

## The Oregonian

### Portland to pay \$325,000 in crosswalk death, injury

*By Brad Schmidt*

*December 15, 2015*

The Portland City Council is set to approve a \$325,000 settlement Wednesday to end a lawsuit alleging negligence in crash that killed a 71-year-old woman and injured her husband.

A car hit the couple in 2012 as they used an east Portland crosswalk.

Flashing lights at the crosswalk didn't work properly, according to a \$3.8 million lawsuit filed by the couple's attorneys.

Kseniya Aleksandrova died, and Pavel Krivolenkov, now 81, was severely injured.

"He lost his wife, but he made the intersection safer for our community by taking on this case," said Hala Gores, one of the attorneys who represented the family.

City officials said the driver was to blame but decided to settle to avoid risking a larger jury judgment.

If approved, the settlement would mark Portland's second this year involving traffic signals. In January, officials approved a \$50,000 settlement with the estate of a 27-year-old woman killed while crossing at an intersection in Southwest Portland. Her family also accused the city of negligence.

Krivolenkov and Aleksandrova were hit Nov. 20, 2012, in the 10800 block of Southeast Washington Street. Police determined that Kimberly Dennis, who was headed east driving an Acura TL, struck the couple as they crossed the street heading north. Dennis was cited for careless driving.

The crosswalk had been equipped with a motion sensor to activate an overhead light. But the sensor didn't easily trip, according to records, and it was raining heavily that night.

In a deposition, Krivolenkov said he never saw the vehicle that hit him.

A witness was prepared to say the lights were not flashing at the time of the accident, Gores said. The city later replaced the sensor with a push-button system.

City officials had been prepared to argue that Dennis, also named in the lawsuit, was at fault.

But officials privately worried that a jury might find the city at least partially responsible. Because Dennis' insurance company paid just \$50,000, officials worried that a jury might assign Dennis' potential liability to the city under a quirk in Oregon law.

"As a result, given the risk to the City and the severity of the plaintiffs' injuries, settlement was deemed prudent," Sara Hottman, a spokeswoman for Mayor Charlie Hales, said in an email.

Portland had received complaints about the sidewalk in the past, however, including from a principal at nearby Floyd Light Middle School. The overhead light flashed in an "erratic fashion," according to a 2008 report, and a student was seriously injured in the crosswalk.

Krivolenkov and Aleksandrova lived at an apartment near the school and used the same crossing. They grew up in Ukraine and emigrated to the United States years ago, Gores said, marrying just eight months before the crash.

Gores said Krivolenkov's physical injuries have healed far better than his emotional scars.

## **The Portland Tribune**

### **City struggles to take action as homeless camps multiply**

*By Joseph Gallivan and Jim Redden*

*December 15, 2015*

Disputes over fast-growing homeless camps in North Portland are complicating efforts by neighborhood leaders to develop a citywide response to the issue.

The Overlook Neighborhood Association has accused the mayor's office of breaking promises to limit the number of campers along North Greeley Street below Interstate Avenue.

The association called a special meeting for Wednesday, Dec. 16, to discuss the situation. It will be held at 6:30 p.m. at the Historic Kenton Firehouse, 8105 N. Brandon Ave.

The association previously sent a letter to the City Council on Thursday, Dec. 3, requesting the camp be moved. "Although the original intent was for a small campsite that would be self-regulating within a code of conduct, that did not last," the letter said.

The request was rejected by Josh Alpert, Mayor Charlie Hales' chief of staff. He says the overcrowding is caused by a second camp that was not part of the original agreement and needs to be moved, although some neighbors say the city has been too slow to respond.

"There's a feeling out there that City Hall isn't keeping its promise on homeless camps, and that's going to make it difficult to talk to other neighborhood associations about the issue," said Tom Griffin-Valade, executive director of North Portland Neighborhood Services, the city office that works with neighborhood associations serving North Portland.

Griffin-Valade made his comment during a Dec. 10 meeting of the chairs and directors of all the city-funded neighborhood district coalitions. The group is planning to ask the associations what they would support to help address the housing crisis, including possibly identifying locations for camps in other parts of the city.

