

The Portland Tribune

City Hall Watch: Police chief stands by bureau protest response

By Jim Redden

June 27, 2017

Also, the City Council bails out the Gold Fund with \$800,000 and honors 10 years of Sunday Parkways

Police Chief Mike Marshman defended his bureau's response to dueling downtown protests in a June 23 letter to Mayor Ted Wheeler released Friday.

Although Wheeler generally has supported the response to the June 4 protests between backers and opponents of President Donald Trump, he asked questions about a number of tactical decisions. They included detaining left-wing protesters, moving them out of Chapman Square, and corralling them on Southwest Fourth Avenue until they were photographed with identification. Those detained included a Portland Tribune reporter and photographer.

Wheeler did not immediately respond to the letter. You can read it at <http://tinyurl.com/ybtob24e>.

Bailout gets golf fund out of rough

The City Council approved an \$800,000 transfer within the Portland Parks & Recreation budget on Wednesday to bail out the depleted fund that operates the city's five public golf courses. It is the first time the fund, paid for by golf fees, has run out of money.

Parks Commissioner Amanda Fritz blamed decreasing interest in golf and this winter's severe snow and ice storms for the shortfall. She promised it will never happen again, even if PP&R has to suspend the golf program.

The golf fund historically has turned a profit and contributed more than \$4 million to the city's general fund over its 100-year history, according to PP&R.

10 years of Sunday Parkways noted

Mayor Ted Wheeler proclaimed June 25 as Portland Sunday Parkways Day to celebrate 10 years of the family-friendly events sponsored by Kaiser Permanente. Last Sunday's event in North Portland typically attracts the largest crowds of the year.

"Sunday Parkways is one of the greatest things we do in Portland. It has been a vehicle to show off parts of the city that are hidden gems of our landscape, including new parks, newly built biking and walking infrastructure, community gardens, and beautiful residential neighborhoods," Wheeler said.

Organized by the Portland Bureau of Transportation, the Sunday events block off city streets in different neighborhoods to encourage people to bike and walk more. Total attendance for the 10 years has topped 690,000 for more than 38 Sunday Parkways events.

Willamette Week

Portland City Hall Approves New Legal Help for Immigrants at Domestic Violence Center

A lower percentage of Latina women are seeking help at the center — and advocates blame fear of the immigration crackdown.

*By Jessica Pollard
June 26, 2017*

A smaller percentage of the people seeking help at a Portland domestic violence services center this year were Latino—and advocates suggest that's because of the immigration crackdown under President Donald Trump.

In 2016, 15 percent of visitors to the Gateway Center for Domestic Violence Services identified as Latina. In the first quarter of 2017, that number dropped to 10.4 percent, according to Gateway's data.

"Since the presidential election, the Trump administration's abrupt actions have created an unnecessary climate of fear across our country," said Portland City Commissioner Dan Saltzman at a council meeting on Wednesday, June 14.

"Regardless of legal status or residency, our immigrant and refugee neighbors are scared to engage in everyday activities, especially when intersecting with public safety services."

City Hall is trying to help. At Saltzman's request, the council unanimously approved a grant agreement with Catholic Charities Immigration Legal Services (CILS) for \$60,000 on Wednesday.

The grant will help CILS provide intake, consultation and immigration relief for immigrant and refugee survivors of domestic abuse at the Gateway Center.

According to the resolution presented before City Council, the \$60,000 will help CILS provide "know your rights" workshops, intake and consultation for immigrant survivors one day per week, and 20 to 25 visas for immigrant survivors.

The grant will fund services through June 30, 2018.

"Abusers will exploit any vulnerability to maintain control over their victims," Gateway director Martha Strawn Morris told the council. "We have long understood that immigration relief would help wrest control from abusers, which is our mission and our job."

If the victim is collaborating with law enforcement by helping provide evidence for a crime, they may qualify for T Visas and U Visas, which allows them to remain in the United States while collaborating with law enforcement after reporting a crime.

Survivors that come to Gateway are often eligible for visas, but must be redirected elsewhere to receive immigration relief services due to a lack of resources.

