

The Oregonian

Debate over police sweeps of homeless campers roils SE Portland neighborhood

By Molly Harbarger

July 11, 2017

Victoria Swink has tried everything – she's asked people not to throw cigarette butts in her yard in Montavilla, she's tried shooing away others as they use the bathroom on her property only to get a middle finger in return.

So Swink was upset when the Montavilla Neighborhood Association passed a resolution that asked Mayor Ted Wheeler to stop sweeping homeless people from the Southeast Portland neighborhood.

Swink was among a packed room of more than 100 residents and homeless advocates at a meeting Monday night called by the association, a nine-member board more used to planning community events and the Montavilla Jazz Festival than answering angry critics.

"We've had to cut our bushes down because people are pooping in our front yard," Swink said. "They're throwing needles in our front yard."

If you go

The Montavilla Neighborhood Association is hosting a town hall at 10 a.m. July 29 for residents to learn more about homeless issues and discuss them further. There's limited seating available, so RSVP early if interested in attending. Call 971-220-6621 for more information.

The resolution was symbolic, and Wheeler said he wouldn't order the Portland Police Bureau to stop moving homeless people from where they're camped on sidewalks and in parks.

"We have an obligation to respond to the concerns of residents. We have a process for evaluating which locations we're going to clean and it's based on the most immediate public health and safety risks," said Michael Cox, the mayor's spokesman.

The city puts priority on clearing areas where a large number of residents have complained. The city often receives more than 500 complaints a week about homeless camps and people living out of their cars. Last week, about 25 came from Montavilla residents. Work crews and police clean up about 12 sites a week.

Since May, the only cleanups in or near Montavilla's boundaries – between Interstates 84 and 205 and Mount Tabor – were along the I-205 multiuse path.

The 128-year-old neighborhood association board met in a community room of the Montavilla United Methodist Church. The board members didn't have microphones and people sitting at the back of the room struggled to hear what everyone said.

Chairman Jonnie Shaver announced that it was his first night running a board meeting and he was going a little off the agenda to allow people to speak. Usually five to 10 people come to the sessions, Shaver said, and that's being generous with the attendance numbers.

But this was an unusual circumstance, said many of the critics.

"We have a neighborhood association that is acting grossly over what I would expect from the oldest neighborhood association in the city," said resident Angela Todd, who runs her interior design business in the neighborhood.

She asked the board to call an early election, so she and opponents to the resolution could try to oust the members. Shaver said the board plans to stick with its already scheduled October election.

After nearly an hour of allowing a critic to speak for one minute and then a supporter to speak for a minute, back and forth, Shaver wrapped up the meeting with an admonition that this isn't a new issue for the board.

Board members organized a warming shelter that held 160 people during this year's brutally cold winter, have held food drives and formed a neighborhood committee months ago focused on housing and homelessness issues, Shaver said.

He said he has spoken with City Hall and Multnomah County to figure out how to get better needle disposal and bathrooms for homeless people, reached out to Central City Concern for trash pickup in the neighborhood through the nonprofit's Clean and Safe program and volunteered to start a dialogue between homeless people and homeowners.

"We have to work on the issues, and I'm trying to do that," Shaver said. "I'm sorry the resolution came as a surprise to some folks but I haven't been working on this in private."

The Montavilla resolution comes at a time when many neighborhoods are asking for more sweeps and patrols. Wheeler directed \$1.5 million in his current budget toward livability issues of health, safety and hygiene in areas with large populations of people sleeping outdoors.

The resolution disputes that moving people off streets and sidewalks and out of parks – sometimes causing people to lose their belongings and identification cards and making it harder for outreach workers to find them -- significantly reduces crime and trash.

"We believe this waste of taxpayer dollars could be better spent by investing in long-term solutions to reducing the homeless population through increased shelter beds, transitional housing, and mental health and substance abuse treatment," the resolutions says.

"Finally, we point to the recent 10 percent increase in the homeless population based on a count performed by the city of Portland and Multnomah County which demonstrates the ineffectiveness of sweeps," the resolution says. "We also point out that as a neighborhood association we represent all members of our neighborhood association regardless of their housing status including the homeless living within our neighborhood boundaries."

Some of those neighbors showed up at the meeting, as well. Several dozen people with signs that said "Montavilla for houseless human rights" lined the back wall of the room and clustered throughout the room.

A few spoke about being homeless in the area and feeling terrorized by the sweeps.

"I feel blindsided when I'm swept. It makes it hard to go to school and get a job," said a young man in a bear hat. "To say that it's unfair to the neighborhoods that are upset by the sight of us -- I guess that's what it is, they don't want to see us -- it's unfair to houseless people that just want to get by."

