

The Oregonian

Portland sets priorities for how to spend \$258 million affordable housing bond

*By Jessica Floum
October 11, 2017*

Portland will focus spending the largest resource available for increasing affordable housing on people of color, families with children and those experiencing homelessness or at risk of becoming homeless.

The Portland City Council unanimously approved spending guidelines for a \$258 million housing bond approved by voters in November.

The council also unanimously agreed to add a focus on kids aging out of the foster system after Commissioner Dan Saltzman proposed the change.

That means the council is poised to start spending on housing projects. The Portland Housing Bureau will start soliciting ideas for building and acquiring affordable housing Oct. 23, Housing Bureau Director Kurt Creager said. The spending instructions will serve as a way for an auditor to measure the bond's success, a requirement under the ballot measure voters approved, he said.

"The time for action is clearly upon us," Portland Mayor Ted Wheeler said. "Portland families need safe accessible and quality housing and I believe this strategic framework provides us a direction for accomplishing that."

The bond also requires the city to create 1,300 housing opportunities affordable to those who make 60 percent or less than the area median income. The bond language also promises that 600 of the apartments will be affordable to those who make 30 percent or less of the area median income and requires that half of the units have two bedrooms or more to accommodate families.

The framework also requires that up to 300 of the apartments affordable to Portland's lowest earners have access to medical, mental health, addiction and other social services. The city and Multnomah County will vote next week on related pledges to increase the number of housing opportunities with housing services.

The spending guidelines come six months after the city's only major purchase with the bond was a \$51 million acquisition of a Northeast Portland housing complex in February. Wheeler halted bond spending his second week in office so that the city could set priorities and goals for spending.

He drew fire from critics in August for moving too slowly to increase housing affordability in Portland.

Now, 10 months into Wheeler's first term, advocates are commending him for taking the time to have an inclusive process and guidelines that touch on several communities' concerns.

"There is great value in taking that time and making that effort to take a pause at the beginning of this historic process, to set in place a community-driven, community-engaged framework that now defines how we move forward with this investment," said Allan Lazo, member of the bond oversight committee and executive director of the Fair Housing Council of Oregon.

"They're as anxious as all of us to see these investments become community assets that will house thousands of our neighbors in the years to come," he added.

The Portland Tribune

City Council: Target more affordable housing for homeless

By Jim Redden

October 11, 2017

City Council approves framework for spending affordable housing bond on Oct. 11 and will take up a resolution calling for 2,000 more supportive units next week

The City Council began reshaping Portland's affordable housing programs to focus more on reducing homelessness on Wednesday.

During its afternoon session, the council approved a framework for spending the \$258.4 million affordable housing bond approved by city voters last November. The framework, drafted by an 18-member advisory commission, says the homeless and those at risk of homelessness should be prioritized for the 1,300 units the money is expected to preserve or create.

"Portland's Housing Bond is a historic opportunity to stabilize families and mitigate displacement," said Mayor Ted Wheeler. "This is the community's bond, so we took the time necessary for a deliberate and thoughtful community process to get it right. The result is better because of it."

It is the first time the council has officially voted to create so much affordable housing for the homeless and those at risk of homelessness, although many of them have occupied such units in project built with city funds in the past. Also prioritized for housing are children and those who have experienced discrimination.

Specific proposals to preserve or build the unit will soon be considered by an Affordable Housing Bond Oversight Committee appointed by the council. It is intended to assure compliance with the framework plan, which also calls for the projects to take place outside of existing urban renewal areas, where 45 percent of additional revenue generated by increases in property values are already dedicated to affordable housing projects.

Also on Oct. 11, Mayor Ted Wheeler and commissioners Chloe Eudaly filed a resolution to be considered next Wednesday to set a goal of creating 2,000 supportive housing units by 2028. Such units are reserved for those with addiction, mental health and other issues who need services to keep them housed.

The spending plan approved Wednesday by the council sets a target for 300 units of supportive housing, provided that external funding for services is secured.

An identical resolution will be considered by the Multnomah County Commission. The city and county help fund the existing supportive units in the county, along with Home Forward, the former Housing Authority of Portland.

