

The Oregonian

Portland could fight to keep unionized employees' names secret

*By Molly Harbarger
October 24, 2017*

The city of Portland plans to fight a decision by the Multnomah County District Attorney's office that says the city can't keep secret the names of unionized employees.

Mayor Ted Wheeler has asked the rest of the city council to vote Wednesday to authorize the legal battle to keep the employee names private. He did so at the request of the city attorney's office, said spokesman Michael Cox.

Attorney Heidi Brown said they are not taking sides in the argument, which pits the district attorney and his interpretation of public records laws against a city employees union and its contract with the city. The city's attorneys simply want a higher authority, in this case a district court judge, to make the call.

"This presents kind of a unique situation in that we're kind of caught between two different laws," Brown said.

If the City Council approves the proposal, the city will argue that releasing the names would violate the city's contract with Laborer's International Union of North America Local 483 and also violate labor laws.

Earlier this month, the district attorney ordered the city to release the names, saying those reasons are bogus.

District Attorney Rod Underhill's public records order says that the union once argued for the release of names of people who were not in the union and won. That essentially set the precedent for the release of names of people who are on the other side of the fence -- in the union, he wrote.

The city argued, as did the union lawyers, that releasing the names to Ben Straka, who works for the Freedom Foundation and filed a public records request to see the names, would open union members to harassment. The foundation is a Washington-based think tank that wants to minimize the power of unions in government.

Underhill's opinion said that only people who have specific, individual claims about why releasing their names or identifying information would violate their privacy can have their information exempted from public records laws.

He also dismissed the claim that the city cannot divulge that information because of the Laborer's 483 contract, saying "the city may not supersede state law by contract."

If the city releases the names and Laborer's International Union of North America Local 483 decides to file a complaint with the state's Employment Relations Board, Brown said she's not sure if an order from the district attorney's office would be sufficient justification for the city's actions, because this circumstance seems to have never come up before.

A circuit court's authority would likely hold more sway.

"We're fine with whatever the court orders us to do," Brown said.

The city would use staff attorneys to argue the case, so it would not incur extra costs to mount the lawsuit. But it could be on the hook to pay the Freedom Foundation's legal bills if Straka wins.

Portland Public Schools is involved in a similar lawsuit. When the district attorney's office ordered the school district to make public the names of all employees on paid administrative leave, the district refused and sued the people who asked for the records: parent Kim Sordyl and journalist Beth Slovic.

The Portland Tribune

Audit: Residents need help with water bills

*By Jim Redden
October 25, 2017*

Portland needs to do more to provide utility discounts to low-income households, according to an audit released Wednesday by the City Auditors Office.

The audit is titled "Utility Payment Assistance: Program improvements would enable city to assist more customers." It says the Portland Water Bureau, which administers the combined water and sewer billing program, has not done nearly enough to identify those customers who need a discount and provide it to them.

The audit notes that the City Council approved a low-income discount program in 1995 and set a goal to enroll 10,000 customers, but that goal has never been reached.

Those most in need include low-income households in multifamily buildings that do not have individual water meters for each unit, the audit says. The bureau currently has no way to identify which of them meet income requirements to receive the discounts authorized by the council and provide them.

"The city has studied how to offer discounts to those who live in apartments and pay for some utilities, including water, as part of their rent rather than directly to the Water Bureau, but solutions have been elusive," the audit says.

The audit recommends focusing outreach for payment assistance on customers most likely to be eligible and in need, and ensuring that general information about payment assistance is easy to find and understand.

Paying for additional discounts is a problem not addressed in the audit. To maintain existing services, water and sewer rates would have to be raised to offset the lost revenue from discounting more bills. According to the audit, the median quarterly bill is \$300 in the current fiscal year.

In a response letter, Commissioner Nick Fish, who is in charge of the water and sewer bureaus, praised auditors and said he has directed the bureaus to implement their recommendations.

"The percentage of Portlanders living below the poverty level is growing, and we are experiencing a community housing emergency. It is time for action," Fish wrote.

