

The Oregonian

Portland smoking ban: 'I love cigars,' peer pressure, complaints and a fun exchange from public hearing

By Andrew Theen
February 27, 2015

Portland's citywide parks tobacco ban starts in July.

Does anyone care?

We asked Portland Parks & Recreation officials what they've heard from the public in the past few weeks.

"We had one caller to the PP&R customer service center that I know about, voicing their disappointment. I haven't been able to find any other feedback," spokesman Mark Ross said in an email.

"It's not to say that rangers in the field or other customer service reps haven't also heard, but the volume hasn't been high enough that they see fit to raise any hubbub," Ross said.

The Oregonian/OregonLive's coverage earlier this month did prompt reaction from readers.

One recurring question: Will smoking be allowed at the Oregon Brewers Festival or other large waterfront events? (Answer: No, unless the City Council approves an ordinance granting an exception).

Ross pointed readers to the online frequently asked questions about the policy as a resource. In January, parks officials sent an email blast to 44,476 users registered with the popular bureau. The bureau received just 341 responses, the vast majority in favor of the move, according to parks director Mike Abbate.

Again: Does anyone care?

We had to listen back to a Feb. 11 public hearing on the proposal to find any dissidents. We also found a few additional nuggets. Here are a couple takeaways.

Recreational marijuana did play a role: Commissioner Amanda Fritz, who oversees the Parks Bureau, hinted that the timing of July 1 for enacting the smoking ban wasn't a coincidence. "I don't want anybody to have to be guessing what somebody is smoking," she said at the hearing. Recreational marijuana will be legal in July, but smoking in public places will remain illegal.

Testy enforcement exchange: Commissioner Dan Saltzman ultimately voted against the smoking ban, calling it "unenforceable." The week before the vote, he was even more vocal in his opposition. Check out this frosty exchange between Saltzman and Commissioner Amanda Fritz.

Saltzman: You can talk about, "Well, we're only going to educate people." But sooner or later, you've got to start writing tickets. Sooner or later, you're going to come to us and you're going to ask for more park rangers because people are getting into conflicts with one another, all sorts of things. So are you committing to us not to ask for any budgetary resources to increase park ranger staffing to enforce this?

Fritz: Yes.

Saltzman: Now and forever?

Fritz: Yes. We are asking for more money for parks rangers, but not for this.

Saltzman: What about enforceability? And I'm asking the parks director.

Abbate: Commissioner, I'll tell you that the single greatest force for enforcement is peer pressure, and making it clear to the public that smoking is not allowed sets a very clear standard and a very clear bar. We rely on the goodwill of the vast majority of our park users and once this gets publicized and we spend the time educating folks, I've got great confidence that this is one of those things that self-enforcement will take care of much of the problem.

"I am healthy. Very Healthy. I am not a criminal": Five people signed up and testified Feb. 11 to talk about the tobacco ban, and none was as passionate as Peter Garcia. Here are a few quotes from Garcia's testimony:

"There are a lot of lonely old people that don't have much enjoyment in their life, except a smoke, and they are not going to quit anytime soon.

"A great pleasure of mine is smoking my cigar, sitting at a Portland park and enjoying the beautiful day. ... I plan on continuing this wonderful joy for many years to come."

"I love Portland. I love cigars. I am not a criminal."

Alcohol ban on golf courses next: The tobacco ban includes one exception for city-owned golf courses. The golf courses, which are not supported by the general fund, will be able to apply for a special permit to allow smoking during golf tournaments.

Lee Hill, a longtime marshal at golf events, said alcohol is a much larger concern. "I've had a really tough time with people getting drunk," he said. "If you're concerned about tobacco, you should really be concerned about alcohol, too."

Fritz said she wasn't aware that drinking was allowed on golf courses. "I wasn't aware of that. That will be the next policy change," she added.

Portland police chief not convinced there's adequate resources, community partnerships to address gang violence

*By Maxine Bernstein
February 27, 2015*

Portland Police Chief Larry O'Dea said Friday he's not convinced the city has provided adequate resources, done sufficient outreach or established the necessary community partnerships to quell ongoing gang violence.

