

## The Oregonian

### Plan to protect Portland trees pushes four to quit committee

*By Brad Schmidt  
November 5, 2015*

Portland's ongoing conflict over tree-cutting and infill buzzed through City Hall on Wednesday when four of 12 members of a city advisory group – each with ties to the construction industry – abruptly resigned in protest.

The resignations came just hours after city officials released a memo with recommended policy changes meant to strengthen tree protections. The proposed changes, requested by Commissioner Amanda Fritz, are the first since Eastmoreland neighbors in September successfully rallied against a developer's plan to ax three giant sequoia trees.

City officials acknowledged that the proposal is in direct response to situations such as Eastmoreland. But some members of Portland's Tree Code Oversight Advisory Committee said city leaders are overreacting and ignoring their input.

"Any sense of (a) balanced approach to the issues before us seem to have taken a backseat to special interests or citizen pressures surrounding certain select trees," wrote committee member Phil Damiano, who works for Johnson Air Products, a distributor of HVAC systems.

Damiano said the city's proposal left him "questioning the value" of the committee. Then he joined others by quitting.

Messages left late Wednesday for Fritz, who oversees Portland Parks & Recreation, were not immediately returned.

Wednesday's revolt began when a city employee emailed committee members just after 11 a.m. with a proposal to revise the city's tree code.

The changes, proposed by city Forester Jen Cairo, all but called on developers to protect trees that are 48 inches in diameter or larger.

Under existing rules, developers building a new house are supposed to try to maintain at least one third of all trees at least 12 inches in diameter. In instances when that doesn't happen, developers must pay \$1,200 for each tree below the one-third minimum.

Under Wednesday's proposal, those rules would still apply – but costs would increase for a developer who knocks down big trees.

Instead of a flat fee, developers would be required to pay on an inch-for-inch basis when removing a tree at least 48 inches in diameter.

The memo didn't specify a cost. But the city separately charges a fee of \$300 per inch for trees along city streets. If that rate is applied, removing a 48-inch tree would run \$14,400.

Beyond higher costs, developers also would be required to post a public notice for at least seven days before removing the tree.

Jessica Fuller, the city employee who sent the memo to committee members, wrote that the proposed changes are a "stop-gap measure" to address situations such as Eastmoreland while a more sweeping review continues.

Fuller wrote that the proposal "does not contradict or diminish" the work of the committee. And she urged members to respond via email because "we will not have a lot of time" at a meeting Monday to discuss the proposal.

The first resignation came about an hour later.

Justin Wood, who represents the Homebuilders Association of Metropolitan Portland, wrote that committee members' input is requested only "when it is convenient." Wood also noted that Portland hopes to add 125,000 housing units over 20 years but no one is coming to terms with what that means for tree preservation.

Wood's father-in-law, Jeff Fish, a homebuilder who also sits on the committee, quit too. He said Fritz was impeding their work.

"I am done with playing this charade that the City of Portland, and their elected leaders, continue to play," he wrote.

The group's co-chair, Susan Steward, also quit. Steward is the executive director for Oregon's Building Owners and Managers Association.

"After committing almost a year to this, it has become apparent my input, as well as the input of others is not valued," she wrote.

## **The Portland Tribune**

### **Survey: Portlanders unhappy with city services, changes**

*By Jim Redden*

*November 5, 2015*

Fewer than half of Portlanders feel positive about city government's ability provide services, according to the annual Community Survey released by the City Auditor's Office.

That's the second lowest rating in 20 year and it reflects concerns in the survey that range from poor roads to increasing congestion and skyrocketing housing costs.

"Survey results often mirror discussions in City Hall meetings and work sessions and media headlines: the surge in construction; increased traffic at all times of the day; streets in need of repair; and, increasingly unaffordable housing. We encourage Council and bureau managers to study the differences in community perceptions included in the survey and to consider where improvements in services might be needed," City Auditor Mary Hull Caballero said in a cover letter that accompanied the survey.

According to the survey, just 47 percent of Portlanders feel positive of the city's job performance. It is statistically the same as last year's low of 46 percent — down from a high of 62 percent in 1996.

Average 2015 ratings range from 87 percent approval for fire and emergency services to just 31 percent for planning for future land use and 28 percent for street maintenance.

Average ratings varied in different areas of the city, ranging from a high of 54 percent in Northwest/Downtown to a low of 33 percent in East Portland.

Among the survey's major findings, Portlanders noted both residential and commercial construction increases in 2015 compared with 2011 — and many did not approve of them. When asked to rate the attractiveness of new construction, the results were lower 15 percent lower for residential construction and 9 percent lower for commercial contraction than four years ago.