"Right now, we're asking folks to go to Catholic Charities, to go to a different center, to go all over the county or the region to get immigration legal support services," said Patricia Rojas, executive director of El Programa Hispano Católico, a cultural partner at Gateway, during the hearing. "We're putting undocumented survivors at unnecessary risk by doing that."

Commissioner Chloe Eudaly expressed concern that ICE could target immigrants at Gateway for deportation.

Gateway is guarded by the Multnomah County Sheriff's Office. "Our facility security officer understands that he would treat ICE officers like any member of the public," Morris said, "any member of the public that came to the Gateway Center could not learn who was inside the Gateway Center seeking services."

Several council members agreed that more funding would likely be necessary for Gateway to continue providing immigration relief services, before unanimously voting to pass the ordinance.

In February, City Council approved a \$50,000 grant for the Metropolitan County Defender's Immigrant Protection Project, which seeks to provide at least two immigration attorneys in Portland.

This March, City Council passed a resolution declaring Portland a sanctuary city, "welcoming city" and "an inclusive city to all."

"We promised we were going to do a whole range of things to support people in our community who are vulnerable and terrified," said Commissioner Amanda Fritz. "It's not all that we need to do, though."

The Portland Mercury

Mike Marshman Says Detaining, Photographing Demonstrators Was Necessary to Curtail Violence in June 4 Protests

By Dirk VanderHart

June 23, 2017

Portland Police detained a group of marching antifa protesters on June 4 as a means of deescalating "the threat of violence" between the group and a nearby right-wing rally, Police Chief Mike Marshman now says.

That nugget is one of several included in **a letter** sent to Mayor Ted Wheeler this week, in which Marshman addressed five questions the mayor put to him on June 13.

"The temporary detention of these persons was done after consultation with the City Attorney's Office and the Multnomah County District Attorney's Office," Marshman writes, of a police "kettle" of demonstrators and journalists near SW 4th and Morrison. He notes: "The brief detention (which ranged from a few minutes to about under an hour depending on the speed with which the person was processed) also served to deescalate the threat of violence between groups. While the Chapman Square group was being detained the federal officers closed down Terry Shrunken Plaza and required everyone to vacate the Plaza."

The kettling—and the decision to force protesters to have their photos taken—was among **the more controversial moves** by authorities on June 4, when right-wing Trump supporters in Terry Schrunken Plaza **squared off with counter-demonstrators on three sides**. A sizeable police presence at the event pre-empted serious violence, but there were skirmishes between police and "anti-fascist" demonstrators gathered in Chapman Square.

In the aftermath of the rallies, Wheeler had asked Marshman:

- How the Portland Police Bureau coordinates with event organizers on private security (a question based on a right-wing militia member assisting federal officers with an arrest)
- How PPB decides to wear "riot gear" at events, as officers were on June 4.
- How cops made the decision to deploy "crowd control devices" against demonstrators.
- How cops ensure that peaceful protesters aren't affected by such devices?
- Why police made the decision to "kettle" and photograph demonstrators, a move that the ACLU of Oregon has said might be unconstitutional.

Marshman's response is chock full of the dry technical language the chief frequently uses to describe police tactics, but it's not without interest. Here it is:

<http://www.portlandmercury.com/blogtown/2017/06/23/19112478/mike-marshman-say-detaining-photographing-demonstrators-was-necessary-to-curtil-violence-in-june-4-protests>

The chief notes in the letter that "PPB recognizes that wearing full PPE ["personal protective equipment," or riot gear] makes it more difficult for officers to interact freely with members of the public and that it is perceived negatively by some members of the public."

But Marshman also argues that the threat of violence at the June 4 rallies was severe enough to merit it. The chief includes with his letter a picture of a bruise on a Portland officer's arm, which was apparently caused when someone hurled a brick.

"We believe his injuries would have been far more severe had he been wearing a standard patrol uniform," the letter says.

Marshman says demonstrators were throwing more than bricks. He says people in Chapman Square hurled "urine and feces filled balloons," along with marbles and rocks. When police told protesters to back up, Marshman says, "some members of the counter protest group responded violently to the announcement to move north by hurling additional bricks, bottles, fireworks and other small explosive items at officers."

