m. on the anointed leaf pickup days get towed.

In fact, the phalanx of trucks lining up in the early morning hours at Wallace Park, prepared to remove warning signs and parked cars before the street sweepers begin their routes, is something of a tradition in Northwest.

Last year, 274 cars were towed from Northwest Portland on Leaf Day and 37 from Sullivan's Gulch.

Owners of those cars — some who were out of town for long stretches, others just forgetful — paid \$80 plus towing fees that can run somewhere north of \$100 for the privilege of getting their cars back and for living in areas that demand leaf-free streets.

The city didn't require towing of cars only in those two neighborhoods — the neighborhood associations made the requests years ago. The bureau of transportation was willing to comply.

"By removing vehicles from the street for a day, we are able to get a clean sweep all along those streets, which the neighborhood associations have told us is important to them," says bureau of transportation spokeswoman Diane Dulken.

Two leaf sweeps

What percentage of your neighbors are paying their leaf cleanup fee and what percentage are opting out, keeping their cash and promising to clean up their own leaves, assuming they have trees?

It's right about 50/50, Dulken says. And yes, Dulken adds, for those who choose to opt out and don't clean up their own leaves, when the street sweepers come, employees are armed with lists of those property owners who opted out.

If an opt-out property has leaves on the street in front, owners will get a bill for the \$15 or \$30 they tried to avoid.

The \$30 neighborhoods, by the way, aren't necessarily classier — they're just the areas where there are more large, old trees, and which are in need of two leaf sweeps a year rather than one, Dulken says.

Autumn leaves are a hazard, Dulken says, especially when they plug up the city's 58,000 storm drains.

Also, the leaves make pavement slippery for pedestrians and cars. The fee for cleaning them up, she adds, was instituted in 2010 when city budget cuts left the Bureau of Transportation looking for a way to pay for a service it previously had provided for free.

For a neighborhood schedule of Leaf Day pickups, call 503-865-5323.

Portland parks levy passes

*By Jennifer Anderson
November 4, 2014*

Parks and schools supporters will be ecstatic over their big election night wins.

Voters handily approved the Portland Parks & Recreation bond and renewed the Portland Public Schools levy Tuesday night. The parks bond, Measure 25-159, won by a margin of 71 percent to 28 percent.

The measure will authorize up to \$68 million in general obligation bonds to make repairs and improvements at closed or deficient play areas, structures and other parks sites across the city.

The bond will be subject to an oversight committee, annual reports, and audits.

Meanwhile, the PPS local option levy, Measure 26-161, saw victory by a margin of 68 percent to 31 percent.

Called the "Teachers' levy" by supporters, the measure fixes a loophole created in 2011, when voters approved the current levy to fund about 600 teachers in PPS.

Each year since then, about \$7.5 million did not go to schools but to urban renewal, because of a loophole in the levy.

The new restored levy, spearheaded by Multnomah County Commissioner Jules Bailey and Rep. Margaret Doherty, fixes that loophole.

Willamette Week

Safety Last

The city has no system to ensure Airbnb rentals undergo inspections.

*By Gabriella Dunn
November 5, 2014*

You can go on Airbnb right now and rent a basement room with wall murals in a house in Southeast Portland. Or you can rent one in Southwest that looks like a hotel suite. You can even check into an attic room in a Victorian for \$40 a night, if you don't mind climbing a ladder to get to it.

These offerings are among more than 1,600 rentals in Portland available through Airbnb, the online broker that allows people to offer short-term rentals in their homes.

This summer, Airbnb got the city to put new rules in place that legitimize its ongoing operations and bring many rentals into compliance with city code.

But these basement and attic rentals may still not be legal. Photos of these and other rentals on Airbnb show tiny basement windows, windows with bars over them, narrow staircases, and attics that have only one way in and out—all potentially fire code violations.

To find properties that could be illegal, all you have to do is click. A brief check of Airbnb's website by WW turned up more than 10 properties that might fail inspections.