According to the resolution, the United States Interagency Council on Homelessness reports that "study after study has shown that supportive housing not only resolves homelessness and increases housing stability, but also improves health and lowers public costs by reducing the use of publicly-funded crisis services." The resolution also says the Corporation for Supportive Housing, a national leader in the field of housing and homelessness, has identified a need for 2,800 new supportive units in the county.

The big unanswered question is how to fund the services. The resolution requires the city, county, Home Forward and the Joint Office of Homeless Services to submit a plan for meeting the goal and funding the additional level of services within nine months. It may recommend new revenue sources for the services.

The moves follow the most recent Point in Time homeless count conducted earlier this year that showed an increasing percent of those without permanent housing have addiction, mental health and other issues that make it difficult for them to transition of the streets.

The council is also acting shortly after KGW-TV released a poll it commissioned that shows most Portland residents are dissatisfied with the city response to the homeless crisis.

According to the poll, 34 percent of Portlanders have considered moving out of the city because of the problem. Fifty-seven percent are dissatisfied with how Wheeler is addressing homelessness. Nearly the same percentage said they are dissatisfied with the Portland Police Bureau's response to homelessness, and 52 percent are dissatisfied with the city's business community's response. Fifty-one percent are dissatisfied with how local news organizations cover the issues, and 40 percent are dissatisfied with local service providers.

The poll was conducted by Portland-based DHM Research as part of a special report on Oct. 9 titled "Tent City USA." It also found 46 percent are dissatisfied with how Multnomah County Chair Deborah Kafoury is addressing homelessness.

Portland submits crypto plan to Oregon Health Authority

*By Jim Redden
October 11, 2017*

City must say how it will comply with U.S. EPA rules before variance is revoked by Nov. 22

The Portland Water Bureau has submitted its plan for complying with U.S. EPA rules regarding a potentially deadly organism in the Bull Run Watershed to the Oregon Health Authority.

The Oct. 9 letter from PWB Administrator Michael Stuhr says the City Council unanimously voted on Aug. 2 to build a filtration plant that will remove any traces of Cryptosporidium from the water before it reaches customers.

Crypto, as the organism is commonly called, is found in human and animal feces. Because the plant is not estimated to be completed until February 2028, the bureau will take the following interim steps:

- Continue monitor Bull Run water for the presence of crypto, as the organism is commonly called.
- Report all finding to OHA and increase the monitoring schedule if crypto is detected.
- Strengthen protections to minimize crypto in the watershed by monitoring known trespass points and making all reasonable efforts to eliminate unauthorized entry.
- Ensuring that human sewage is contained within permanent sanitation facilities and portable toilets located 200 feet from waterways wherever possible.
- Propose a plan to conduct field inspections and water and scat sampling within the watershed, including semi-annual sampling in high risk areas.
- Prompt public notification of any positive crypto findings.

The filtration plant is currently estimated at \$500 million. A schedule included in the letter says planning will start in November 2017, construction will begin in April 2023 and compliance will be achieved in September 2027. Construction would be completed in February 2028.

The PWB also has the option of switching to backup groundwater wells along the Columbia River where crypto is naturally filtered out of the water.

The OHA had granted the PWB a variance from the EPA rules because Bull Run Water has historically been so clean. But after crypto was repeatedly discovered in water samples early this year, the OHA revoked the variance effective Nov. 22, 2017 and required PWB to submit a compliance plan with interim steps.

The PWB can be read at www.portlandoregon.gov/water/article/658474.

A PWB web page with more information can be found at www.portlandoregon.gov/water/75112?ref=homepage.

Sources Say: Wheeler amplifies criticisms of city's homeless response

*By Jim Redden
October 12, 2017*

Plus, Wheeler has some good points and Smith runs against county while running for the City Council

Mayor Ted Wheeler badly misjudged the wisdom of trying to get ahead of the homeless special KGW-TV ran on Monday with his own Friday news conference. He generated far more coverage of the special — and the bad news it included for Portland and Multnomah County leaders — that it would have received otherwise.