This decline was more pronounced in Inner Northeast and Southeast Portland, where much of the new construction is concentrated.

In addition, while residents reported a marked increase in residential construction, they rated housing as less affordable.

In 2015, 43 percent of residents rated housing affordability negatively, compared to 23 percent in 2011. This significant change was particularly evident in Inner Northeast and Southeast Portland.

On a positive note, the majority of residents — 85 percent — reported favorable ratings for city parks. There is some geographic disparity in the positive ratings of park grounds quality, from Inner Northeast reporting 88 percent to East reporting 75 percent.

Those living in East also reported a lower percentage of visits to parks near their home in the past year, compared to people living in other parts of the city, the survey says.

Survey highlights can be read  
[www.portlandonline.com/auditor/index.cfm?c=66565&a=551392](http://www.portlandonline.com/auditor/index.cfm?c=66565&a=551392).

The full audit survey and report can be read at  
[www.portlandonline.com/auditor/index.cfm?c=66565&a=551383](http://www.portlandonline.com/auditor/index.cfm?c=66565&a=551383).

## **City nervous about ruling on Katrina funds**

*By Jim Redden  
November 5, 2015*

City officials are protesting a judge's ruling that the Portland Water Bureau should not have spent ratepayer funds to help the community of New Orleans. And they are worried the same judge also might rule the Bureau of Environmental Services should not have spent more than \$50 million in ratepayer funds to help fund the Portland Harbor Superfund cleanup process.

Both issues are part of a long-running civil lawsuit challenging hundreds of millions of dollars in water and sewer fund spending approved by the City Council. It was brought by John DiLorenzo, a Portland attorney representing a handful of utility ratepayers.

"There are many parallels between the Katrina and Superfund spending," says DiLorenzo, who argues ratepayer funds can only be spent on the primary missions of the two bureaus, which are providing water, sewer and stormwater management services to Portlanders.

The City Attorney's Office argues the City Code gives the council the sole authority to determine how the bureaus spend their funds.

Multnomah County Circuit Judge Stephen Bushong has ruled the spending must be "reasonably related" to the missions of the bureaus. He now is reviewing specific expenditures challenged

by DiLorenzo and determining whether they meet that standard. Last Friday, Bushong ruled the Water Bureau should not have spent around \$2 million to send workers to New Orleans to help it recover from Hurricane Katrina — even though the vast majority of the money, \$1.8 million, has been reimbursed by the federal government.

The city had argued the Katrina response was part of a mutual aid agreement between numerous cities that assures Portland will receive such help, too, if needed. After Bushong's ruling, the City Attorney's Office issued a statement that said it "respectfully disagrees with his determination that the relief Portland offered in the aftermath of Hurricane Katrina was inappropriate."

DiLorenzo notes the environmental services bureau also has advanced more than \$50 million to the Superfund cleanup process as part of an agreement with public agencies and private businesses in the Lower Willamette Group. That group is collaborating with the U.S. Environmental Protection Agency in preliminary steps before the Superfund site on the Willamette River can be cleaned up. City ratepayers have provided a large sum of money to hire consultants and other work.

Former BES Director Dean Marriott told the Portland Tribune he expects much of the money will be repaid from other city bureaus after the final cleanup costs are allocated by the EPA, which has ordered the cleanup.

"In the Katrina case, Bushong said the Water Bureau can't advance money for services not reasonably related to the delivery of water to its customers. The same reasoning should apply to the portion of the Superfund loan that will be repaid by other bureaus," DiLorenzo says.

Preliminary cost estimates for the cleanup range from \$200 million to \$1.7 billion, depending on the extent of the work performed. Portland may have to pay some share because the EPA has designated it as a Potentially Responsible Party. However, it's unclear if, or to what extent, river contamination will be pinned on the city sewer and storm drainage system, as opposed to other bureaus such as Portland Fire & Rescue, which conducted training along the river that led to some contamination.

Bushong should hear and rule on the Superfund spending challenge next year. In the meantime, he was scheduled to hear two more challenges this week — \$2.5 million spent by the Water Bureau fixing up Dodge Park, where some water testing takes place outside the city limits, and another \$675,000 spent converting land around some city water tanks into "hydroparks."

Still to come: a challenge to a \$1 million loan from the Water Bureau to the Portland Development Commission for the renovation of Centennial Mills.

Bushong previously ruled the council should not have approved \$462,000 in water and sewer funds for the now-defunct city's public campaign-financing program, and \$530,000 in water funds for the Portland Loos.