There's no way to know for sure. Records obtained by WW show only 67 Airbnb hosts—or 4 percent of those operating in the city—have applied for a permit since the city's Bureau of Development Services began accepting applications Aug. 30. The permit requires a city safety inspection.

"This requirement ensures that basic safety measures are in place through an inspection by the Bureau of Development Services," said a city report accompanying the rules the City Council adopted.

Since then, city officials have made virtually no effort to enforce the rules, even though many rentals remain unsafe.

Right now, the city's approach to enforcement: Wait until someone complains. If the city finds a host operating without a permit, that person has 30 days to buy a permit or cease operating.

Veteran neighborhood activists say the city's complaint-driven system of regulation is essentially no regulation at all.

"The ones that give it some thought may figure out that the city is not up to the task of shutting everybody down," says Dean Gisvold, land-use committee chairman for the Irvington Community Association—the fifth-largest Airbnb listing area in Portland.

The City Council approved the new short-term rental rules July 30, brokering a deal between Airbnb and neighborhood groups that objected to homeowners turning their extra bedrooms into businesses.

Existing bed-and-breakfast establishments, which have long operated under city rules, were angry that Airbnb rentals didn't have to pay hotel taxes or undergo fire and safety inspections.

The city's resulting deal included the requirement for permits and allowed Airbnb to begin collecting hotel taxes through its website.

In the middle of the debate, Airbnb announced in March it would open a 160-employee call center in Old Town.

The city has been far more accommodating to Airbnb than to other sharing-economy operations, such as Uber, a ride-sharing app that allows users to offer their cars as taxis.

The debate over the Airbnb rules got widespread publicity over the summer. Still, Dana Haynes, a spokesman for Mayor Charlie Hales, says the city isn't worried about the low compliance numbers.

"It's a new regulation," Haynes says. "And frankly, most people don't pay close attention to the actions the city takes."

City Commissioner Amanda Fritz oversees the Bureau of Development Services. Her office didn't respond to phone calls seeking comment.

Michael Liefeld, enforcement program manager for the Bureau of Development Services, says he doesn't know why so few Airbnb hosts have obtained city permits. "Our enforcement process is to try to go out and educate people," Liefeld says.

He says he has asked Airbnb to require hosts to prove they have a city permit, but the company has not responded to his request.

An Airbnb spokeswoman declined to say why the company continues to offer properties that have not been inspected.

Robert McCullough, president of Southeast Uplift, a consortium of 20 neighborhood associations, says the city should be less concerned about boosting the sharing economy and more concerned about protecting guests.

"Would you stay at a hotel that has never been inspected by the fire inspector?" McCullough says. "Most people would say no."

Gisvold says he's frustrated with City Hall's lack of interest in making Airbnb hosts follow the law.

"They seem to be enforcement-averse," he says. "I don't think they have the political will to do it."

City Report Predicts East Portland Will Get 11,600 New Apartments in Next 20 Years

*By Aaron Mesh
November 6, 2014*

The next stop for Portland's apartment boom? Neighborhoods east of 82nd Avenue.

As first reported in Wednesday's Murmurs, a new report from the city's Bureau of Planning and Sustainability predicts commercial districts in East Portland will see 11,600 new apartment units built in the next 20 years.

The projected apartment growth would hit neighborhoods such as Parkrose, Lents and Gateway, where residents have long complained about a lack of basic city services and amenities.

Since 2005, only 1,005 permits have been issued for multifamily residences in East Portland. The projected growth would double its share of the city's apartment construction.

"For the last decade, East Portland has been unusually quiet in terms of development," says Eric Engstrom, a principal planner for the city. "It's probably not a safe planning assumption to assume that will continue."

Many areas also lack the easily defined business districts of inner-Portland neighborhoods that have witnessed an apartment-building frenzy. The report introduces new commercial zones, such as the "Jade District" along Southeast 82nd Avenue, and "Midway" along outer Southeast Division Street. The city's report confirms what anybody driving in East Portland notices: Many of those commercial zones are dominated by strip malls and fast-food drive-thrus.