Announcing the news conference caused the station to post the poll featured in the special on Thursday, and then included it in Friday, Saturday and Sunday news reports before the special was broadcast. The poll results also were reported by other media outlets before then, including the Portland Tribune and The Oregonian, which used the news conference to preview its own Sunday story about the impact of the homeless on Portland's neighborhoods.

Wheeler also made a mistake by not having any fully funded new homeless initiatives to announce at the news conference, prompting one reporter to ask, "Why are we even here?"

Wheeler has some good points

It's easy to understand why Wheeler was upset about the results of the poll, which he saw while KGW-TV was preparing its special, titled "Tent City USA."

As Wheeler correctly noted at the news conference, homelessness is a significant problem in many major cities, not just Portland.

The current crisis took off under former Mayor Charlie Hales, who relaxed the city ban on outdoor camping, causing the homeless to become much more visible. And Wheeler has only been in office nine months.

Despite all that, the poll found that 57 percent of Portlanders are dissatisfied with Wheeler's handling of the homeless situation. And 46 percent feel the same about Multnomah County Commissioner Deborah Kafoury.

Smith runs against county

Because Jo Ann Hardesty is president of the NAACP of Portland, you'd think she would have the edge over Multnomah County Commissioner Loretta Smith on civil rights issues in their race for the City Council. But since Smith announced for the seat that Commissioner Dan Saltzman is vacating, she's generated more press than Hardesty by targeting the county government she is leaving.

For example, on Sept. 27, Smith held a news conference to call for an outside investigation of what she termed "entrenched bias" at the county.

It followed a settlement worth \$165,000 with former public health director Tricia Tillman, an African-American fired by white health department director Joanne Fuller, who abruptly retired. Appearing with Smith was former Sen. Margaret Carter, D-Portland, the first African-American woman to serve in the Oregon Legislature and state Sen. Lew Frederick, D-Portland, the only African-American legislator from Portland.

Then, on Oct. 5, Smith issued a statement denouncing anti-Muslim graffiti found in an employee break room at the health department. She used it to repeat her call for an outside investigation into the county.

Willamette Week

Portland Business Alliance Helped Fund Poll Showing Citizen Anger Around Homelessness

*By Rachel Monhan
October 11, 2017*

Mayor Ted Wheeler tried to pre-empt the criticism last week, with the PBA at his side.

Portland Mayor Ted Wheeler held an unusual press conference Oct. 6, pre-emptively responding to a KGW-TV documentary on homelessness called Tent City, USA.

At the table with Wheeler was a representative of the Portland Business Alliance, which hammered former Mayor Charlie Hales over his handling of homelessness.

But PBA was playing both sides: It had contributed \$1,200 to a KGW poll showing anger around homelessness, says PBA president and CEO Sandra McDonough.

She says funding the poll didn't reflect criticism of City Hall. "Our conversations with the city since Jan. 1," she adds, "have gotten a lot more productive."

"I thought it was a really interesting poll," she says. "I don't think it's surprising that people want more to be done. It really shows what Portlanders want is a program that lead with compassion and offers solutions for people who are living on the streets. They also want livability issues dealt with. They want both."

Wheeler has taken a similar approach: increasing funding for homeless-camp cleanups while maintaining support for more shelter beds.

Portland City Hall Is Hiding Police Tactics Behind Huge Public Records Fees

By Katie Shepard

October 11, 2011

Want to know the city's strategy for handling protests? Prepare to cough up thousands of dollars.

Despite a legislative session marked by reforms to Oregon's public records law, a troubling trend is emerging among Portland's city agencies. They are in effect censoring local media by refusing to comply with the spirit of the public records law.

Legislators passed the law in 1973. Their goal was transparency. "The public is entitled to know how the public's business is conducted," says the Oregon Attorney General's Public Records and Meetings Manual.

But when handling requests for public documents—already paid for by taxpayers—several city agencies engage in price gouging as a deliberate delay tactic.

On Aug. 30, for example, WW requested emails that would shed light on the city of Portland's response to street protests. The protests preoccupied the city this summer: They regularly degenerated into politically charged brawls and damaged property. Portland police were criticized for their tactics, which included firing pepper balls and rubber bullets into crowds and pepper-spraying protesters.

Mayor Ted Wheeler's office asked for \$3,189 for a set of emails between six staffers discussing the protests.