The Portland Tribune

Crypto treatment could raise water rates up to \$18.14 a month

By Jim Redden

July 11, 2017

Short deadline for City Council to decide on treatment option repeatedly questioned at first public hearing on the issue

Portland water rates could increase between \$3.01 and \$18.14 a month, depending on the option the City Council chooses to treat a potentially deadly parasite in the Bull Run watershed.

Those are the first estimates by the Portland Water Bureau on the potential rate impacts of the decision the council must make by Aug. 11. They were released at a Tuesday afternoon meeting of the Portland Utility Board, which was the time the public has been allowed to testify on the issue.

The short deadline for the City Council to decide whether to spend up to \$500 million to treat for cryptosporidium was repeatedly questioned during the hearing, which lasted more than two-and-a-half hours.

On May 19, the Oregon Health Department announced the council has until Aug. 11 to decide how to kill or remove crypto — as the parasite is commonly called — from the Bull Run Reservoir, the primary source of water for Portland and many surrounding suburbs.

Those questioning the deadline included member of the Portland Utility Review Board, which held the Tuesday hearing, and many of those who testified, including representatives of the Citizens Utility Board, Physicians for Social Responsibility and League of Women Voters of Portland.

"They should give the city more time to make the best decision," said PUB member Mike Weedal.

The council is being asked to choose between building a plant that will kill crypto with ultraviolet light for \$105 million or a filtration plant that would remove it from the water for between \$300 million and \$500 million.

New information released by the bureau at the hearing estimated a UV plant could add as much as \$3.01 to water bills by 2024.

A filtration plant could add as much as \$18.14 to water bills by 2030. Although more expensive, it could also do more than a UV plant, including removing ash from wildfires in the watershed from the water.

Building a UV plant now and setting aside money for a future filtration plant could add as much as \$7.54 to water bills by 2034.

The PUB will meet at 11 a.m. on Tuesday, July 18, at City Hall to decide on a recommendation to the council.

The decision is required by the Long Term 2 Enhanced Surface Water Treatment Rule adopted by the U.S. Environmental Protection Agency. It is intended to reduce illnesses linked to crypto and other disease-causing microorganisms in drinking water. Among other things, the LT2 rule — as it is commonly called — requires all municipal water providers to decommission their

open water reservoirs, something Portland has done in recent years. It also requires that water from unfiltered water sources be treated for crypto.

The Oregon Health Authority granted the city a variance from the treatment requirement in 2012 because Bull Run water has historically been so clean. The OHA revoked the variance effective Sept. 22 after crypto was repeatedly detected by the water earlier this year.

The arguments heard by the PUB at Tuesday's hearing were the same as those when the EPA first adopted the LT2 rule in March 2006. Health officials have repeatedly said Bull Run water is safe. Neighborhood activists and others argue that complying with the rule is a waste of money that will raise water rates without providing any benefit. Water officials say they must comply with EPA rules.

The PUB was created as the result of a promise made by Mayor Charlie Hales and Commissioner Nick Fish during a 2014 initiative ballot measure campaign to create an independent water commission. Hales and Fish promised to increase citizen oversight of the water and sewer bureaus if voters defeated the measures.

After the measure was overwhelmingly rejected at the May election, they appointed an 11-member Portland Utility Oversight Blue Ribbon Commission in July 2014 to propose oversight reforms to increase transparency and accountability in the rate setting process.

At the time, rate related decisions for both bureaus were reviewed by a volunteer Portland Utility Review Board and Budget Advisory Committees for each bureau. The commission met through November 2014 and recommended replacing them with a single Portland Utility Board that would have an expanded role in both planning and rate related decisions for the bureaus, and which would be formally involved in the setting their budgets. The commission also recommended the PUB have its own staff funded by both bureaus.

The council agreed and approved the PUB in June 2015. It was created by the budget that took effect on July 1 of that year.

Before then, the council also contracted with the independent Citizen Utility Board to help provide oversight of both bureaus. When the council created the PUB, it authorized CUB to continue in its advisory role.

To read a previous Portland Tribune story on the issue, go to tinyurl.com/yamarw3n.

The Daily Journal of Commerce

Landlords, tenants split policy victories

*By Chuck Slothower
July 11, 2017*

Landlords and tenants each earned a victory and a defeat last week in efforts to provide greater protections to renters.

Tenant advocates won a resounding decision from Judge Henry Breithaupt, who issued a ruling in **Multnomah County Circuit Court** upholding a Portland ordinance that requires landlords to pay relocation costs to tenants who are issued no-cause evictions or who experience steep rent increases.

The City Council had unanimously passed the ordinance in February. Landlords then challenged it, arguing the rules interfered with their contract rights.