Engstrom, who oversees the city's Comprehensive Plan for BPS, says planners want to "downzone" residential neighborhoods in East Portland—that means making them less densely packed, and pushing tighter, walking-oriented development into the new commercial zones. He says the bureau's plans include new sidewalks and bike lanes.

"The geography is just fundamentally different," says Engstrom. "But we are trying to cultivate distinct centers—which may not be obvious to people driving around there today."

The Mercury

The Green Light

Oregon Says Yes to Pot, Jeff Merkley, and John Kitzhaber—but Not to GMO Labeling

By Denis C. Theriault
November 5, 2014

COME NEXT SUMMER, holding onto a tiny vial of marijuana will be just as legal in Oregon as clutching a bottle of your annoying college friend's hoppy basement IPA.

By a wide margin, voters on Tuesday, November 4, approved Measure 91—making Oregon the third state in the nation to embrace legal recreational pot, following Washington and Colorado (and also Washington, DC) in an increasingly complicated drug-policy experiment that ought to put even further pressure on a prohibitionist federal government to come to its senses.

By next July you'll be able to smoke pot in Oregon without fear of anyone but the federal government beating down your door and giving you hell.

But that's not the only progressive thing you did, Oregon. You rejected an attempt to transform the state's electoral system, funded by business interests. You also kept your stalwart freshman senator, Jeff Merkley, for six more years.

And you seem to have decided your scandal-plagued Democratic governor, John Kitzhaber, was worth another four—even if his main opponent, State Representative Dennis Richardson, refused to concede as of deadline.

Something else that wasn't clear as of press time? The fate of Measure 92, which would require labeling of food bearing genetically modified ingredients. In the most expensive race in Oregon history, the \$20 million raised mostly by large corporations to defeat the measure had it barely on the ropes.

"The rest of our people are going to roll in later," Yes on 92 campaign director Paige Richardson told a still-empty campaign party shortly before the first numbers came out. "That's the same thing that's going to happen with our votes. They're rolling in late. If they're down, don't sweat it."

UPDATE! It wasn't to be. That narrow deficit for the proponents refused to budget after a long night of ballot counting in Multnomah County. The No on 92 campaign declared victory Wednesday morning after the Oregonian and KPTV both called the race in the No campaign's favor.

MARK YOUR CALENDAR

The race over Measure 91 started out promising for pot advocates, before tightening dramatically in the run-up to the election. Was legal pot ahead or behind? Polls varied, but everyone agreed the outcome would depend on whether young voters stepped up.

It was too early, as of press time, to do any sort of demographic analysis of this election. What was clear is that Oregonians were done with a needlessly punitive stance toward marijuana that disproportionately targeted African Americans.

The campaign for Measure 91 wasn't the grassroots affair boosters wanted you to think it was. Legal marijuana use will sail into Oregon on the backs of moneyed donors from around the country—some working to advance political agendas, others clearly operating with a profit motive—who dumped millions into the race.

Whether they grow rich off Oregon's market is now up to the Oregon Liquor Control Commission, which must establish a workable, pragmatic system for marijuana distribution and regulation by January 2016. The state's also going to have to straighten out whether cities like Portland have the right to tax marijuana sales.

But those answers are still months away, along with your right to toke. Starting next July, it'll be legal to grow four plants and possess up to eight ounces in your home (only one on your person).

Remember: Smoking in public is still illegal. And if you want to partake before July, it's still unclear how Portland police may react.

"We'll wait for the city attorney to give us guidance on how the law will affect our law enforcement efforts if it passes," Portland Police Bureau spokesman Sergeant Pete Simpson told the Mercury on November 3. "In all likelihood, our focus will be on public education of what is legal and what is not, similar to what we did after Washington passed their law."

KITZHABER HOLDS ON?

For a second, it looked like Kitzhaber might have completely blown his shot at a fourth term as governor—and that Oregonians had really grown tired of a man they'd allowed to lead their state for 12 of the past 20 years. Just days before one of his first major debates, Willamette Week followed a splashy cover story about ethical clashes between his girlfriend Cylvia Hayes' consulting work and first lady persona with a whopper blog post that revealed she'd once participated in a sham marriage.