O'Dea, who took over as chief in January, gave an overview of his goals as the city's top cop at a City Club luncheon and then took questions from three other selected panelists and the public.

O'Dea said he wants to make his force and its leadership more diverse, encourage officers to engage in relationship-based policing and update policies and training within the bureau. He pledged to be "out and about" as a visible chief and expects his senior command staff to do the same.

The bureau's hiring of an analyst to examine police traffic stop data will help identify any potential problems and highlight any changes needed, he said.

"My profession tends to want to justify disparity in stop data" through social injustices, he said.

"We're going to look much deeper," O'Dea told the crowd.

He said he expects the bureau's new equity manager to help make the force more inclusive. The bureau also is conducting written performance evaluations of its officers for the first time.

Here are a few of the questions and answers that followed:

Tony Hopson Sr., founder of Self-Enhancement Inc.: Hopson said if he were new to Portland, he'd be excited about what he heard from the chief. "But I heard this before," Hopson said. "Everything you talk about -- concept of equity, diversity ... sounds so wonderful, until the heat of the moment," he said. "How do you get that message from the top and get that all the way down to the cop on the street?"

O'Dea: "It starts by making sure the leadership team all supports the goals and direction you're going." O'Dea said the performance evaluations will also measure how well his officers are meeting his goals, including community engagement. Decisions on who to promote will also reflect his goals for the bureau, he said.

Jo Ann Hardesty, president of the Portland chapter of the National Association for the Advancement of Colored People: Hardesty said she was concerned about the use of flash-bang grenades during protests and asked if the chief had any plans to "demilitarize the force?"

O'Dea: "We have no military vehicles. ... The gear you see during protests is not military gear." He described it as law enforcement protective safety gear that's necessary at times when officers are getting pelted by rocks or bottles. He said Rosie Sizer, when she served as Central Precinct commander, helped change the bureau's approach to major protests and ensure the bureau's foremost responsibility is to help

facilitate free speech. That led to specially-trained incident commanders and an increase in the use of bicycle officers at protests.

Hardesty: "What about tear gas? I do think the model needs to be looked at," she said.

O'Dea: "The canisters are the same as pepper spray. They're merely a larger canister," he said. "The use of that is governed by our crowd control incident commanders." They meet quarterly with all support units involved in managing free speech events and critique past events, he said.

Hopson: He asked the police chief if he has anything specific in mind to encourage and improve police interactions with African American boys and men?

O'Dea: The Youth Services Division works to engage youths of color, O'Dea said. When the Police Athletic League failed a few years ago, officers continued to volunteer to provide a summer camp opportunity. He said the bureau also offers bike fairs in communities of color.

Hardesty: She pointed out that the police employee evaluations and random drug tests for officers were two steps that the community sought for more than a decade. "What protections are you offering men and women in uniform who would like to be whistle blowers? ... What are you doing to ensure we have brave men and women in blue who are willing to tell it like it really is and protect them (in) their career moving forward?"

O'Dea: He said there are several protections now. "Any bureau employee has the ability to file a complaint completely outside of the bureau" with the city's Independent Police Review Division.

Salome Chimuku, public policy director of the Center for Intercultural Organizing: "The idea that you have folks that may look like me on the force doesn't necessarily mean you still have folks that still may have a bias," she said. She asked what the chief is doing to track complaints against officers or identify patterns of problems?

O'Dea: "I agree with you a diverse bureau does not equal an equitable bureau, but that's a critical piece to have," he said. Ongoing education and training is also important "to help prevent the behavior you're talking about."

Douglas Wilson, a student from David Douglas High School: Do officers' ethnicities control where they're assigned to patrol?

O'Dea: "We don't assign officers based on ethnicity. ... Officers can work wherever they desire."

Another David Douglas High School student told the chief that it's easier for her to buy a gun than to buy an education. She asked, "What will you do to change gun control in the city?"