Marshman tells Wheeler police using pepper spray and other devices try not to hit peaceful demonstrators, but that it's not possible "to completely avoid the risk that individuals," who are not themselves the intended target, will suffer the consequences of such devices when they are used."

The **June 4 "free speech" rally**, organized by Vancouver-based right-wing vlogger Joey Gibson, followed closely on the heels of **a triple stabbing** on a MAX train that left two men dead. The suspect in that killing, Jeremy Christian, is a **vocal white supremacist** known to justify his actions by **shouting about free speech**.

Given all this, the environment around the June 4 rally was highly charged. As Trump supporters made their way into Schunk Plaza for the event, counter-protests amassed on three sides of the park.

It was in Chapman Square that trouble broke out. Police eventually pushed the antifa demonstrators there toward the north end of the park, using pepper spray and flashbangs. When demonstrators were finally pushed from the park, they took to the streets.

But the police "kettling" and photographing maneuver spurred the most outcry and confusion. That wasn't helped when Marshman **told OPB days later** that the photos had never been taken,

and that such a strategy wasn't Portland police practice (it turns out the chief **was at home** while it went down, not watching events transpire from a police command center).

In his letter, Marshman stands by the tactic that he didn't know existed, not acknowledging the controversy surrounding them.

"The decision to photograph identification was made to speed up the process," he writes.

"Writing down each person's information would have taken much longer. The photographs were uploaded to the DIMS system where it is currently being used by detectives investigating criminal behavior. Any photographs not used in a criminal investigation will be purged pursuant to PPB policy."

The Daily Journal of Commerce

OP-ED: Population growth on the fringe of the UGB

By Kristin French

June 23, 2017

Throughout history, people have migrated to new areas seeking opportunity. The Oregon Trail is Oregon's heritage, blazed by people who headed west seeking land and new possibilities. Today, the search for land and opportunity continues.

What does current data tell us about the search in Portland and surrounding areas? Recent Census Bureau data reveals continuing migration. And while the Portland area offers economic opportunity, the search for land for housing now leads families to the far fringes of the urban growth boundary (UGB) and across the Columbia River into Washington. The data reveals a shortage of residential land, with significant growth pushing to the fringes of the UGB and beyond. People continue to seek buildable land for single-family home construction and room for their families to roam, and are venturing significant distances to find it.

People are drawn to the economic opportunities in Portland's urban core. Cities surrounding Portland can be grouped into three general categories: 1, those within 10 miles of Portland; 2, those 10 to 20 miles from Portland; and 3, those more than 20 miles from Portland. The data shows demand for single-family housing is pushing farther from the urban center through time, as lot prices near the core increase and as buildable land and housing there becomes inaccessible.

Cities within 10 miles of Portland had close to or exceeded 100 percent population growth in each 10-year census from 1950 to 1970. This growth spread from the urban core to the closest available land. The majority of those same cities had less than 10 percent growth from 2010 through 2016.

Cities located more than 10 but less than 20 miles from Portland generally showed strongest growth percentages from the 1970s to the 1990s. While population growth for these cities generally met or exceeded 100 percent in each 10-year period from 1970 to 1990, the majority of these cities also had less than 10 percent growth from 2010 through 2016.

In stark contrast, the majority of sample cities located more than 20 miles from Portland, but still within a 30-mile commute, showed lower growth rates from the 1950s through 1990s. Now, however, explosive growth rates are generally apparent, with census data for 2010 through 2016 revealing percentages generally double those for cities located 20 miles or less from Portland. The data supports concerns voiced by critics of the Metro UGB, who point to growth spilling over into Clark County (Washington) and land ever farther from Portland's urban core.

Oregon adopted growth management legislation in 1973, and Metro's UGB was approved by the state in 1980. The UGB is a legal boundary separating urbanizable land from rural land and is intended to encourage efficient use of infrastructure and prevent urban expansion onto farm and forest lands. The boundaries of the UGB are designed to expand over time so that a 20-year supply of developable land is maintained. The UGB covers 25 cities (including the urban portions of Washington, Multnomah and Clackamas counties) and currently includes 259,000 acres.