A KATU poll briefly hinted at some tightening in the race. But Kitzhaber somehow managed to remind enough people that no matter the cloud that settled over his campaign, rival Richardson was still the lesser candidate.

Richardson tried to say his extreme social views on abortion and marriage equality didn't matter. Except they did—especially in concert with an economic platform that felt decidedly 20th century instead of 21st.

At his election party, Richardson danced with partygoers at the Monarch Hotel in Clackamas County, refusing to give up. Charlie Pearce, Richardson's campaign manager, took to the mic at one point, noting there were still 600,000 votes yet to be counted—with his man down just 35,000 votes.

"As we've known all along, this is going to be a close race," Pearce said. "And Republicans tend to hold their ballots pretty late—they don't trust [Oregon Secretary of State] Kate Brown that much."

MONICA WEHBY'S IMPLOSION

The only suspense in Monica Wehby's insurgent bid against Merkley was how badly she'd be defeated—thanks to a savaging led by the national political media.

Politico first reported her troubles with ex-lovers, sending her limping into the general election after a hard-fought race against conservative state lawmaker Jason Conger.

She might have recovered, if she played things smart. But she never warmed up to local reporters. And then BuzzFeed nailed her for copying chunks of her health care platform from Karl Rove's widely circulated talking points—and then again for doing the same with Conger's platform from the primary.

Wehby was supposed to be the health policy wonk who'd expose the fecklessly liberal Merkley by playing on her home turf. But she never recovered.

"My message to you tonight is never give up," she told the crowd in her concession speech.

And then she faded from her party, too.

ELECTORAL CHANGE REJECTED

Measure 90 threatened to usher in a big change to Oregon's political system: a top-two electoral scheme in which candidates from every party would compete in a brawling primary race, with the top two finishers, regardless of party, going on to fight again in a bruising general election.

Oregonians already rejected the top-two system once before, in 2008—just two years before Californians wound up supporting it.

But damned if top-two's supporters, this time, didn't try like hell to see it pass. Early on, they tapped wealthy donors to set up a massive paid signature-gathering operation that worked furiously just to get Measure 90 onto the ballot. Then they kept relying on big donors to get their message out, including millions in gifts from billionaires like Texan John Arnold and New York's Michael Bloomberg.

But all that money put a mark on the campaign for 90, which found itself constantly accused by its foes—the state's major parties and labor unions—of trying to bully in new rules that would favor business-

backed candidates over partisans. That's a special danger in Oregon, which places no limits on campaign donations.

"We've sparked an important conversation," chief petitioner Jim Kelly said in a concession speech. "And this conversation won't go away."

THE LABELING CONUNDRUM

The most expensive ballot measure in Oregon's history was also the election's closest.

The shadowy, nefarious opponents of Measure 92—despised names like Monsanto, shifty names like Nestle—turned the money hose on Oregon earlier this year, hoping to kill mandated labeling of products with GMOs, just as they did in Washington and California.

And, as of press time, they were succeeding, with "no" votes holding a tiny lead. That wasn't necessarily enough to stomp out supporters' hopes.

Like campaign manager Paige Richardson said earlier, "We are pinning our hopes on late voters."

Hall Monitor A Private Regret, Aired Publicly

*By Denis C. Theriault
November 5, 2014*

THE ENTRY listed second-to-last in Commissioner Amanda Fritz's calendar for the week starting October 27 wasn't out of the ordinary, given her lead role in helping Portland City Council face the implications of its recently approved police reform deal with the US Department of Justice.

It named two mental health advocates—Beckie Child and Jason Renaud of the Mental Health Association of Portland—who've been more than outspoken about how all that work's been going.

Both have spent time this year giving advice on how to shape the crucial community oversight elements of the reform deal—which is meant to address findings that Portland cops have engaged in a pattern or practice of using excessive force against people with mental illness. And this meeting, held on October 31, might have been more of the same.