You can read the audit at tinyurl.com/yb86hkyg. City has not met its longtime goal of providing discounts to 10,000 water and sewer customers

Rose City Rollers seek new derby home

*By Jason Vondersmith
October 24, 2017*

After years at Oaks Park, finding suitable space for practices and shows proves difficult

Now a member of a champion roller derby team, Claire Chin never saw herself as a competitive person — until she put on skates and a helmet, and went about speeding past other competitors and bumping into them.

Oh, what fun it was, and very empowering.

"We definitely draw people in who don't have other sports experiences," said Chin, aka "Brute," a skater for the Wheels of Justice team, and president of the board of directors of the Rose City Rollers league. "It's very unique and distinctively Portland.

"The work we do is really important, that women and girls have a good community. It's a physical activity, and healthy competition is really important. ... It was exciting to learn how competitive and ambitious I was, and that's undervalued in society right now. I hope folks can see the work we do is really important, especially for young girls. And someone will hear our mission, how important it is, and make space for us."

The Rose City Rollers, a 501(c)(3) nonprofit organization with 17 teams and 500-plus strong with girls, women and transitioning folks, needs to find a new building for competitions by July 1. The organization, one of the biggest in the country, has called The Hangar at Oaks Amusement Park in Southeast Portland its home since the start of the club in 2004.

The club can still practice in the space, but it can't stage competitions there. A new Portland Fire & Rescue fire marshal rule doesn't allow crowds of more than 300 people in a building without sprinklers and not zoned for assembly, even with a fire permit.

Kim Stegeman, founder and executive director of Rose City Rollers, said she has been looking for buildings for several years that would serve as the club's headquarters and practice/competition facility, but an adequate place hasn't been found yet.

"We've pulled single-use permits each time we're going to have an event" at The Hangar, Stegeman said. "We've always operated by using fire permits, but we've always lumped together events, and it's exhausting."

Stegeman is searching for a 20,000-square-foot building in Portland or Multnomah County, one that doesn't have pillars — a safety hazard for skaters — and that can be rezoned for assembly and that has sprinklers and other requirements.

And it has to be a building that hasn't been scooped up by the marijuana industry. Stegeman said the nonprofit has identified buildings in the past, but they've been purchased by out-of-state marijuana companies that can offer cash.

"We're looking for all options," said Stegeman, who estimates that she has looked at 20 to 30 buildings throughout the years. "What I'd like to see happen is we'd find 20,000 square feet, so that we can have two practice tracks; additional hours of practice (availability) means that we can have more youth skaters. We're running about 48 hours of practice a week, from 4 o'clock to 10 o'clock every night."

The Rose City Rollers would be able to put a substantial six-figure down payment on the building. "I've been saving money for a long time; I'm thrifty," Stegeman said. And she hopes a

capital campaign can raise up to \$400,000 to help provide for a reasonable mortgage payment. Stegeman estimates that it would cost at least \$1.5 million for an adequate building.

Stegeman met with staff from the offices of city Commissioners Chloe Eudaly and Dan Saltzman to discuss options.

What comes immediately to mind as a possible space is a vacated grocery store, such as an old Safeway or Albertsons building. But Stegeman said those buildings have too many pillars; worst-case scenario, the club might be able to make an old grocery store work. The club also could look into using the Expo Center, where it has held competitions in the past.

"There's got to be properties that people are sitting on, not looking to sell, but if they hear we need a building ...," Stegeman said. "If somebody wants to develop something and wants an anchor, plunk us down, and then if you want a burger joint and bar that wants to be there, massage parlor and gym next to us ... you could name it after yourself, if you want a sweet deal on it."

The Rose City Rollers league has quite a tradition. The Wheels of Justice team broke through in 2015 with their first Women's Flat Track Derby Association championship, then repeated the title on its home turf last year at Veterans Memorial Coliseum. Now they go for their third consecutive win in Philadelphia, Nov. 3-5. The league's players extend down to 7-year-olds.

"There are 7- to 12-year-olds kids who say, 'Yes, I found something I want to do.' And, they embrace wearing the wacky socks," said Stegeman, a former roller derby competitor who went by the name "Rocket Mean."

And, befitting a progressive city such as Portland, the Rose City Rollers league is unabashedly inclusive with gender policies, allowing transitioning and nonbinary individuals.