O'Dea: "There's a flurry of legislative activity in Salem right now," O'Dea said, noting proposed legislation to require background checks for private gun sales, for example. "Police don't make the laws. Legislators make the laws."

Uber's Portland invasion reminds city, taxi industry of public need: Editorial Agenda 2015

*By The Oregonian Editorial Board
February 28, 2015*

Uber's illegal entry into the Portland market last December did have one positive outcome: The city's taxi oversight board and the cab industry suddenly remembered there's a public out there to serve.

They didn't seem to be getting the message for, well, years. Despite the city's own findings that showed demand for taxi service far outstripped the availability of cabs - particularly on weekends -- the city has not added capacity since 2012. Even then, entrenched cab companies objected strenuously to the additional permits, most of which went to a new competitor.

It's tough to tell who bears the most responsibility for the failure to keep up with demand. Taxi cab companies have permit requests on file dating back years, but the board, which until last July operated under the city's revenue division, has done little to move them or respond to recommendations from 2012.

But credit goes to Uber, aka the competition, for causing the sharp reversal. Uber busted into the Portland market late last year, letting their contracted drivers pick up Portlanders who hailed them with the Uber app, blithely ignoring the city's regulations regarding such taxi-like services.

The move sparked a lawsuit from the city until Mayor Charlie Hales brokered a deal with the San Francisco-based company. Uber agreed to withdraw temporarily to give the city time to craft rules for its entry. A task force is supposed to come up with recommendations by April 9, and if the city does not have rules in place by then, Hales has pledged to reach a temporary agreement to let Uber back in.

Nothing motivates like fear. And in February, the board that oversees taxis shifted into firesale mode, authorizing an additional 242 taxi permits to add to the existing 460, Joseph Rose of The Oregonian/OregonLive reported. It also welcomed a new cab company, EcoCab, with another 51 permits, pending City Council approval. All told, the board's actions could lead to a 64 percent increase in cabs on the street.

Will this lead to better customer service on Saturday nights? Will too many taxis be chasing too little business on slow Monday mornings? And how soon will cab companies be able to put extra licensed vehicles out on the street? It's tough to know just how all this will work out, but when you redraw industries on the fly, it's hard to be precise.

Truth is, the city needed - and still needs - to do something. Uber is not going anywhere and, in fact, is poised to jump back into the market with the April 9 deadline looming. Uber drivers are already welcome in the suburbs around Portland, with a third of these rides terminating in Portland, Rose reported. And many Portlanders simply expect the convenience of technology for connecting them with the products and services they use. Transportation is not and should not be any different due to a protectionist structure that's failed to keep up with - or even listen to - what the market has been demanding.

Taxi companies have a legitimate complaint that Uber drivers don't abide by the same requirements that they do. But that's what this interim period is supposed to be about. The task force considering new rules is working to define the conditions most critical, but it must accept that it's not going to be perfect right out of the gate. Commercial driver's insurance, deep background checks, safety inspections and a percentage of vehicles able to accommodate a wheelchair seem to be the highest priorities. But time is running short. And as the taxi companies are learning, moving slowly doesn't dissuade competition. It just makes your response that much more frantic.

The Portland Tribune

Ghost Tracks

Portland's hidden streetcar lines are resurfacing.

*By Lucas Chemotti
February 27, 2015*

Ever drive past a set of rusty old train tracks on a Portland street where no trains go?

Portland once had a vast inner-city trolley system similar to San Francisco's that went all the way up to St. Johns and Vancouver and as far south as Oregon City. Each line was run by different private companies so many tracks ran parallel and were eventually abandoned. As cars became more and more prominent, the tracks were paved over and the streetcar became obsolete.

Today the lines are cracking through the surface of the pavement in many spots, including the Pearl on NW 12th and Johnson, an even more distinct set on NW 15th under I-5, and on Thurman and NW 18th under I-405. The Eastside has a few of their own ghost lines, like on SE 26th Ave. and Morrison Street, where tracks flow seemingly from a graveyard sidewalk into a split-level house.