Except it wasn't.

According to a private recap that Renaud emailed to some other volunteers—later obtained by the Mercury and also sent to Fritz herself—Fritz explicitly offered a mea culpa for a trust-shattering development in city hall's handling of police reform: an appeal, filed on October 27, challenging a federal judge's order that officials return to court at least once a year to show their work. That move, approved in a vote on October 22, brought on heaps of scorn from perplexed police accountability advocates.

Fritz had acknowledged the difficulty, even during the vote, in standing apart from the community. But she clung to her reasoning that city hall, not a federal judge, needs to reign as the arbiter of change.

That stance seems to have softened. Renaud's email said Fritz not only regretted championing the appeal alongside Mayor Charlie Hales, but that she'd also try to reverse it.

When I asked her about the email, Fritz confirmed her reservations—but spoke carefully on whether she'd actually call for a withdrawal.

"I'm concerned that the community didn't agree with our reasons for appealing," Fritz told me. "And I will be looking to see if there's a way for us to get on the same page."

The email went on to mention a few other tidbits that both Fritz and Renaud probably would have preferred remained private.

Renaud wagered that soon-to-retire Police Chief Mike Reese might try to challenge Hales in 2016—with the warning that the conversation on police reforms would grow "ugly" in the event that actually came to pass.

Renaud also said Fritz was bullish on the prospects of funding a drop-off or walk-in center for people in crisis—a much-ballyhooed piece of the reform deal later revealed as merely "aspirational" ["An Empty Mandate," News, Feb 19]. And he mentioned that Fritz was hoping to demand a cut of the city's surplus money in the hopes of hiring, for the first time, a devoted mental health specialist.

Fritz, in a budget session on Tuesday, November 4, called that one out without prompting. She told me she thought it made perfect sense, what with Hales asking for six new jobs in the police bureau to work on police reforms.

The reform deal, she'd like to remind her colleagues, is all about mental health.

"That doesn't make any sense," she said of hiring more police staffers before a mental health coordinator. "There's a huge disconnect."

Someone's Cleaning Up... Is City Hall Getting Its Money's Worth for Camp Sweeps? Documents Suggest No

*By Dirk VanderHart
November 5, 2014*

IN EARLY JULY, two security officers pulled up to a Northwest Portland intersection ringed by warehouses and scrubby lots.

The officers, employees of Portland security firm Pacific Patrol Services (PPS), were looking for makeshift shelters. As the city's "cleanup contractor," it's PPS' job to rid the city of any campsites that spring up on public property, and they'd been alerted to problems at this intersection a week earlier.

But the patrol, arriving at 12:35 pm, found no campers and no tents.

"We only found wet bedding and a shopping cart full of wet garbage," a security officer named Kamon Bryck wrote in his report about the cleanup. By 12:55 pm, after watching some Multnomah County inmates pick up the refuse, Bryck and his coworker were on their way.

The price for this service—for two security guards taking 20 minutes to watch prisoners clean up a shopping cart and blankets—was nearly \$375, according to an invoice obtained in a public records request. Figure in the \$565 daily fee the city pays for inmate work, and the whole 20-minute affair cost almost \$940.

Almost three weeks later and several blocks away, PPS officers arrived at a campsite to find five individuals already cleaning up their things (under state law, the city has to warn campers at least one day in advance of an impending sweep). The homeless campers took their belongings, but left piles of garbage at the site, which the PPS officers once again watched inmates tidy up. The job lasted less than two hours, and yet still earned the security firm \$473.88 from the city.

These aren't aberrations. When it comes to Portland's campsite cleanups, you don't need to look very far to find short work being awarded handsome pay.

Where in many cities municipal workers might handle such a task, Portland's been contracting out the job of cleaning up the homeless camps since April. It's an effort to adopt uniform policy for illegal camping across city bureaus, Mayor Charlie Hales' office has said, and to give campers a chance to claim property that's confiscated.

In the first six months, the city's been billed for more than \$21,000—for 49 cleanups, related trash disposal, and "administrative" hours that vary wildly from job to job, according to documents obtained by the Mercury.