"We do try to create an environment where we're welcoming," Chin said. "A core value is being inclusive, embracing differences. Across the board, we try to welcome all different types of women, and having that kind of diversity is what makes it exciting. It helps you learn from each other."

But, will the Rose City Rollers find a new home? We'll see.

"It's crazy; most people plan a big move like this for five years," Stegeman said. "I have 500 anxious fears of going homeless in July in the peak of our season."

Willamette Week

City Officials Say the Rose City Rollers' Rink Is Too Dangerous, But the League Has Nowhere Else To Go

*By Sophia June
October 25, 2017*

Commissioner Dan Saltzman's office says City Hall is willing to negotiate deadlines—but the Rollers have got to move.

The Rose City Rollers roller derby league faces an existential threat: Its Southeast Portland skating rink has been deemed unsafe by the fire marshal, but the league has nowhere else to play.

Portland Fire Marshal Nate Takara declared this summer that the Hangar, a rink in Oaks Park where the league has held most of its practices and games since 2009, is too dangerous for crowds because it doesn't have sprinklers. Takara says the league needs to install a costly sprinkler system by next July, limit its attendance or find another venue.

In July, the fire bureau tightened its sprinkler requirements for buildings that occasionally host large crowds. Portland city officials made the changes in response to the December 2016 warehouse fire in Oakland's "Ghost Ship" art colony, which killed 36 people.

The Rose City Rollers have 17 teams. Twenty-eight skaters at a time compete in front of crowds of up to 500 people. Under the new rules, the Rollers would have to limit attendance to 200 people. (The rules' effect on the Rollers was first reported by the Portland Tribune.)

Rose City Rollers executive director Kim Stegeman is lobbying city commissioners to either be lenient or help the league find a new home. Last month, Stegeman sent an email to City Commissioner Chloe Eudaly, who oversees the Bureau of Development Services, begging for assistance.

"We desperately need to get the word out to the city of Portland, people who have properties, people who may want us to be a part of a development, and people who want to support the league," she wrote. "To save RCR and the multitude of good things that roller derby provides for women, girls, and Portland overall—we need help!"

The fire marshal's decision places Commissioner Dan Saltzman, who oversees Portland Fire & Rescue, in a political bind. The Rose City Rollers are a beloved Portland institution, the largest roller derby league in the world and a feminist pillar. Yet bending the rules could expose Saltzman to criticism of playing favorites at the expense of public safety.

The city already faces litigation over a related rule. In September, landlords of several downtown nightclubs sued the city over a 2013 ordinance that required clubs to be retrofitted with sprinklers. Club owners and the state Building Codes Division say the fire marshal's office exceeded its authority in that instance.

Related: [Nightclub Landlords Sue Portland City Hall Over Controversial Sprinkler Ordinance](#)
Saltzman's office says City Hall is willing to negotiate deadlines—but the Rollers have got to move.

"I did make it clear that we have to see some action and potential options, but if June 30, 2018, comes down and we're just waiting a couple months, we're not going to make them homeless on that date," says Matt Grumm, a senior policy director for Saltzman. "It's a special case because they do such great stuff in the community."

But the Rose City Rollers remain frustrated the rule was applied at Oaks Park.

Because the Hangar uses only temporary permits for derby games, it doesn't have to meet the same safety standards as buildings with permanent permits. The updated rule closes this gap.

"I understand they wrote the rule and so they don't want to be the ones going, 'Oh well, here's this exception,' but our building is a lot different than buildings this is meant to apply to," Stegeman says.

Fire officials concede Stegeman has a point.

"The doors are wide enough. The exiting is not an issue," says Portland Fire & Rescue spokeswoman Capt. Louisa Jones. "The problem is, we can't exempt one facility and hold everyone [else] to that standard."

Staying in the building as is would force the Rose City Rollers to cut the Hangar's occupancy from 625 to 300, crippling the league financially. About 100 people help run the event, from skaters to ticket collectors, meaning the league would be allowed to sell only about 200 tickets.

Because the building doesn't have a water main, installing sprinklers would cost the Rose City Rollers \$250,000, which the organization cannot afford.

A new home for the Rollers would require 25,000 square feet with 20-foot ceilings and the capacity to hold 750 fans.