But Bushong also previously ruled that \$10.6 million in challenged expenditures were legal. That included \$4.43 million in water funds to relocate underground water pipes in connection with Phase I of the TriMet South Corridor light-rail project and \$6 million in sewer funds to pay approximately 53 percent of the purchase price of the River View Cemetery in Southwest Portland for stormwater management purposes. He also approved \$88,624 in water funds to pay for the costs of connecting the loos to the water system.

And last Friday, Bushong upheld \$12 million spent by the Water Bureau to operate decorative fountains in city parks. The council transferred responsibility for those fountains to Portland Parks & Recreation after the suit was filed, however.

## **Portland City Council adopts position against expanded oil shipments by train, delays fossil fuel export ban**

*By Steve Law*

*November 4, 2015*

The Portland City Council voted 4-0 Wednesday on a resolution opposing increased crude oil shipments by train through the city, as several hundred supportive Portlanders looked on from the council chambers and multiple spillover rooms. The resolution also expresses City Council opposition to Tesoro's proposed oil terminal across the river in Vancouver, which could bring a massive increase in oil trains through the Columbia River Gorge.

A companion measure to bar new fossil fuel export facilities in Portland — which figures to have much more impact — proved more controversial. The council ran out of time to debate proposed amendments and put off a final vote until next Thursday, Nov. 12. From the tenor of Wednesday's debate, though, that resolution looks likely to pass as well.

"It's not just symbolic" to oppose more oil trains, said Commissioner Amanda Fritz, who spearheaded that resolution. "This is about the future."

The City Council previously came out against proposed coal export facilities that would send open-air trains filled with coal through the Columbia River Gorge and then Portland, Fritz recalled. "Here we are to do it again."

As oil drilling booms in North Dakota and elsewhere in the U.S., there's been a flurry of proposals to transport the oil to the West Coast, essentially using mile-long trains as moving pipelines.

City officials recognize that trains are regulated by the federal government, but they hope the city will inspire other jurisdictions and politicians to take similar actions, thus putting pressure on federal leaders.

It's the city's job to address public safety, said Mayor Charlie Hales, and the city fire chief says there is little the city can do to protect against the kind of train derailments that caused massive death and destruction in recent months in Quebec and in U.S. cities.

Hales, while out sailing with his wife, recalled a time when a railroad bridge over the Columbia River got stuck, impeding traffic on the river and the rail line. A worker came out with a sledge hammer and banged the track until the rails were aligned so a train could pass, Hales said. That didn't make him feel secure about the nation's antiquated rail system.

The oil trains allowed by U.S. regulators could puncture in a derailment of a train going as slow as 12 miles an hour, said Michael Lang, conservation director of Friends of the Columbia Gorge. "It's inherently unsafe."

"We're playing Russian Roulette essentially, every time an oil train goes down the Columbia River," said Dan Serres, conservation director for the Columbia Riverkeeper.

The council also heard from Eric LaBrant, who won election to the Vancouver Port Commission on Tuesday on a platform opposed to the Tesoro terminal at that port.

The regional economy relies heavily on the Columbia River, LaBrant said, but fossil fuels represent the economy of the last century, not the future.

Commissioner Nick Fish, while supporting the resolution, concluded it is “largely symbolic.”

However, the second resolution figures to have more teeth, perhaps barring proposals such as Pembina Pipeline Corp.’s proposed \$500 million propane export terminal at the Port of Portland.

Mia Reback, the newly hired staffer for 350.PDX, said time is running out to drastically reduce the use of fossil fuels around the world, to avert major climate disruption. At the current rate, she said, “We have at best 15 years before we blow through the world’s carbon budget.”

Mayor Hales, the chief proponent of the fossil fuel export ban, recalled his recent meeting with Pope Francis at the Vatican on the pope’s encyclical about climate change.

“We have to leave much of the fossil fuel that we’ve already discovered in the ground,” Hales said, echoing the pope. “There is very little time and we must act now.”

Bill McKibben, cofounder of the international 350.org group that is crusading to minimize climate change, addressed the council from Washington D.C., where he spent part of the day working on a bill with Oregon’s U.S. Senator Jeff Merkley, D-Portland.

It is no longer a “quixotic” quest to shift the world to renewable energy sources, McKibben said. If the fossil fuel export ban passes, he said, “Portland will go down as an absolute leader among all jurisdictions, cities, counties, states, and nations if it does this.”

Olivia Miller, an 8th-grader at Sunnyside Environmental School, was one of several youth to testify.

“Today you are setting an example for the rest of the world, and right now that is exactly what we need,” she said.

But a handful of business and labor representatives urged the City Council to give the fossil fuel export ban a bit more study.

