

The Oregonian

Steve Novick wants Portland gas tax on some diesel, too

*By Brad Schmidt
January 12, 2016*

Portland's proposed gas tax could now raise \$64 million over four years, about \$6 million more than projected last year.

That's because Commissioner Steve Novick wants to extend the tax beyond gasoline to include some, but not all, diesel purchases.

Novick will ask the City Council on Jan. 27 to refer the tax measure to voters in the May 17 election. If approved, money from the tax would help pay for street maintenance and safety projects.

Novick latched onto the gas tax last year after failing to secure political support for a controversial street fee. In October, he rolled out a 10-cent-per-gallon proposal, which would be the most expensive local tax in Oregon.

At the time, Novick envisioned a gasoline-only tax that would raise \$58 million over four years. Taxing diesel wasn't out of the question, he said, but officials were going back and forth on options.

Novick said the new plan would tax diesel purchases for small vehicles but exempt those by large commercial truckers.

Taxing diesel at commercial trucking gas stations, such as the Jubitz truck stop in Northeast Portland, would prompt long-haul drivers to bypass Portland and potentially force some businesses to shut down, Novick said.

Large commercial vehicles are subject to a tax, collected by the state, based on weight and miles traveled. The tax begins about at 5 cents per mile traveled.

Eventually, Novick said he'd like to create a "load fee" that applies to all diesel before it reaches the pump.

Doing so, he said, would allow the city to tax diesel distributed to gas stations throughout the region, limiting impacts to Portland businesses and raising even more money for city transportation needs.

'Civility' no reason to trample Portlanders' First Amendment rights: Editorial Agenda 2016

*By The Oregonian Editorial Board
January 12, 2016*

It's easy to agree with Portland City Commissioner Dan Saltzman that civility seems to have taken a nose dive. That presidential candidates openly deride competitors as "losers" is only a little less astounding than the erosion of "Portland Polite" in recent months, where protesters' heckling has disrupted City Council meetings and caused commissioners to adjourn.

But even with that backdrop, there's no justification for a resolution that Saltzman plans to introduce on Wednesday with the support of Mayor Charlie Hales. Saltzman is seeking Council approval to appeal a federal judge's ruling that the city may not bar people from attending future council meetings based on previous disruptive behavior, as The Oregonian/OregonLive's Maxine Bernstein reported. Such "prospective exclusion" orders infringe on a person's First Amendment protections, U.S. District Judge Michael Simon said in his Dec. 31 opinion, siding with a local activist who had been barred for 60 days from City Hall for previous conduct.

Simon's opinion lays out the many reasons city commissioners should reject Saltzman's resolution. Among them: "No appellate opinion of which this Court is aware has ever held that the First Amendment permits prospective exclusion orders from otherwise public city council meetings," he writes. Why would Portland merit special treatment?

But there's a simpler reason here for commissioners to keep in mind: The city has all the tools it needs to address disruptions or threats without trying to shut down the First Amendment rights of Portlanders.

The case in question involves Southeast Portland resident Joe Walsh, who frequently testifies at City Council meetings, sometimes at loud volumes, and occasionally lacing his harsh criticism with profanity. Walsh, as Bernstein reported, has been handed three exclusion notices since September 2014, most recently a two-month exclusion in July after he argued loudly with the mayor after missing an opportunity to testify on an agenda item before the Council.

But, Simon wrote, Walsh has not threatened violence. When told to leave a meeting due to his behavior, he has done so. And the mayor can continue to order that Walsh leave any City Council meeting at which he is being disruptive, Simon noted. Going beyond that by barring him from City Hall or City Council meetings in the future deprives Walsh of the ability to do business with any of the offices in City Hall, provide live comments and otherwise engage with public officials as City Council meetings are designed to allow, Simon wrote.

Rather, Saltzman pointed to other recent incidents, including a Nov. 25 takeover during which two people were yelling, throwing furniture and, Saltzman said, had left behind a backpack which appeared to have a fake device in it. He said city officials need some way to be able to promote decorum and protect the approximately 200 people who work in City Hall. The ability to issue pre-emptive exclusions for repeat offenders is a reasonable way to do so, he contends.

While some may regard the city's pre-emptive exclusions as extreme, Saltzman countered that Simon's order limiting exclusions to the day of the incident "is equally extreme."