The amount spent is far less than the city's prepared to pay for the services—Portland's contract with PPS authorizes up to \$204,162 for campsite cleanups through June 2015. It's also less than the city would have paid under the original agreement with PPS, which allowed the security firm to charge \$703 a day, regardless of the work involved.

Still, a look at the reports and invoices filed with the city shows Portlanders are paying for many more hours of work than the city appears to be getting from PPS. Some of the records also raise questions about whether the city's being billed accurately for this work.

The Portland Office of Management and Finance (OMF), asked about these inconsistencies, defends them as legitimate, while acknowledging that some charges should have been more thoroughly defined in internal invoices.

Here's what city documents show.

From April to early October, campsite cleanups were clustered at the city's east and west margins. East Portland—specifically sites along the Springwater Corridor multi-use trail—led the way, netting 15 cleanup orders. Forest Park, Washington Park, and Hoyt Arboretum accounted for 10 cleanups. Each of the city's quadrants has seen at least some activity.

PPS' services have also been split between various city bureaus. The Portland Bureau of Transportation (PBOT) has tapped the contract most often, with 20 cleanup orders. The Portland Bureau of Environmental Services (BES) and Portland Parks and Recreation had each ordered 12 cleanups as of October 7. The Portland Water Bureau asked for five—all but one around the Washington Park reservoir.

The reports on these cleanups vary in their thoroughness, but it appears PPS workers have run across at least 87 campers at 102 sites.

More interesting, though, is comparing those cleanup reports with the invoices PPS files with the city. The documents don't always square, and some raise questions about inappropriate billing.

Take August 5, when PPS officers were out pursuing several campsites reported by the Portland Bureau of Transportation (PBOT). Shortly after 8:30 am, they arrived at the first, nestled along Interstate 5 as it rushes through the Rose Quarter. The site was tiny, and PPS spent 15 minutes collecting a coat, some shoes, and a purse before heading to the next cleanup area, documents show. For that work, the city was billed four hours for each officer—who make either \$25.25 or \$30.47 an hour, depending on seniority. The city was also billed for two hours of administrative work affiliated with the job. The total cost: \$272.88.

Minutes later, the officers arrived at the day's second site, near N Interstate and Going. This was a bigger job, with four distinct campsites identified and three campers present, and took about an hour and 40 minutes to complete.

Again, the city was billed four hours for each officer, and two hours of administrative time for the job. That's 20 hours billed (a total of \$545.76) for work that occurred between 8:30 and 10:30 am on the same day.

This double billing seems to be a violation of the city's contract with PPS, which dictates the security agency can charge for a minimum of four hours, and that "work performed beyond four hours a day would be billed for actual time worked." It includes no provision allowing PPS to bill separately for jobs that occurred on the same day.

In fact, PPS has abided by those terms in other instances. It lumped together three cleanups that occurred on July 31.

But OMF spokeswoman Jen Clodius says the double billing was legit, because the sites "were at two completely different locations, far from each other." The sites are roughly two miles apart, and records show it took officers 10 minutes to drive from one to the other.

There's also at least one incident where the hours claimed in PPS' invoices don't line up with its officers' reports. On September 2, security officers reported spending less than five hours cleaning up campsites on Portland Bureau of Environmental Services property along the Springwater Corridor near SE 111th. But PPS billed the city six hours for one officer, and eight for another.

Again, the city stands by that billing. Clodius explains "it was a complex camp, consisting of several sites connected by trails through wooded areas" and because there were actually three PPS officers involved, including one trainee.

"The times vary for the lead [officer] (at six hours) and the assistant (at eight hours) because there was actually a third individual (a trainee) on site with them," Clodius wrote in an email. That does not address the fact that a job reported as less than five hours was billed as six by the lead officer.

Even without the inconsistent invoices, it's clear citizens are paying for much more work than the city is receiving as part of the contract. A review of PPS reports indicates that more than 60 percent of the

cleanups since July took less than four hours. But because the contract allows for a minimum of four hours charged, Portland's paid for at least 54 more hours than were actually worked.