Those in planning and related fields have studied the effects of Metro's UGB on urban development patterns for years. One 2003 article, "The Effects of Portland's Urban Growth Boundary on Urban Development Patterns and Commuting," by Myung-Jin Jun, concluded that Metro's UGB has not effectively slowed suburbanization. It results as people continue to seek land available for single-family development at the fringes of areas where the supply has been exhausted or become inaccessible.

Critics argue that supporters of Metro's UGB only analyze building permits and density changes for the specific Oregon counties on which the UGB is drawn, and ignore spillover growth into exurban counties in Oregon and Clark County, Washington (the Metro UGB does not extend north of the Columbia River). While a variety of factors complicate the analysis, many researchers conclude that the UGB has not effectively slowed suburbanization. That 2003 article reviewed 1990s data that pointed to a "significant level of spillover from the counties in Oregon to Clark County" in Washington. Sixteen years ago, Bae (2001) also analyzed cross-border impacts of the UGB between Portland and Clark County, Washington. Bae concluded that Portland's growth management policies do not stop growth, but instead merely divert growth into other locations – for example, Clark County, which serves as a "safety valve" for growth outside the Metro UGB.

New census data indicates the spillover is continuing. In 2016, Clark County was one of the fastest growing counties in Washington State, with a 2.03 percentage population increase of 9,190 residents (2016). This contrasts with growth rates in neighboring counties of 0.55 percent (Cowlitz); 0.61 percent (Skamania); and 0.30 percent (Lewis). The city of Ridgefield, located in the current growth fringe range approximately 25 miles from Portland, led Clark County jurisdictions with a growth percentage of 47.4 percent from 2010 to 2016.

The growth pattern constitutes a new "Oregon Trail" of sorts, consisting of families moving outside or to the very fringes of Metro's UGB for single-family housing. This conclusion is supported by data published by the Southwest Washington Regional Transportation Council ("RTC"), which shows that the southbound morning and northbound evening commutes for those living in Washington and working in Portland's urban core continue to increase. And highway traffic congestion between Clark County and the Portland-metro area continues to increase. In 2015, over 294,000 vehicles crossed the I-5 and I-205 bridges on an average day, up from 273,000 in 2011. The commute corridor between Portland and Vancouver is characterized as one of the most highly congested in the nation, with a 291 percent increase in morning travel time on I-5 southbound in the five years preceding RTC's 2016 report.

As commuters attempt to shift their commutes away from the peak periods, rush hour congestion spans ever increasing time periods. Given the social and economic realities associated with commutes into and out of the urban core, it is hard to imagine any other explanation for the new Oregon Trail trend: many families simply have no other choice for traditional single-family housing.

The Portland Business Journal

New research suggests Portland's not the easiest place to build apartments

By Jon Bell

June 27, 2017

Look around at all the apartment construction going on in Portland, and it might seem like the Rose City's not that difficult a place for building apartments.

But according to new research from Hoyt Advisory Services, a Florida real estate consulting firm, Portland lands at No. 21 on a list of the 50 metro areas that are most difficult for building new apartments. The research was commissioned by several pro multifamily development groups, including the National Multifamily Housing Council and the National Apartment Association. It ranked Honolulu, Boston, Baltimore, Miami and Memphis the hardest cities out of the 50 metro areas studied.

According to a release on the research, rankings were based off of a range of factors, including local regulations and how much land is available for development. The release noted that the U.S. would likely need to build at least 4.6 million new apartments by 2030 to meet growing demand and keep affordability issues at bay.

“The Portland metro area will need all types of apartments and at all price points,” said John McIsaac, principal of Atkinson McIsaac and spokesperson for Multifamily NW, in the release. “Portland apartment developers, owners and managers and their residents contribute \$7.1 billion to the local economy annually, and that number is expected to rise with increased demand.”

In the release, the NAA and NMHC also suggested that the renovation of as many as 11.7 million existing apartments will be important in the larger supply question. The release calls on the federal government to "ensure sufficient funding of housing programs, enact a pro-housing tax policy, and reform regulations that unnecessarily increase housing costs" to help meet the multifamily needs over the next 13 or so years.

In addition, NAA and NMHC would like to see state and local governments play a role, as well, by adopting public policies that encourage private-sector involvement and by partnering with the business community to promote apartment development.