But if public safety is truly the motivating concern, then city commissioners can and have turned to Portland Police, as they did last November to remove the two protesters. It is unrealistic to believe that people who pose legitimate public safety threats will abide by long-term exclusions.

And finding an alternate way of preserving civility is simply a task that Mayor Hales and the other commissioners will need to address. People may at times go overboard in expressing their frustrations with city government or city leaders, but that does not make any less legitimate the root causes of their frustration.

Saltzman noted that he personally is not concerned by Walsh's conduct at City Council meetings – an admission that shows the sledgehammer nature of the city's pre-emptive exclusions. It

also highlights a concern that Simon noted – the potential that the exclusions could be used to bar those "whose viewpoints the government finds annoying, distasteful, or unpopular."

As Simon wrote in his opinion, "our democratic republic is not so fragile, and our First Amendment is not so weak."

City commissioners should show that they are strong enough to handle both and let Simon's decision stand, unappealed.

The Portland Tribune

Funding committed for homeless plan

By Jim Redden

January 12, 2016

Portland, Gresham, and Multnomah County leaders tentatively signed off on a plan for spending \$30 million to reduce homelessness by 50 percent by 2019 or perhaps 2020.

The next step is for the Portland City Council to approve \$20 million and the Multnomah County Commission Board of Directors to approve \$10 million to fund the plan in the budgets that take effect on July 1 of this year.

Previous plans, such as the 10-year Plan to End Homelessness, have not achieved their goals, however.

The new plan was developed by A Home for Everyone, a collaborative effort begun last year by the city and council with the goal of cutting homelessness in half. According to the group's director, Marc Jolin, the plan approved Friday would do that by the end of its third year.

"This is going to make a significant difference," said Mayor Charlie Hales, who sits on the group's Executive Committee. Other elected officials at the meeting, which took place at City Hall, included Commissioner Dan Saltzman, Gresham City Counselor Karylinn Echols, Multnomah County Chair Deborah Kafoury, and Multnomah County Commissioner Jules Bailey.

The plan calls for spending the money as follows:

- \$12.5 million to place homeless in housing.
- \$10 million to build more affordable housing.
- \$5 million to expand and operate shelter services.
- \$2.5 million to prevent people from becoming homeless.

The spending priorities were set by the group's Coordinating Board, which includes representatives of regional governments, social service agencies, housing providers, shelter operators, health care providers, and others. They ranked more than 35 potential investment priorities in three categories: Placement and Retention, Prevention, and Safety Off the Streets. The \$30 million is only enough to fund the top priorities in each category.

The semi-annual homeless count commissioned by the city and county identified 3,801 homeless people on Jan. 28, 2015. The count found that 1,887 people were unsheltered, 872 people were sleeping in an emergency shelter, and 1,042 were sleeping in transitional housing.

Although the total was roughly the same as the last count in 2013, it included a 15 percent increase in homeless women, a 24 percent increase in homeless families with children, and a 48 percent increase in unsheltered African Americans. The number of chronically homeless people declined by 17 percent, however, and the number of homeless veterans declined by 24 percent.

The plan approved Friday prioritizes serving minorities and women. It envisions placing 1,350 homeless people in housing, preventing 1,000 people from becoming homeless, and creating 650 new shelter and alternative beds. Those results are projected to cut homelessness by 50 percent within a reasonable amount of time after the end of the 2017-2018 fiscal year.

The City Council committed to including \$20 million in next year's budget about the time it approved the housing state of emergency in October. Hales has directed general fund bureaus to identify 5 percent reductions their upcoming budget submission to help come up with the money. Kafoury says she is just beginning to identify how to fund the county's \$10 million share.

According to Saltzman, the \$30 million will be spent by such agencies as the Portland Housing Bureau, the county Department of Human Services, and Home Forward, which was formerly known as the Portland Housing Authority. It is in addition to \$20 million in urban renewal funds the city has committed to mitigating the effects of gentrification in North and Northeast Portland, and an additional \$67 million the city will have available for affordable housing over the next 10 years after the council recently raised the urban renewal "set aside" commitment from 30 to 45 percent.

The Portland Mercury

Did Portland's Latest Organized Homeless Camp Just Pop Up Near Legacy Emanuel?