But the group is concerned the associations will not be willing to participate in such discussions if they believe City Hall won't regulate the camps. No decisions were made at Thursday's meeting, and the group will take the issue up again when it meets in January.

Commissioner Amanda Fritz, who was at the meeting, said she has not asked the associations or districts to identify potential sites for camps, but said the city should provide services to those that exist.

Brief history of camps

The camping is occurring on a slice of city-owned land along North Greeley Avenue beneath Interstate Avenue. The first formal camp established there is called Hazelnut Grove. According to camper Raven Justice, the area was known for its community garden, owned by Sisters of the Road. It also was frequented by a few drug users and campers.

Justice said he and some friends from the Occupy Portland movement have helped the camp grow since May, establishing a code of conduct to keep out heroin and methamphetamine users. They set the limit at 25 residents, although on a late-November morning the official count was 27.

Community support includes a Facebook fundraising page and volunteers who donate food and supplies to build shelters, including wooden pallets and tarps, as well as nylon tents and awnings. The camp now has a fire circle, two gas generators for electricity, and water from the community garden's white, plastic tanks.

On a recent morning, four boxes containing trays of supermarket sushi that had just been delivered sat on the ground. A father led two tweens into the camp bearing blankets and clothes.

Although some neighbors have complained about an increase in crime in recent months, Justice said the camp has reduced it.

"The owner of the house said it was the first time in six years he hadn't had a break-in," said Justice, gesturing to the top of the bluff. "People had been stealing from the house and leaving needles. We moved in and cut the crap off."

### **Two very different camps**

Next to Hazelnut Grove, a bigger camp not governed by the same rules is growing rapidly. Nicknamed "Forgotten Realms," it is less organized, although it has a chore board and a kitchen the size of a food cart.

One camper joked that the name Forgotten Realms comes from fantasy role-playing games, and that there were more than a few homeless who "can handle a pair of dice." He also pointed out that Hazelnut Grove residents don't share their donated food fairly with people on his side of the fence.

Activist and homeless person Dave Walters, who often visits the camp but isn't living there, said media attention has kept the camp growing.

"People who are not afraid to make the news have made this little bubble within the city possible, and to get this protection," he said.

Walters said lots of people benefit from the camp's safety and resources — including water, toilets, immunity from sweeps — and live nearby in bushes and by the train tracks.

"Other people are benefiting by being in proximity to these people, and not being harassed by the police, if you can hide yourself."

## Neighbors cite hazards

The homeless camps are located at the southern end of Willamette Bluff, a steep embankment that stretches 3.6 miles northwest of the University of Portland.

Some neighbors say the site is unsuitable for camping because it has no permanent water or sewer services, is far from social service agencies, and is not served by transit. They also say a November 2009 draft city report proves it has other problems that should limit any kind of public or private use.

The report is a natural resources inventory of the 258-acre uplands area prepared for the Bureau of Planning and Sustainability. It found landslide and wildfire hazards where the camps are located, and industrial pollution.

“Contamination exists at the southeast end of the site within the Union Pacific Railroad’s Albina Yard. Soil, surface water, groundwater, and near-shore sediments are contaminated from industrial uses associated with the railroad,” the report reads.

“There may be a suitable site for homeless camps in Portland, but this isn’t one them,” said one neighbor, who asked not to be identified for fear of being labeled “anti-homeless.”

## Find out more

The environmental report on the Willamette Bluff area can be read at:

[portlandoregon.gov/bps/article/158904](http://portlandoregon.gov/bps/article/158904)

## PDC seeks reduced personnel costs to counter increased housing commitment

*By Steve Law*

*December 15, 2015*

Now that the city has raised the amount of urban renewal money “set aside” for affordable housing, the Portland Development Commission is plotting incentives to reduce its staffing.