To Robert Kravchuk, a professor of public finance at Indiana University, those figures indicated Portland could be doing a lot better.

Kravchuk, briefed on the situation by the Mercury, worried that bureaus might not have incentives to use PPS' services efficiently.

"That might account for the flagrant waste," Kravchuk wrote in an e-mail. "At this point, the question might well be asked whether the city would be better off taking the work in-house."

The Daily Journal of Commerce

\$1 million available for affordable housing projects

*By Shelby King
November 6, 2014*

The Portland Housing Bureau on Wednesday opened the application process for developers interested in receiving subsidies for projects with affordable housing.

The bureau each year offers a competitive "Opportunity Fund" to encourage projects that "provide a minimum of 60 years of housing affordable to low-income working families in areas with access to great schools, transportation and fresh food; countering displacement in gentrifying neighborhoods," according to information from the PHB.

A total of \$1 million is available from the city's general fund, which means development can be anywhere in Portland. Developers awarded money can use it in conjunction with other dollars, though the majority of the city money must be spent on construction or rehabilitation of buildings, development costs directly related to construction or rehab, land acquisition or financing for a building acquisition.

The PHB will begin reviewing applications on Dec. 15 and continue to do so as they are submitted until all dollars are awarded or March 31, 2015 – whichever comes first. The first awards will likely be announced during the week of Jan. 12, 2015.

Project eligibility will be dependent upon several criteria being met. These include containing costs, leveraging the current building boom by "buying into" existing apartments with unrestricted rents, developing in neighborhoods with mixed-income levels, preventing displacement in at-risk neighborhoods, developing housing suitable for families and prioritizing veterans and other groups vulnerable to homelessness.

The complete notice of funding availability is available at: www.portlandoregon.gov/phb/article/508667. Questions about the Opportunity Fund can be directed to the solicitation coordinator, Javier Mena, at 503-823-1524 or by email at javier.mena@portlandoregon.gov.

Portland Parks & Recreation gearing up for bond-funded projects

*By Inka Bajandas
November 5, 2014*

Planning and design could start as soon as next summer for Portland Parks & Recreation maintenance projects funded through a multimillion-dollar bond measure approved by voters on Tuesday.

Preliminary election results showed Measure 26-159 passing with 72 percent of the vote. The bond, over 20 years, will raise between \$56 million and \$68 million via property tax revenues, according to estimates. The tax rate of 87 cents per \$1,000 of assessed value will be equal to the rate of an existing bond that voters passed in 1994 and will expire in 2015.

Parks officials plan to spend bond money on major maintenance at playgrounds, pools, trails and Pioneer Courthouse Square; however, the soonest the funding could come through is July 2015, Portland Parks & Recreation spokesman Mark Ross said. The earliest construction could begin is spring 2016, he said.

Now that the bond measure has passed, city staffers will further identify maintenance priorities and schedule projects, Ross said.

"That's what we're going to be working on over the next few months," he said. "Construction timelines and schedules are being finalized."

Bond money will go toward more than \$365 million worth of maintenance projects identified by park officials in need of completion in the next 10 years. Parks officials' top priorities include: repairing or replacing 10 to 20 aging playgrounds, fixing several public pools, maintaining trails and bridges in Forest Park and other nature areas, and improving disabled individuals' access to park facilities.

Money from the bond also is likely to go toward maintenance at Pioneer Courthouse Square, which recently marked its 30th anniversary. Work would include replacement of a waterproof membrane under the plaza's tiles that was intended to last only 20 years and has deteriorated to the point that rainwater leaks into the TriMet office on the square.

Another planned project is replacement of the corroding water filtration system at the Grant Park outdoor pool, one of the parks system's most heavily used swim facilities. Extensive repairs also are needed at the Matt Dishman Community Center and Peninsula Park pools.

Parks officials have been forced to close all or portions of city playgrounds because equipment is unsafe, Ross said. Bond money will help pay for equipment replacements.