The public records law permits agencies to charge requesters the cost of producing records but also allows for fee waivers if "making the record available primarily benefits the general public."

Wheeler's office acknowledged a clear public interest in producing the documents.

"The city agrees its constituents deserve the fullest picture relating to the protests," Wheeler's office responded to a petition for a fee waiver. "Public officials' policy decisions are of public interest due to the use of city resources and safety, transparency, and First Amendment concerns."

But the mayor's office did not agree to the fee waiver. Instead, it offered WW a 25 percent discount.

In other words, it determined that the public had an interest in seeing the records in the newspaper only if the paper first paid \$2,287. That's a steep price for a small newspaper, and WW hasn't paid it.

Some transparency advocates believe high fees are intended to keep the public in the dark.

"It's apparent to me and to others that doing that is intended to discourage people from going after public records," says Judson Randall, co-founder of public-records nonprofit Open Oregon. "It's simply a technique to keep the records from being released. It's a crummy technique, to say the least."

The mayor's office defends its practices.

"We believe transparency is an essential element of good governance, and make every effort to achieve that value under our public records laws," says Michael Cox, spokesman for Wheeler's

office. "Collecting and reviewing records can be a time-consuming, and therefore costly, process."

It's not just the mayor's office. In late 2016, the Portland Police Bureau asked Oregonian reporter Carli Brosseau to pay \$1,170 for just 39 pages of public records related to a database of alleged gang members.

The bureau initially denied her request for a fee waiver, but Brosseau appealed to the Multnomah County district attorney, who considers appeals when a city or county agency denies a records request or fee waiver. The DA cannot, however, make a ruling on whether a cost estimate is reasonable or not.

The DA noted that "where fees in excess of a thousand dollars have been found reasonable, they usually involve requests for thousands or tens of thousands of pages of records." He ordered the Police Bureau to reconsider, but did not say whether the bureau had to waive or reduce the fee.

Those 39 pages would reveal details of how police officers justified designating suspects in the agency's controversial gang database. As Brosseau recently detailed on Twitter, the bureau eventually gave Brosseau the records nearly one year after her initial request—one day before the city announced it was disposing of the gang list.

When Oregon's public records law first went into effect, it established a presumption of openness—the burden lay with the government agency to demonstrate that a record was exempt from disclosure.

"When I first started as a reporter, it worked as it was intended to work," says Brent Walth, assistant professor at the University of Oregon and former WW news editor. "It was a law of disclosure. It took clear evidence that a record was exempt from disclosure [to justify a denial]."

But over the years, legislators passed hundreds of exemptions, making it more difficult to access records created during the course of government business and funded by taxpayers. In 2015, the Center for Public Integrity gave Oregon an F grade for ease of access to public information—due in part to a lack of timeliness and high costs.

After the 2017 reforms—which set deadlines for response times, established a Sunshine Commission to review exemptions, and created a public records advocate position—it is more difficult to sneak a new exemption through the Legislature. But the reforms didn't tackle the recurring problem of blocking requests by charging exorbitant fees.

"It was a lot of work to accomplish what we did during the attorney general's task force," says state Rep. John Huffman (R-The Dalles), who worked on the Attorney General's Public Records Law Reform Task Force. "Costs and response times definitely came up in the conversations, but it was challenging to come to a reasonable conclusion."

Members of the public lack an avenue to appeal unreasonable fees. The law allows for government agencies to charge the "actual cost" of producing the records. However, it does not offer further guidance on how to calculate that cost or place limits on what government can charge.

"Government can charge for every last paper clip," Walth says, "just to make it difficult for the public to see what the public already owns."

The Portland Mercury

Hall Monitor: Echoes of Charlie

By Dirk VanderHart

October 11, 2017

As Ted Wheeler Steps Himself in the Homelessness Crisis, He's Sounding More Like His Predecessor

WHATEVER YOU think of Mayor Ted Wheeler's style, you have to give him this: He's not shy about defending himself.

When activists shouted over Wheeler during a hearing on a tenant protection law last week, he promptly chided two of them in the hall afterward (starting a bit of a scene in the process).

