

The Oregonian

SE Portland homeless campers say they will resist sweep

By Tony Hernandez

September 27, 2016

Homeless campers and advocates say they plan to stand their ground and risk arrest this week after they were notified to leave public land before a cleanup in Southeast Portland.

Officials posted the illegal campsite notices on Friday at the self-named Camp Amanda on Portland-owned property off of Southeast Foster Road just east of 111th Avenue. About a dozen campers who left the Springwater Corridor this month have been living at the property surrounded by the road to the north and Johnson Creek to the south.

Campers are expecting cleanup crews at some point this week, and they say they are tired of moving.

Jackie Hooper has been homeless for six months and first went to live on the Springwater. She found the most recent spot after Mayor Charlie Hales and city officials enforced a ban on outdoor camping on the city's 14-mile stretch of the corridor.

A spokesman for the mayor's office said the cleanup was ordered because campers did not have permission to set up a permanent campsite at the environmentally sensitive location, and their presence has already caused damage.

Spokesman Brian Worley sent the following statement to The Oregonian/OregonLive:

The area of 114th and Foster on the Springwater was re-posted for notice of cleanup this past Fri. Sept. 23. This is in addition to the no camping notices that were posted before the Sept. 1 start date along the entire trail. This location is part of the 14-mile city section of corridor, and was scheduled within Phase 4. At the time of the additional re-posting Friday there were about 8-12 campers at the site. The cleanup of the site is scheduled to begin this week, likely today depending on resource availability. Please note, cleanup work continues along the entire 14-mile section of the City's portion of the Springwater Corridor. Like all city owned property along the Springwater and across the city, any new cleanup or post-cleanup maintenance and restoration work will be coordinated by the landowning bureau through OMF's Campsite Cleanup Service, in this case Parks and BES.

The Springwater Corridor, including this location of Brookside Park within the Foster Floodplain Natural Area, are extremely environmentally sensitive areas. According to reports campers in this area are doing serious harm to the creek, including destroying beaver dams. No one from the City has given the campers approval to set up at this site and it is not considered low-impact.

As Mayor Hales has said before he has resisted moving campers from areas because we don't yet have good options for all the people living on our streets. That continues to be true. Recognizing that, Mayor Hales remains committed to treating homeless people humanely and compassionately; not criminalizing homelessness; and maintaining safety and livability in public spaces.

Intensive social service outreach has continued for ten weeks on the Springwater — two weeks initially planned, four weeks more in the date change, and four weeks since Sep 1. But from the beginning, the mayor invested in intensive outreach to help people off the trail and into services.

The ultimate goal is to have enough housing and shelter capacity for everyone who needs it.

In addition to the new Hansen Shelter that opened in July and Gresham Women's Shelter that opened just last week, regional partners are opening an additional 120 beds later this fall at the McLoughlin Resource Center for people to use. In all, more than 450 shelter beds will be open by fall. Meanwhile, work continues on housing affordability after the City's unprecedented investments — \$356.35 million dedicated to affordable housing, rent assistance, homelessness outreach, and related programs.

This post will be updated as news develops.

The Portland Tribune

City closes loophole on historic properties

*By Lyndsey Hewitt
September 27, 2016*

Once snooze-worthy topics — buildings and city code — are becoming increasingly popular as Portland makes changes big and small the wake of gentrification and urban renewal.

But a small change in code back in 2002 forming a legal loophole has caused irreparable harm, says Meg Hanson, an activist who's planning a class action lawsuit.

The harm? Demolition of historic buildings when they possibly should have been afforded a 120-day demolition delay period.

The Bureau of Development services finally closed the 14-year-old loophole on Aug. 31 in a service update, now requiring a 120-day delay before demolition or building permits are issued for any of the 2,745 ranked buildings on the Historic Resource Inventory.

The inventory, created in 1984, is used by the Portland Historic Landmarks Commission to evaluate applications for landmark designations.

Under city rules, a 120-day demolition delay was the only “protection” a building had by being listed on the Historic Resource Inventory. But that became pointless when the loophole was created in 2002 enabling a property owner to delist and receive a demolition permit in the same day.

The inventory emerged from obscurity when high-profile buildings, such as the Hotel Albion and the Ancient Order of United Workmen Temple, were yanked off the inventory and slated for demolition.

The increasing rate at which this scenario was happening caused alarm to members of the historic preservation community, who wondered where the delay time had gone.

The historic preservation advocacy group Restore Oregon had been urging the city to change its practices since 2013, even threatening to take the city to court over the removal of the Workmen Temple from the inventory.

The threat didn't come to fruition; Restore Oregon Executive Director Peggy Moretti says the organization fares better working with the city than against it.

Sudden change and state law

Regardless of repeated requests from organizations and activists, the bureau maintains it decided to evaluate its practices and make changes to align with state law, ORS 197.772, after the Oregon Supreme Court ruling issued on Aug. 4 in the case of Lake Oswego Preservation Society vs. City of Lake Oswego, in which the owner of a property — the Carman House — was barred from removing its historical designation.

“Upon further review, we decided we needed to be more consistent,” with ORS 197.772, says Ross Caron, public information officer for the Bureau of Development Services.

Before the ruling, the city asserted it was not violating state law because listing on the Historic Resource Inventory, ranked or not, did not amount to an “official” historic designation.

Restore Oregon says the city was misinterpreting state law.

Meg Hanson and her group, Close the Loophole Coalition, believe the city was violating the law by not offering the 120-day delay protection, which is outlined in the state's “Goal 5” rules, a set of goals for protection of natural resources, historic areas and open spaces.

Lawsuit

Even though the city has decided to comply, Hanson says a lawsuit is just the next step — “a natural progression” after all that has happened.