The rushed process to conceive the resolution was “lackluster,” said Marion Haynes, vice president for government affairs at the Portland Business Alliance.

Willie Myers, executive secretary treasurer for the Columbia Pacific Building Trades Council, said the resolution would have a “devastating” impact on middle class job prospects in Portland. He might have been referring to jobs from the Pembina project, as well as others.

City Commissioners Nick Fish and Steve Novick proposed amendments to the fossil fuel export resolution, but the council didn’t have a chance to discuss those.

That is slated to occur starting at 2 p.m. next Thursday.

# The Portland Mercury

## Hall Monitor

### Shelter Ready

*By Dirk VanderHart*

*November 4, 2015*

IT WAS A little-noticed comment with big potential implications in this city's struggles with homelessness.

During an appearance on OPB last week, Mayor Charlie Hales casually dropped word that there would be "hundreds of more homeless beds in the next few weeks."

Hales and his interviewer let the comment pass, but the questions lingered: Where would these beds be? How would a city that has struggled mightily to shelter its swelling ranks of homeless people so nimbly find new space, and so soon?

The mayor's office wasn't saying anything. But Hales' budget requests have filled out the picture somewhat.

As the Mercury first reported, the mayor's asking his city council colleagues to spend \$1 million on renovating a former army reserve center in Southwest Portland into a short-term shelter space. It's a piece of roughly \$2.75 million Hales wants to put toward the city's new housing "state of emergency" as part of twice-yearly budget recalibrations.

The improvements Hales' office wants to make to that old army reserve center—on SW Multnomah, just west of SW Barbur—would help the building on its way to its eventual role as an emergency preparation center. In the meantime, they'd make it "shelter ready" for more than 100 homeless Portlanders on any given night, according to Hales' chief of staff, Josh Alpert, who opened up about the plans after we'd reported on them.

That's a potential wave in what Alpert predicts will be a blitzkrieg of new shelter space—made potentially easier to establish by relaxed zoning codes approved under Portland's housing emergency declaration.

Hales' new budget request, up for consideration November 4, also includes \$1.26 million that would be used to create roving "shelter management teams" that will travel to new shelter spaces the mayor's office is quietly pursuing.

"If we're going to be creating pop-up shelters—temporary shelter all over town—it would be way too cost-intrusive to have full-scale providers running day-to-day operations," Alpert says. Instead, squads of housing resource officers, mental health specialists, and veterans' advocates could travel from spot to spot.

It's not Hales' idea. The notion of mobile resource teams began with A Home for Everyone, a wide-ranging group formed to scheme about fighting homelessness. The city and Multnomah County have pledged a combined \$30 million to help the group's action plans come to fruition—but most of it won't be available until next summer.

That's the way these things go in this city, where it seems new low-income housing is always months off, and dollars to help thousands of unsheltered residents off the streets are always in

next year's budget. It's laudable, then, that we're getting some immediacy—particularly as winter takes hold.

This may get unpleasant. Portland's neighborhood groups are great at finding benign and well-meaning-sounding reasons for opposing shelters. And there will be plenty of skeptical questions to ask (like how those hundreds of homeless people off SW Barbur would get back into downtown).

Let's embrace it all, and then be rational. This is an emergency, after all.

## **Portland Says No to Oil Trains and Delays Vote on Resolution to Oppose Fossil Fuel Infrastructure Expansion**

*By Shelby R. King  
November 4, 2015*

One down, one to go.

The audience in council chambers erupted into applause Wednesday evening when City Council voted 4-0 (Commissioner Dan Saltzman was absent) to oppose all proposed projects in Portland and Vancouver that increase the amount of oil trains coming through the area.

Among the 105 people who signed up to testify was Eric LaBrant, Port of Vancouver commissioner-elect, who's opposed to the giant Tesoro oil terminal project proposed at the port. Vancouver City Council also opposes the project, which is currently under consideration by Washington Governor Jay Inslee.

After four hours of impassioned testimony on two resolutions, the commissioners decided to vote on Commissioner Amanda Fritz's proposal while shelving the resolution introduced by Mayor Charlie Hales that would declare the city's opposition to all projects that expand infrastructure "whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways."

The council addressed two resolutions to the amendments, both introduced by Commissioner Steve Novick. The first amendment—which passed—addressed noisy trains and tinkered with the language of the resolution without making a real substantive change. The second would have added language to the resolution banning oil trains "unless and until" they're proven to be as safe as other methods of transport. Fritz was "vehemently" opposed to this resolution, which she claimed would have weakened the resolution. Hales and Fish both voted no and it went down in flames... like an exploding oil train.

Council will readdress Hales' proposal at 2 pm on Thursday, Nov. 12.