And when the mayor's office caught wind of a big project KGW was planning to air on the city's homelessness crisis—dubbed “Tent City, USA”—Wheeler's folks called a press conference last Friday to get ahead of the narrative, making no bones about their motive.

“Is Portland really ‘Tent City, USA?’” Wheeler said toward the outset of his speech. “I want to be clear: The answer is no.”

In the 20 minutes or so that followed, the mayor offered what he called “an update on where we are with the homeless situation in our community.” Most of it wasn't particularly groundbreaking. Wheeler noted the hundreds of new shelter beds that have been created (many under a past administration), the city's efforts to partner with the Oregon Department of Transportation to battle camps, and a series of enforcement tools he says will ease the “livability” concerns surrounding the homelessness problem.

As I say, this was vintage Wheeler, confronting a “Tent City, USA” moniker that he believes falsely suggests Portland's problem is unique. But during parts of the thing, I couldn't help but be reminded of Charlie Hales.

Wheeler practically kicked Hales from office in late 2015, launching an aggressive campaign that painted the former mayor as a ditherer who failed to show results on the housing crisis.

“Do we want to hear another politician say ‘Please give me more time,’ or do we want to make real progress now?” Wheeler said when rolling out his candidacy.

Hales announced he wouldn't pursue re-election not long after.

Even today when discussing homelessness, Wheeler makes frequent allusions to the past administration's much-loathed “safe sleep” policy, credited with spurring enormous camps along Southeast Portland's Springwater Corridor trail.

But in the defensive front Wheeler presented last week, there was much more of Hales than perhaps the mayor would concede. The bold reformer of the campaign stage is more pragmatic about the city's ability to fix things these days.

“The truth is, I as mayor cannot solve this problem without real support from our regional partners, state government, and from the federal government,” Wheeler explained on Friday, in a line that echoed his predecessor.

“Nine months is obviously nowhere near enough time to get the kind of results I expect us to get,” said the man who took Hales to task for pressing for time.

He attributed the homelessness crisis (correctly) to widespread economic trends, as his predecessor often did. He noted that cities up and down the West Coast are fighting this battle, a go-to Hales point.

I tweeted out last week that Wheeler was sounding a bit like Hales these days, and his spokesperson suggested that was a cheap shot. But it's not. It's a reflection that the crisis Portland is facing is pretty easily the most intractable and complex issue Wheeler will deal with during his tenure.

Hales, who campaigned on a platform of nuts-and-bolts city maintenance, eventually understood how fraught the issue had become. Wheeler's now grasping it, too.

The question is: What's he going to do about it?

The City Finally Has an Idea of How to Spend Its Housing Bond

*By Dirk VanderHart
October 11, 2017*

Here's What You Need to Know

IT'S BEEN nearly a year since Portland voters approved a housing bond. Now the city might finally have a notion of how to spend it.

A week after Portland City Council formally extended the city's housing state of emergency by 18 months, the council on Wednesday is scheduled to consider a framework for creating the affordable housing promised by the \$258.4 million bond.

The process for crafting these guidelines has seemed anything but urgent, critics say. Despite running on a housing platform—and being gifted hundreds of millions by the bond's passage—Wheeler's overseen the acquisition of exactly one building using bond funds.

In February, city council approved the purchase of the Ellington apartments in Northeast Portland, using \$37 million in bond money to cover most of the deal (and drawing concern the city was moving too hastily). It's been quiet ever since.

Today, the mayor says the slow start was partly due to the chaos of getting his office up and running, and partly strategic.

“There were probably some delays we created by virtue of the fact it was a new administration,” Wheeler told the Mercury last week. “We were trying to figure out where the bathroom was and everything else.”

But Wheeler also pushes back on criticisms—voiced by people like former Housing Commissioner Dan Saltzman—that the city should be building “as many units as we can as quickly as we can.”

The mayor says he was initially of the same “build, baby, build” philosophy, but has since concluded that thoughtfully creating quality housing, and pushing more expensive units for families, is the way to go.

The guidelines council will consider this week finally position Portland to act quickly, Wheeler says.

So what's the framework say [PDF]? Here's a rundown.