Hanson, a local assistant architect and engineer, became invested and created Close the Loophole Coalition when a developer planned to demolish 3334 S.E. Belmont, a 127-year-old building that many rallied to preserve earlier this year.

She has done extensive research on what she believes is the illegal issuance of demolition permits since the loophole's creation in 2002.

A look at the city's previous code on HRI properties back in 1996 was clear: Ordinance said inventoried properties may be delisted at the end of the demolition delay period, which complied with Goal 5 rules at the time.

In June 2002, this code was removed, and another was added that stated a resource listed on the inventory would be removed if the owner sends a written request on the date the office receives it. Mention of the delay period was erased.

Hanson believes that the loophole may have been created intentionally when the city was under pressure by the city auditor to create a faster permit-issuing process.

Repercussions of such a goal, according to Hanson and other advocates, are demolitions of buildings that could have been considered for protections by The National Register of Historic Places, while contributing to the erasure of the city's "character."

Preservation on the backburner

Listing on the Historic Resource Inventory is often the first step for higher-level protection by the registry, which offers certain tax provisions and federal grants.

Kirk Ranzetta, chair of Portland's Historic Landmarks Commission, says that creation of historic districts might actually help blunt negative forces of gentrification.

"In some older Portland neighborhoods, for instance, developers have been acquiring a \$600,000 to \$800,000 property, demolishing the house, and building two new homes ... for \$1 million to \$1.2 million," he says. " ... it is almost as if the original neighborhood gentrifiers are being gentrified themselves."

Hanson remains concerned that the city didn't enforce the delay.

"By not enforcing a 120-day delay as they should have been, the public didn't have time," Hanson says, pointing to the case of Ocobock Mansion, 5128 N.E. Rodney Ave., which was initially listed on the inventory, but delisted by a new owner and developer. Neighbors scrambled, requesting a delay and an appeal for an extension, eventually raising \$1.1 million to save the house from demolition.

"It would have been handy if they would have had time up front instead of having to push and push against the city and developer," Hanson says.

The city has acknowledged citizen complaints.

"The city's experiencing a rate of growth that has led to (this) ... we've seen an increase in demolitions and building of complexes," says Caron, adding that it's been "a year or two" now of enforcing a 35-day residential demolition delay period, which was amended significantly in 2015 for the first time in 13 years in response to concerns over the "frequency ... and lost opportunity around time for people to come and work with property owners on salvaging a property."

Many preservationists understand the need for growth, but are hopeful of more appreciation of local history by state and local government.

"We have to navigate a path of accommodating growth but without completely losing the character of this place and all of the things that make Portland Portland in the process," Moretti says.

Map

See a map of all Historic Resource Inventory properties online at

portlandoregon.gov/bps/article/346583

New raises, payments won't cure city cop shortage

By Nick Budnick

September 27, 2016

The large raises for Portland police officers that go before the City Council this week are being billed as an antidote for the shortage of cops, a situation that Mayor Charlie Hales has dubbed a crisis.

But a “yes” vote by commissioners won’t solve the problem — in the short term, at least. Despite the hefty package of raises, finder’s fees and signing bonuses — worth between \$5,000 and \$10,000 to incoming cops — the long-term outlook for the bureau’s staffing remains murky. The raises and recruitment payments are expected to slow the steady loss of cops to retirement and other agencies, but they are unlikely to fix the problem entirely.

That’s significant because city analysts report that 911 response times are up, and so are officers’ workloads, meaning they are spending more time responding to calls and less time actually solving crimes. The “community policing” ideal in which officers slow down and get to know the people in their neighborhoods barely qualifies as a buzzword these days, officers say — nobody has the time.

In a month, the bureau will hold a swearing-in ceremony for a dozen new cops. But that’s barely more than half of those who are eligible to retire in October, and the bureau will be lucky if the month is a wash, says Portland Police Bureau spokesman Pete Simpson.

“You can’t fill those vacancies fast enough,” he says, adding that in the short run, things are “still pretty bleak.”

Those vacancies are about 70 right now. That’s in a bureau of more than 800 sworn officers, a fraction of whom actually patrol the streets of Portland.

A huge number of officers are nearing retirement age, Simpson says.

“We have to hire 375 over five years, so it’s like 75 a year just to keep up with what we anticipate are the people who are leaving.”

In short, don’t expect the Portland Police Association President Daryl Turner to stop using the term “catastrophic staffing issues” anytime soon.

On some shifts, the bureau’s staffing shortage had created huge, previously unthinkable gaps in police coverage for a savvy crook to exploit, officers complained earlier in the year.

Mike Marshman, the new chief, has continued with a reorganization launched under predecessor Larry O’Dea, shifting officers away from specialty units to restock patrols.

The move to backfill retirements makes sense, but also may have unintentionally increased the pace of new retirements. That’s because officers who are of retirement age could be more tempted to initiate that paperwork while accepting a reassignment to patrol.

On paper, this would help their unit meet its quota for staffing cuts — but would prevent the unit from losing more of its core talent than was going to happen at some point anyway, officers say.

In short, retirements will continue, and the measures to make Portland more appealing to new hires will take time to see an effect because of the need for training. "You don't really see those results for a year and a half for new hires or year for laterals," Simpson says.

The new contract was driven in part by City Hall's interest in eliminating the 48-hour rule that allows officers involved in a fatal incident time before being interviewed by investigators.

The rule has become an issue in city elections. But many police observers consider it more of a symbolic issue than one that could spell the difference in unearthing police wrongdoing.

Turner, the union president, says legal precedents that have come down since the rule was adopted more than 40 years ago gives his members confidence that their rights will be protected even without the rule.

But, he adds, "Until we're in a situation that we're affected by it, we won't know."