Breithaupt stated in his ruling the Legislature has allowed cities to regulate rents in indirect ways.

“If the Legislature had intended to proscribe ordinances that had the indirect effect of controlling rents it could have done so,” he wrote.

Oral arguments in the case, *Owen et al v. City of Portland*, took place in April. Breithaupt held off on issuing his ruling while the Legislature considered bills that could have allowed local municipalities to enact their own rent control ordinances.

Breithaupt’s ruling was issued Friday, the same day the Legislature adjourned. The decision is a victory for Commissioner Chloe Eudaly, who ushered the relocation ordinance through the City Council.

John DiLorenzo, an attorney at **Davis Wright Tremaine** and a lobbyist for landlord groups, said the plaintiffs may appeal Breithaupt’s decision. The emergency ordinance will expire Oct. 6 unless extended by the City Council.

“We need to get a read from the City Council as to what they intend to do,” DiLorenzo said.

The council is likely to extend the ordinance, said Jamey Duhamel, Eudaly’s policy director.

“The council is definitely looking to utilize the only tenant protections we have in place because people are still in crisis,” she said.

The ordinance requires a landlord to pay a tenant relocation assistance of \$2,900 to \$4,500, depending upon the size of apartment being vacated.

Landlords at the state level were able to hold off new rent control legislation or any interference to property owners’ ability to issue no-cause eviction. House Bill 2004 stalled in the Senate.

“We truly feel that the housing advocates are choosing a course that will only exacerbate the housing crisis,” DiLorenzo said. “They say they know better, but they have no experience managing buildings.”

Tenant advocates don’t understand the housing market, DiLorenzo said.

“We have a group that has no experience signing the front of checks, only the backs,” he said.

Duhamel said DiLorenzo’s comments reflect the landlord lobby’s discomfort with tenants gaining protections.

“The landlord market and the rental market has been unregulated for decades, so messing with their ability to gouge tenants makes them uncomfortable,” she said. “I understand that.”

Duhamel noted Eudaly owned a local bookstore for 22 years.

“She certainly understands what it means to make a profit and pay employees,” Duhamel said.

OPB

Average Cost Of Portland Tap Water Could Increase \$10 A Month

By Amelia Templeton

July 11, 2017

Treating Portland's water supply for a microscopic pathogen, cryptosporidium, will increase the average rate customers pay for tap water between \$2.22 and \$10.38 in coming years, according to the Portland Water Bureau.

Bureau staff presented estimates to the Portland Utility Board Tuesday and looked at the effect on rates between 2019 and 2034.

Water rates are forecast to go up gradually at first — adding between 42 cents and 82 cents to monthly bills in 2019 — but cost increases would steepen in future years.

The Water Bureau cautioned that the rate increase projections are an estimate and are likely to change.

The need to hike the rates comes after 14 water samples taken from the city's drinking water intake in the Bull Run watershed tested positive for low concentrations of cyptosporidium this winter.

The Oregon Health Authority ordered the city to adopt new technology to kill the parasite, meaning the city will need hundreds of millions of dollars for a treatment facility.

The Water Bureau currently treats its drinking water with a combination of chlorine and ammonia to kill other pathogens, but cryptosporidium can survive that process.

Some species of cryptosporidium, a single-celled protozoan parasite, cause severe diarrhea in people. It can also cause serious illness in children or people with compromised immune systems. Other species of cryptosporidium are not known to be infectious in humans.

Public health officials said the parasites in Portland's water likely came from wildlife droppings, and no illnesses were directly linked to the cryptosporidium.

Regardless, the detection of the parasite has triggered federal regulations that require the city to treat for it.

The cost to the city's ratepayers will depend on what technology the Portland City Council selects to kill the parasite.

The Water Bureau is considering two options: an ultraviolet treatment facility or a filtration plant.

It estimates that an ultraviolet light treatment plant will cost roughly \$105 million. It would increase average water rates by \$2.22 a month between 2019 and 2034.

A filtration system will cost between \$350 million and \$500 million. The Water Bureau used the \$500 million estimate to create its rate projections, and calculated the filtration plant would increase rates for the average customer by \$10.38 a month over the same time period.

The Portland City Council is scheduled to vote on a treatment option at a public hearing Aug. 2.

Aging infrastructure, new federal water treatment requirements and reductions in water use have driven up water service rates in most American cities over the past decade.

But Portland in particular has faced steep costs to comply with the Environmental Protection Agency's stricter regulation of cryptosporidium in drinking water systems.

That's because a 2006 regulation targeted unfiltered drinking water systems and water systems with open reservoirs — and Portland had both.