*By Dirk VanderHart
January 11, 2016*

The city sprouted another organized homeless encampment on City of Portland property on Sunday. No one bothered to tell the city it was coming.

"The mayor's office didn't know where we were planning on moving ahead of time," says Steve Kimes, a Portland homeless advocate. "I sent notice last night."

Kimes has been working with people living at Forgotten Realms, the nickname given to the tent community that's sprung up next to the city-sanctioned Hazelnut Grove encampment on North Greeley. As part of an upcoming permit for Hazelnut Grove, the city's planning to force campers at Forgotten Realms to move along by January 19. So some of them are hoping to start a camp of their own.

Roughly 10 homeless residents moved to a city-owned lot at North Kerby and Graham on Sunday. The site sits close to I-5, across the street from Legacy Emanuel Medical Center, and directly next to at least one home.

The spot's strategic, according to Kimes. He says the corner lot will allow easy service for garbage and portable toilets—amenities that were made tricky by Hazelnut Grove's relative inaccessibility. He expects a portable toilet in the next day or two he says.

"We're hoping that the mayor or his assistant will come over—take a look at what we're doing, give us the same kind of opportunities that Hazelnut Grove had," Kimes says.

At the camp Monday afternoon, campers were busy erecting tents and making other preparations. An old trailer, set up in the middle of the lot, is equipped with a generator and battery power. Its resident, Wesley Courverler, had a role in setting up Forgotten Realms, and says the new camp is a far more suitable living situation.

"I have just as much a right as they do to live," Courverler said of Hazelnut Grove. "If they move me, they've gotta move them."

Courverler says he'd like to begin building small structures on the property in coming days. Campers on site said Portland police had visited briefly Sunday, citing a complaint. While I was visiting this afternoon, Courverler knocked on the home next to the land—a large duplex—to introduce himself, but no one answered.

This new camp effort—and those that might follow—could present an interesting challenge for Mayor Charlie Hales. In recent months, Hales has shown a willingness to be relatively lenient with homeless campers, an acknowledgment that Portland has a shortage of both affordable housing and shelter space. Last month, Hales' chief of staff, Josh Alpert, has directed all city bureaus to alert the mayor's office when a camp sweep is being considered, arguing that should only happen when absolutely necessary.

But the permissiveness has rubbed some residents the wrong way. The Overlook Neighborhood Association has railed against the campers at and around Hazelnut Grove, and even demanded a public list of campers so residents could conduct their own background checks.

Kimes says he and others scouted around a dozen different locations when looking for a new camp site, and that they "wanted to make sure it was not a place in the Overlook Neighborhood." The spot they landed on carries plenty historical significance. It sits between an interstate and hospital that each contributed massively to displacement from the neighborhood—at one time the heart of Portland's African American community.

Kimes and Courverler say that anyone who'd like to move into the space will have to agree to abide by a code of conduct, and that camp leaders will limit the number of people living at the site. Courverler said he's thinking 30 people could live on the plot.

"After having lived near Hazelnut Grove, everyone is in agreement that that is just plain too many people," Kimes says. Here's the code of conduct the camp plans to enforce:

As for the city, it was still trying to get its head around the situation this morning.

"Reports are just coming in," said Jen Clodius, a spokeswoman for the city's Office of Management and Finance. "The city has not authorized camping there."

Update, 3:50

pm: There's no indication Hales is going to allow the nascent North Portland camp to remain.

"The City is open to facilitating organized camping once it identifies land on which camping could take place," mayoral spokeswoman Sara Hottman tells the Mercury. "Folks occupying land does not mean the City will sanction a camp; indeed, nobody should be occupying City land without having first discussed it with the City."

Hottman said in an email that Alpert, the mayor's chief of staff, spoke with an advocate who'd mentioned that campers from Forgotten Realms had organized and drawn up a code of conduct.

"He told them that was great, but that the City didn't yet have land to offer to them," Hottman said. "Josh continues to search diligently and daily for such land."

No violence. (Any fighting must be taken off the property.)

No stealing.

Keep personal items inside your personal space (e.g. weapons, drugs, alcohol or bad behavior)

No trash outside or in public areas.

No abuse of people or animals.

Dogs must be kept secure at all times (leash, kennel, in private space)

Quiet time after 9pm (an exception for emergencies allowed by the EC or Security)