New law could boost cities' property tax revenues

By Jon Bell

June 26, 2017

A piece of legislation that's on its way to Gov. Kate Brown's desk for a signature is billed as a way to fix some of the inequities of Oregon's property tax system.

But opponents say the bill is largely a hidden property tax that could ultimately dissuade development of sorely needed new homes.

If House Bill 2088 is, as expected, signed by the governor, it would allow certain cities to determine a property's taxable value after such changes as remodels or new development occurs. Historically, that value has been determined in part based on other properties located in a geographic area, such as a county, using a complex formula called the changed property ratio.

Under HB 2088, jurisdictions will be able to use the geographic boundaries of the city, instead of the county, to determine a property's taxable value.

According to the City of Gresham, one of the main supporters of the bill, market values in Multnomah County vary wildly, with Portland values growing rapidly while those in Gresham have been slower, a situation that skews the ratio.

“This results in a condition where older homes in Gresham have a much higher Taxable Assessed Value than new construction,” the city said in written testimony supporting the bill.

The city noted that, on average, homes in Gresham have a taxable assessed value that is 75 percent of their real market value. In Portland, due to faster market value growth, it's 53 percent.

“That means that when new properties in Gresham are developed, or improvements are made to existing properties, they come onto the tax rolls with an immediate and substantial subsidy, compared to existing, established homes,” the city noted.

HB 2088, which would be limited to cities in Oregon with a population of 700,000 or more, would in effect allow the city to assess new or changed properties at higher tax rates, thus increasing tax revenue. Had the law been in effect in 2016, Gresham would have likely collected an additional \$35,000 in revenue on residential property alone; the legislation also applies to commercial, industrial and other properties.

While the increased revenue could be a boon to Gresham, opponents of the legislation, including the Association of Oregon Assessors, say it's little more than a tax hike that could stifle new development.

"While laws like HB 2088 get passed intending to solve inequities in our tax system, they often end up creating more problems than they solve," said Michael Mangan, a taxation attorney with Tonkon Torp LLP in Portland. "When they do, assessors are the ones who get blamed because the problems only become apparent upon implementation."

Mangan and others say the legislation could increase the tax liability for a changed property by up to 50 percent. There's also concern that the bill could dampen new home prices and discourage development inside the city limits.

“What we've seen is that developers do choose where they develop based on those inequities,” Mangan said. “It can incentivize development in a different way,” leading developers to build just outside the city limits to skirt higher taxes.

That could be one of the impacts of HB 2088 if Gov. Brown signs it and the Gresham City Council passes its own ordinance changing its calculation, but no one will know for sure until the legislation plays out over the next few years.

“I'm just not sure that everyone understands what this bill could do,” Mangan said.

Bureau of Environmental Services announces new plan to keep consumer rate increases low

By Clare Duffy

June 23, 2017

Much ado has, understandably, been made about the Bureau of Environmental Services' recent announcement that, yes, you can swim in the Willamette River this summer.

Bureau leaders, however, are equally excited about a new-ish funding plan they say will make the department both financially and physically sustainable for the foreseeable future.

The plan was put in motion after the Portland City Council passed the BES budget last week. The plan, the bureau heads say, allows the department's capital investment budget to rise over the next decade while consumers' storm and wastewater utility rates remain steady.

At its core, the strategy calls funding half of the capital project costs with cash and the other half through debt.

BES Business Services Manager Jonas Biery said the plan stems from a fundamental change in the bureau's business philosophy. Originally, it had planned to move towards financing all capital investments with cash, but he and others on the leadership team realized that this would either result in a failure to keep up requisite maintenance, "kicking the can down the road" for future generations to fix (and pay for), or it would mean unpredictable, fluctuating rates for consumers.

By shifting to a partially debt-funded plan, Biery said he believes the bureau can increase its capital investment budget to its goal of \$160 million (a 33 percent increase) while keeping consumer rates consistently low, especially as Portland grows increasingly dense.

Biery and Michael Jordan, the bureau's director, said that means more income for the BES at a relatively low cost to the system.

"Really, our goal is to get to a place where we're investing enough in the maintenance and upkeep of the system every year to make it sustainable, really, forever," Jordan said, "and to do that in a way that's not overburdening to rate payers."