Richard Thompson is a historian and an author working on his fifth book about Portland's streetcar. His home is a monument to the trolley system with photos on every wall, pieces of cars, doors, lines of actual track, and many other artifacts from the city's history.

Here's Thompson sharing some photos from his recent book and talking about his favorite subject, Portland's streetcar history.

Daily Journal of Commerce

City moving closer to expanding North Macadam URA

*By Shelby King
February 27, 2015*

The Portland Development Commission is planning to add slightly more than 45 acres to the North Macadam Urban Renewal Area, in hopes that the expansion will increase tax-generated revenue that can be used to finance development projects in the area.

The commission has released a draft report outlining the expected impacts – fiscal, physical and social – the expansion would have on the existing URA, which was established in 1999.

In June 2014, the PDC established an advisory committee of citizens and stakeholders who met five times to provide input on the proposed expansion area. The commission also met with neighborhood associations and the public at multiple meetings and open houses.

“The need is there now,” PDC spokesman Shawn Uhlman said. “PDC wants to impact things now, and by moving the amendment forward we can continue plans for developments with (Portland State University and ZRZ Realty).”

The proposed expansion includes land that the PDC and PSU have developed together, which will allow development to progress. The PDC is still in talks with ZRZ Realty to move forward on the South Waterfront development that will include part of the 33-acre Zidell Yards.

The original URA covers 447 acres and extends north and east (to the Willamette River) from the intersection of Southwest Boundary Street and Macadam Avenue, until just north of the Ross Island Bridge, where the western URA boundary extends to Naito Parkway, with another slight jog west to Southwest First Avenue. Southwest Montgomery Street was established as the northernmost boundary of the URA.

The expanded 45.12 acres is a contiguous area (approximately) bounded to the west by Southwest Fourth Avenue and to the north by Southwest Market Street.

The original URA was established to “enable redevelopment of the North Macadam area to fully utilize its potential as an employment center with the characteristics of a viable neighborhood, including adequate housing, infrastructure, transportation, and supportive businesses, amenities and services,” according to the 1999 final plan.

The new boundaries were established to enhance and continue those goals, according to PDC Central City Manager Lisa Abuaf.

“The boundary expansion, in many ways, has a close nexus with the expansion at PSU,” she said. “But it’s on par with the level of importance of moving forward with the South Waterfront affordable housing project.”

Abuaf said that if Portland City Council approves the expansion, the increase in URA properties will generate \$47 million toward housing development and redevelopment over a 10-year period. Without the increase, Abuaf said the PDC has about \$9 million for housing during the same period.

Though the increase in tax revenue would come from the North Macadam expansion, the dollars generated can be spent anywhere inside the URA boundaries, including the South Waterfront.

“We’ve designated a large amount in the first two years to get the first project started,” Abuaf said. “Certainly that first project is targeting Parcel 3.”

Parcel 3 is a two-acre, PDC-owned property at 2095 S.W. River Parkway. The PDC and the Portland Housing Bureau are working together to offer the parcel for development.

“The property has the potential for 400 units, and what we’re going to be looking for is proposals for a mixed-use, mixed-income project,” Abuaf said. “The solicitation will call for the project to have a minimum of 200 units, with 62 of those serving tenants making 60 percent or less of the median family income.”

In 2003, the Portland City Council set goals for the North Macadam URA that called for creating 479 affordable housing units. To date, 209 have been constructed.

The draft report estimates that the PDC will have \$19 million available in fiscal years 2015-16 and 2016-17 for housing development.

“As soon as the amendment is approved we can move forward on the Parcel 3 development,” Abuaf said. “PSU is also waiting until the amendment is approved to get started. The funding isn’t there without it.”

Abuaf was among a group that on Thursday presented the draft report to City Council.

“There are a lot of details to work out,” she said. “At the end of the hearing they decided to come back in two weeks and decide how to proceed after that.”