## Portland Business Journal

# City Council passes resolution to prevent more crude oil-carrying trains in Portland

*By James Cronin*

*November 4, 2015*

Portland City Council on Wednesday passed one of two resolutions on banning fossil fuel expansion in Portland while tabling the other until next week.

Commissioners, facing a standing-room only crowd at City Hall, passed a resolution opposing the increase of crude oil-carrying trains in and around the city. The second resolution, which opposes expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways, was tabled until Nov. 12.

The contentious topic has pitted environmentalists who want dirty fuels to be a thing of the past against economic development hawks that see sizable financial investments and job creation in things like propane pipelines and natural gas terminals.

The battle landed in City Hall Wednesday, where sign-carrying activists gathered outside as Mayor Charlie Hales and Commissioner Amanda Fritz proposed their joint resolutions. The hearing garnered so much interest that city officials needed to open an overflow room to accommodate the crowd.

Scores of residents, activists and industry types filled the hall. Some carried small dowels with red and yellow ribbons attached. When speakers extolled Portland's curbing of greenhouse gases or other perceived environmental wins, attendees shook their ribbons in rustling applause.

"Communities along the Columbia River are faced with an unprecedented and new threat — the idea of moving vast quantities of fossil fuels in oil trains down the Columbia River in trains that are known to derail, spill and ignite," Dan Serres, conservation director for environmental group Columbia Riverkeeper, told the council. "The oil train resolution you are considering is both timely and appropriate because there are over a hundred trains per week that could be headed down the Columbia River. A spill in the Columbia River would decimate salmon habitat, disrupt river traffic and threaten drinking water supplies downstream."

The resolutions resulted from Mayor Charlie Hales' about-face on Pembina Pipeline Corp.'s planned \$500 million propane terminal at the Port of Portland this summer, which he helped to stall after initially supporting the project.

Hales refused to bring a necessary environmental amendment for the project to the full city council for a hearing and potentially a vote, and went on to create the resolutions to ban future fossil fuel expansion.

The scene should be just as robust next week when council resumes its discussion on the second resolution, a broader measure that expands the city's opposition to fossil fuel developments to projects beyond those that rely on rail cars.

That's an issue that's critical to the Port of Portland, which pursued the propane deal with Pembina. Curtis Robinhold, the port's deputy executive director, said the language in the

resolution is so vague that it become unclear exactly what types of energy projects the port could pursue for its property.

"There are no real definitions in the resolutions," Robinhold said. "They clearly would apply to coal and heavy hydrocarbons like in an oil export terminal, but we don't have any of those those planned anyway. We already said we wouldn't do coal or crude right now. What about natural gas infrastructure? What about propane? What about LNG (liquefied natural gas) used for ships The shipping industry is shifting to LNG to power vessels, reducing emissions for steaming across the Pacific. We're not sure what it does or doesn't apply to. The language is very vague."

## **GoLocalPDX**

### **More Than 50% of Portlanders Feel Negatively About City Services Says New Report**

*By GoLocalPDX News Team  
November 5, 2015*

According to City Auditor Mary Hull Caballero's 2015 Community Survey, less than half of Portland's residents feel positive about the City's overall job in providing services, the report's second lowest rating in 20 years.

According to the report, there has been an increase in residential and commercial development in Portland neighborhoods, but Portlanders say housing is less affordable than five years ago. There were also mixed results in the ratings of City services.

Planning and street maintenance showed "significant drops in approval" according to Caballero's report. Congestion on major streets is also worse during all hours, according to residents.

Fire, parks, 9-1-1, recreation, housing inspections and water services all showed no significant change from five years ago. Police and sewer services both showed significant improvement in positive ratings.

Read the full report [here](#).

### **Haynes Leaves Mayor's Staff, Hottman Now Acting Communications Director**

*By GoLocalPDX News Team  
November 4, 2015*

Charlie Hales said he was not run for re-election so he could focus on tackling some big issues facing Portland. But, Hales will not have that long-time Communications Director Dana Haynes along for the final 14-months. Haynes is stepping down, effective this month.

"Dana has been with me since before I was sworn into office. I am grateful for the work he has

done on behalf of this office, and wish him well on his future endeavors” Hales said. “It’s been a great honor serving this mayor and serving Portland,” Haynes said. “He has been an outstanding mayor and he is served by an outstanding team. I have no doubt that everyone will continue serving the community well.”

Haynes, 55, spent 20 years in Oregon newspaper newsrooms as a reporter, editor and columnist. He formerly served as communications director for Portland Community College. He lives in Portland.

Sara Hottman will be the new acting communications director post Haynes.