The capital investment budget, which currently comprises about 25 percent of the bureau's total budget, goes toward maintaining and updating the storm and wastewater systems. This system consists of nearly 3,000 miles of pipe (some more than 100 years old), 99 pump stations across the city, two wastewater treatment facilities and a variety of surface water management facilities, amounting to \$13 billion-plus in assets.

In the past, the annual percentage of growth for single family residential rates reached nearly 6 percent at times. Under the new budget, this year's bills are growing by only 2.95 percent. to \$71.86 per month. In keeping with its new plan, the BES will aim to raise rates no more than 3 percent — or, approximately, the rate of inflation — each year.

The bureau plans to keep business rates relatively consistent as well, though added fees can make it more complicated to measure.

For example, rate increases for a coffee shop with one bathroom would likely cap at 3 percent. But businesses that create a greater burden on the system would pay more. These include restaurants with commercial kitchens releasing grease and fats that are harder to process, or businesses that feature large "impermeable surfaces," like a grocery store parking lot.

Still, Jones says the ideal situation for BES regarding both businesses and individual customers is one in which "no one even knows we're here."

Said Jones, "The only reason they'd know we're here is if something went wrong and there was a spike in rates, or if something goes wrong with the physical system so things aren't working right. We want both of those things to be stable."

OPB

Despite Racist Threats, Portland's 'Good In The Hood' Parties On

By Molly Solomon

June 24, 2017

When Northeast Portlander Ronnie Herndon heard about the racist threats made against the Good in the Hood festival, he knew he wasn't going to miss it.

"It's more reason to come out," said Herndon outside King Elementary School Saturday morning as he waited for the parade to start.

"You never want to let people who try to frighten the community think they've had success," he said. "Quite the opposite. You want to show them that no one's afraid and that we will support our institutions and we will do it publicly."

This weekend marked the 25th anniversary for Northeast Portland's Good in the Hood multicultural festival. School groups, community organizations, and neighborhood sponsors marched from King Elementary School down Martin Luther King Jr. Boulevard toward Lillis-Albina Park.

Leading the parade in a classic white Cadillac convertible was festival president Shawn Penney.

"This means unity in the community, bringing families and communities together," said Penney, who grew up in the area.

"My grandparents migrated from the south to come here for better jobs and education," he said. "We've been here ever since."

Penney waved to residents as he rode by — many parked along the sidewalk in lawn chairs cheering him on. Earlier this month, festival organizers received a letter filled with racist profanities and threats, with references to the Ku Klux Klan. The letter named Penney specifically and threatened a "bloodbath" if the festival wasn't shut down. Penney and his board decided that the festival would go on.

"The most important thing, why we made sure this event went on, is that we were not going to back down," Penney said. "We were going to stand up and say: 'We win.' Because if we did cancel it, they win."

At the recommendation of the FBI, for the first time, organizers increased security with more police officers, bag checks and security checkpoints at Lillis-Albina Park where the parade ended. No incidents have been reported.

Despite the violent threats, festival-goers remained upbeat and most of the parade felt like a giant party. Participants tossed candy to children sitting on the sidelines and flowers were passed out to people as the day went on.

“Today feels good, we’re having a good time,” said Tyree Elliott, as he took a video of the parade going by his house. He celebrated with his family on his front lawn and frequently got a hug from friends as they marched by.

“It’s more intimate. You get to see your community. I mean, I know at least half the people in the parade,” he said with a laugh.

Sitting on shady patch of grass, Tyrelle Owens took a break from walking alongside the parade. He wore a black T-shirt with “I Am Shawn Penney” in big bold letters across the front. He was not the only one wearing it. Shawn himself was sporting one.

“I made about 100 of them,” Owens said. “I should have made more.”

Owens grew up right down the street from Lillis-Albina Park and has known Shawn Penney since fourth grade. He said the T-shirt had a dual purpose: to camouflage Penney in case anyone carried out the threats. And to show solidarity with his friend.

“It was a way for all of us to stand up and say, if you do something to him, you do something to all of us,” Owens explained. “This could have been something to divide us. But I saw it brought people together.”