The PDC board will consider a proposed new early-retirement benefit on Wednesday, in a 3 p.m. meeting at 222 N.W. Fifth Ave. The incentive, it approved, could entice as many as 20 of the agency’s 92 staffers to retire early. The agency estimates that could cost an extra \$500,000 to \$800,000 in the short run. But over the next decade, that could trim PDC’s payroll costs \$3.8 million to \$9 million if two people leave early each year over the next 10 years.

The Portland City Council recently boosted the city’s housing set-aside policy by 50 percent. In the past decade, 30 percent of the tax increment financing revenues, the primary urban renewal funding source, have been diverted to the Portland Housing Bureau for use in low-income housing projects. Under the new policy, 45 percent of the tax increment money is going to housing.

## The Portland Mercury

# The City's Going to Have Another Plush Budget Year, According to Its Latest Forecast

By Dirk VanderHart  
December 15, 2015

Portland's budget picture keeps getting rosier.

A year after the city saw \$49 million in surplus revenues—money it largely spent on transportation projects—city budget staffers expect an additional \$11 million to play with in Portland's general fund next year, according to a forecast released this morning.

"This year will likely end up being the fastest year of local economic growth since the tech bubble in the late 1990s," City Economist Josh Harwood writes in the document. "Job growth has been widespread and income growth is finally ramping up after years of stagnation."

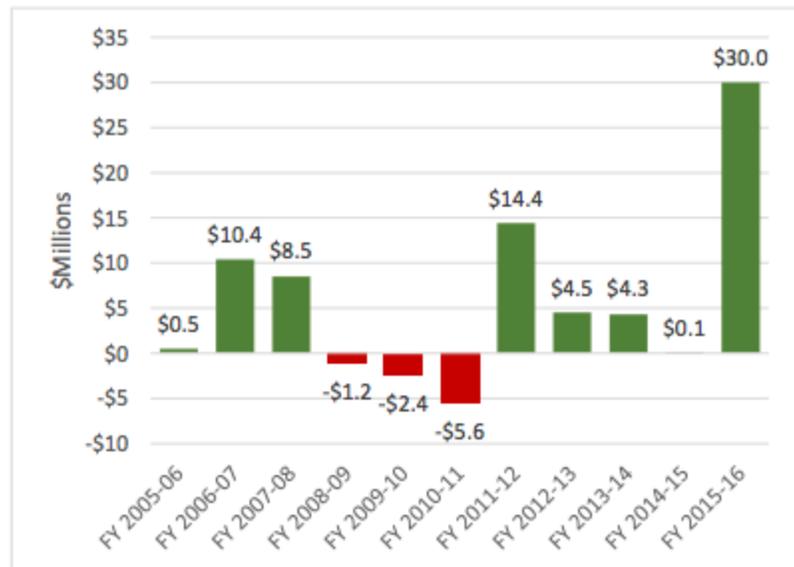
The budget surplus means most city bureaus can probably rest easy, despite direction from Mayor Charlie Hales that all bureaus (except the Portland Housing Bureau) should propose 5 percent cuts.

The \$11 million figure is a touch misleading, too. In fact, the city's surplus is closer to \$16 million over last year's budget, Harwood says, but the City Council has already put \$5 million in new ongoing yearly funding toward housing. And there's a strong possibility the situation will only get better from here. The City Budget Office almost always finds more money found by April than it predicts in December.

"Our financial policies tell us to forecast conservatively," Harwood says. "As we move from now to April, we'll know more."

It's not always positive progress, though. From 2009 to 2011, the forecast actually got worse from December to April. Harwood says that's unlikely this year. Here's a handy chart the budget office included in the new outlook.

**FIGURE 1. Historical Changes from December to April Forecasts**



So what's city council gonna do with this \$11 million-plus? Well, council policy dictates at least half of it has to be dedicated toward capital projects like building and street maintenance. If it chooses to abide that policy, it'll have limited cash to put toward housing and stemming gun violence, which Hales has said are his priorities for next year's budget.

There's also millions in increased costs for parks employees looming, as we've written about, and 13 firefighter positions that are currently being funded with grant money that's slated to dry up.