The Numbers Haven't Changed

When voters approved the housing bond, they did so with the promise that their tax dollars would create or preserve at least 1,300 units of city-owned affordable housing. That target was presented as a floor, with advocates suggesting the money would likely result in more units than that (Portland needs around 24,000 more affordable units).

But the city's framework leaves the 1,300-unit benchmark in place. Under the guidelines, nearly half of the units will be deeply affordable—that is, accessible to people making 30 percent or less of the city's median family income (MFI), which equates to \$20,190 a year for a family of three. The remainder will be targeted to people making a maximum of 60 percent of the MFI.

But There Are (Expensive) New Goals, Too

Lately, City Hall's all about "permanent supportive housing"—units that come with extremely cheap rents and intensive social services, and are meant for chronically homeless people.

The focus has found its way into the bond plan via a relatively recent addition that sets a target of 300 units of permanent supportive housing. (400 units total are aimed at homeless Portlanders).

That provision comes as Portland City Council prepares to push the creation of 2,000 new supportive housing units in the next decade. A growing number of officials argue it's the most sensible path to getting people with profound challenges off the streets.

But it also comes with a price tag. The PHB says the intensive services that accompany supportive housing cost between \$5,000 and \$15,000 per unit every year. That means annual costs of \$1.5 million to \$4.5 million if it hits the target in its bond framework.

None of that will come from the housing bond. It can't—bond money is tightly constrained. Officials haven't been shy about suggesting that a new tax will likely be required. (Wheeler has floated a number of revenue options, but said last Friday he opposes a property tax.)

"Our ability to deliver 300 bond-funded units for people needing Supportive Housing hinges upon a long term commitment for the services as there is insufficient cash flow given the extremely low incomes of the residents," says PHB Director Kurt Creager.

Communities of Color Have Priority— Whatever That Means

The plan seeks to address systemic racism by prioritizing communities of color—a decision that has roots in city data showing there are no longer any neighborhoods in Portland where the average Latino, Black, or Native American household can afford to rent or own a home.

Other "priority communities" set forth in the framework include families with children, immigrants and refugees, seniors, people with criminal backgrounds, and domestic violence survivors, among others.

But officials and members of the group that developed the framework acknowledge this so-called "priority" doesn't necessarily amount to much. Under the Fair Housing Act, officials can't pick tenants based on race, national origin, or any of those other characteristics.

Priority probably comes down to how officials conduct outreach about new housing developments—a method that might help, but can't ensure these populations get units.

It's Supposed to Create Units All Over Town

The city's framework says the PHB must "strive" to create affordable units throughout the city—meaning officials aren't supposed to only focus on cheaper properties on Portland's fringes. But the plan also includes conflicting priorities that give leeway for officials to pursue opportunities anywhere they find them.

On one hand, the framework says PHB should focus on neighborhoods where displacement and gentrification are likely to emerge. On the other, it says the city should find projects in "high-opportunity" areas flush with amenities—in other words, areas that might have already been gentrified.

The push and pull between these two options was a point of contention for the group that created the framework, according to participants. Among those concerned about the wording is the Welcome Home Coalition, which played a leading role in pushing the housing bond.

The group suggested in a September letter that officials should set a hard percentage of units that will be developed in high-opportunity areas. The coalition noted, "It will be easier and cheaper to build in the outskirts of the city, where [communities of color] are currently living, and it would be easy to spend all the bond funds in those areas."

Now Trump's Messing with the Willamette River?

*By Dirk VanderHart
October 11, 2017*

His Administration Has Reached a Secretive Deal with Polluters

UNDER DONALD TRUMP, the US Environmental Protection Agency (EPA) has sought to roll back clean energy policy and questioned the Paris climate agreement. It was only a matter of time before it came for the Willamette River.

In a move that state and city officials are calling unprecedented, the EPA last week dropped a bombshell onto the 17-year struggle to clean up the toxic, 10-mile Portland Harbor Superfund site. The agency announced a secretive proposal it had reached with a number of river polluters—an arrangement that state officials say might set the cleanup process back a decade or more, and could give disproportionate power to parties who want to minimize their culpability for cleanup.

Exactly what's in the agreement is unclear: It won't be released to the public unless it's signed, officials say. But the Oregon Department of Environmental Quality (DEQ), local tribes [\[PDF\]](#), and the city all responded to the plan with alarm, with Gov. Kate Brown saying it "undermines the progress we've made."

State officials say the deal might upend the very standards upon which successful cleanup is measured. And they warn it could roll back portions of the EPA's "record of decision," an extensive \$1 billion plan for cleaning up the river that the feds released before Trump was inaugurated in January (in a move that looked designed to preclude his meddling).

Trump's people have taken notice. Kevin Parrett, manager of the DEQ's Northwest Region Cleanup Program, says the controversial deal appears to have been hashed out in the upper echelons of the EPA, which is controlled by industry-loving Administrator Scott Pruitt.

"These negotiations are occurring within the Pruitt administration," Parrett tells the Mercury. "That's another very unusual aspect."

So who has the EPA reached the accord with? Parrett says he can't say. All that's been revealed so far is that it's a group of so-called "potentially responsible parties" who will need to cover some of the cost of cleanup. The EPA didn't respond to questions by the Mercury's deadline.

"From our understanding, it's a small group of parties that have been pretty transparent in trying to roll back this [record of decision]," Annie Von Burg, a City of Portland employee who oversees superfund efforts, said Monday.

Pressure from state, city, and tribal officials appears to have had an effect. As of Tuesday, the EPA had agreed to slow the process down, according to Parrett.

Portland Police Are Struggling to Defuse Tense Situations

*By Doug Brown
October 11, 2017*

A Damning New Report Suggests That's Because They're Not Being Trained

More than a dozen activists headed downtown last January, protesting what they said was brutality by the Portland Police Bureau (PPB) during Donald Trump's recent inauguration and calling for then-Police Chief Mike Marshman to get canned.

"I think it's an important issue that's absolutely worth standing up for," said one woman who was arrested that day. She and a few others were standing in front of a TriMet bus when a squad of cops dressed in riot gear sprinted toward them from behind. Video footage shows that as the woman slowly walked away, one officer grabbed her arms from behind and slammed her, face-first, to the ground.

Three months earlier, activist and police critic Jessie Sponberg was one of many protesters at City Hall raising hell about a new police union contract signed under then-Mayor Charlie Hales. Officers pepper-sprayed Sponberg, who was yelling at the cops and filming the chaos. Then one officer shoved Sponberg down a small flight of stairs.

"The cops knew who I was and that I had a press pass," he says about the October 2016 incident.

In both instances, officers were cleared of wrongdoing by their supervisors, who found the use of force was allowed under bureau policy. But both incidents—along with others—are referenced in a scathing new report that calls into question whether Portland cops are being trained to properly defuse tense situations.

Years after the US Department of Justice (DOJ) found the bureau had systemic problems with de-escalation and use of force, the PPB still faces the same issues, according to a just-released assessment from a group of Chicago academics tracking Portland's progress.

"We carry substantial concerns regarding the PPB's training and implementation of non-force and verbal techniques," reads the report from the so-called Compliance Officer and Community Liaison (COCL) team being paid to monitor the city's settlement with the DOJ. "There appears to be large-scale confusion regarding the intent of de-escalation within the Bureau and the confusion has yet to be adequately rectified through training and the evaluation of force events."

In the January incident near the TriMet bus, the involved officer said he violently threw the woman to the ground because he did not want her "to be able to attack or interfere with other officers around that were making arrests."

The COCL report notes “the chain of command review finds the officer to be within policy, though the video and officers reports do not appear to support this finding.”

“Although there is a governmental interest in clearing the streets, that interest and the actions taken against the community member do not appear balanced” with the low-level crimes she was arrested on, the report concludes.

The woman, who didn’t want to be named for fear of backlash from cops and employers, tells the Mercury she has no clue why she was deemed a physical threat to the officer: “To me, that just sounds like some ridiculous pretense they’re trying to create.”

Though he’s not specifically named, the COCL finds that Sponberg was not a threat and didn’t “impede law enforcement function,” when he was thrown from the steps of City Hall. Instead, he was “expressing extreme verbal discontent” while filming the scene, COCL leader Dennis Rosenbaum writes. Yet the PPB decided cops were justified in pepper-spraying and shoving him.

“We believe the force was unreasonable,” the report says, contradicting the PPB’s account. “The strength of the push does not appear to correlate with the officer’s stated objective” and violates bureau policy.

“I’m glad that an independent review came to the exact same conclusion that I did as I was lying on my back,” Sponberg tells the Mercury. “God damn that was excessive.”

The COCL report also documents multiple incidents in which officers “accidentally” used TASERs on people. A PPB supervisor wrote in one of the cases that three such accidental deployments “were within policy and consistent with DOJ Settlement Agreement and best practices.”

The COCL’s response: “We don’t believe either of these statements are true.”

The report also documents an incident where an officer yelled, “You need to [expletive] stop or you may be shot” and “If you don’t stop, you’re going to get [expletive] hurt.” The officer and their supervisor found, wrongly according to Rosenbaum, that this was an example of appropriate de-escalation.

The COCL says the issue comes down to how Portland cops are instructed. During training sessions the group observed last month, they found instructors “undercutting” the policies they were there to teach: One instructor “emphasized that de-escalation should be used ‘when time and circumstances reasonably permit,’ underscoring the notion that this is not a required set of behaviors,” the report says, noting that other agencies devote entire days to de-escalation tactics. “The COCL has found it to be an uphill battle to get the PPB to treat these issues as important.”

It’s been hard to get a response to the COCL’s damning findings. PPB spokesperson Sergeant Chris Burley referred the Mercury’s request for comment to Captain Bob Day, head of the bureau’s training division. Day didn’t respond to our inquiry. Neither did Mayor Ted Wheeler’s office. Rosenbaum, who wrote the report, said he couldn’t discuss the details, but will be taking comments during a public meeting in Portland on Monday.

The details in the COCL’s report all stem from the tenure of former Chief Mike Marshman and Acting/Interim Chief Chris Uehara (who took over temporarily after Marshman retired in August).

Chief Danielle Outlaw was sworn in earlier this month after leaving her post with the Oakland Police Department. Time will tell if the PPB under Outlaw fares any better in the eyes of those tasked with keeping the bureau in line with the federally mandated settlement agreement.

The Portland Business Journal

City's plans for affordable housing bond prioritizes minorities, families and at-risk households

By Jon Bell

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When the city of Portland sets out to spend \$258.4 million of voter-approved funding on affordable housing, it will do so with a priority on communities of color, families with children and those at risk of homelessness.

Of the 1,300 units expected to be acquired or developed through the bond project, 650 will be two-bedroom units or larger, and all of the units will be located in different geographic locations across the city.

At least that's what is laid out in Portland's Housing Bond Policy Framework, a document outlining the plan for the affordable housing bond that the Portland Housing Bureau submitted to the council. In a unanimous vote, the council accepted the framework Wednesday.

"This alone is not going to solve the housing crisis," said Commissioner Nick Fish. "Let's not forget that this is a national problem . . . Our system was never intended for Portland, Oregon, to solve a national problem, but we'll do what we can. This is an incredible step in the right direction."

Last November, Portland voters approved the \$258.4 million bond, which gave Portland the go-ahead — and the funding — to acquire or create at least 1,300 new affordable units. The city estimates the bond will cost the owner of a home assessed at \$178,230 at about \$75 a year.

The Portland Housing Bureau convened a stakeholder advisory group in April to determine how best the funding could be used to serve those who need affordable housing the most. Members of the group represented a range of housing related organizations, business and community groups and community members.

Other highlights of the adopted framework note that the city will "lead with a racial equity lens and analysis in all building and land acquisition investments" and also leverage funds and other resources as much as possible. The framework also directs the city to acquire or create affordable housing projects in areas that are lacking affordable units and to steer clear of urban renewal areas where the city has already invested public funds for housing.

The units from the bond will be for households earning up to 60 percent of the Area Median Income; at least half will be for households earning between 0 and 30 percent of AMI. According the PHB, 60 percent of AMI is \$44,000 for a family of four; 30 percent of AMI is \$19,000.