"It's unfortunate that something that has never been a problem is making us change the whole way we do Rose City Rollers," Stegeman says. "I'm trying to be optimistic and say maybe it's the time and catalyst we needed for this to happen."

Are Tiny Houses a Solution to the Rental Crisis—Or Just a Good-Looking Symptom of It?

By Rachel Monahan

October 25, 2017

Luz Gomez's new house is smaller than a standard parking spot.

Luz Gomez has moved into a classic Portland home—in miniature.

On an early October afternoon, she climbs the three steps from a Northeast Portland driveway into her new, handcrafted home.

Gomez, a 55-year-old onetime refugee from Honduras, has bleach-blond hair, bright blue nails and an easy smile that camouflages the fact that she lost her job and home in the past three years. Sunshine is streaming through the house's nine windows onto the oak floors. Should she install shades, she wonders, or enjoy the light?

"I'm feeling like I have a place that I call home, a refuge," says Gomez, adding that she had "so many bags for six months, a year. Finally, I moved into my place."

But she's also trying to figure out how she and her 14-year-old son are going to share the 16-by-8-foot space.

That's right—her new house is smaller than a standard parking spot. The kitchen is a hot plate and a mini-fridge, and the bathroom is a shower and a composting toilet.

For this, she's spending \$800 a month plus utilities: \$500 to the man who built the house and \$300 to the Cully neighborhood homeowner whose driveway hosts her miniature residence.

This is one of the ways Portland elected officials hope to soften the housing crisis.

Portland has long adored tiny homes as a quirky lifestyle choice. The little boxes on wheels have been featured on Portlandia, got their own show on HGTV and were turned into a tiny-house hotel on Northeast Alberta Street.

But this month, city officials sanctioned placing a tiny home in the driveway of any homeowner who wants to add an extra housing unit to a city with a notorious rental crunch.

"Tiny homes aren't about how cool the tiny home is," says Andy Miller, executive director of the housing nonprofit Human Solutions. "It's about the fact that the person living in the tiny home is king of that domain."

On Oct. 15, City Commissioner Chloe Eudaly directed the Bureau of Development Services, which she oversees, to stop enforcing city code that forbids tiny homes and RVs from being inhabited and parked in driveways. In doing so, she gave her blessing to placing tiny houses on wheels in the city's neighborhoods.

Tiny-home advocates estimate that at least 100 such homes currently exist illegally—but changing the rules means they can move into spaces across the city, in driveways in every residential neighborhood, and on parking lots in commercial districts. More than 150,000 lots potentially could host tiny homes.

This policy change won't allow people to park their RVs on the side of the road, a practice that has enraged Portlanders. Enforcement against those so-called "zombie" RVs will continue.

Instead, City Hall is betting that tiny houses and mobile homes scattered on private property will give people on the margins some breathing room while officials look for other ideas.

But some observers wonder: Is this a solution to the housing crisis—or another symptom of it?

Five years ago, Eudaly started a Facebook group that launched her political rise. She called the group "That's a G-D Shed"—a reference to a literal garden shed she found listed as a rental for \$950 a month.

Eudaly says the similar monthly rent for a tiny home isn't a contradiction.

"Tiny homes and RVs were built for human habitation," says Eudaly. "Sheds are generally not meant for living in."

Eudaly has supported a number of solutions to the housing crunch—from rent control to legal tent camping in backyards.

But the continually increasing cost of renting points to a dilemma faced by Eudaly and the rest of City Hall: Portland has so badly failed to substantially increase the stock of affordable housing that the city has been reduced to giving the OK to what some see as overnight camping.

While tiny homes may help ease some of the crisis, they won't come without pushback. Robert Schultz, a homeowner in the Lents neighborhood, reflects a number of Portlanders' attitudes about tiny homes: He says a lack of close city supervision could lead to chaos.

"I'm a huge fan of tiny homes, but there needs to be some kind of oversight or you're going to have shacks everywhere," he says.

Neighborhood complaints aside, the idea of tiny homes as a salve for the rental crunch raises a more fundamental question about the speed and seriousness with which City Hall is tackling the crisis.

Tiny houses could represent the second coming of small-scale DIY innovation—something on the order of food carts, which transformed this city's food scene without big construction costs. But they could just as easily serve as a distraction from Mayor Ted Wheeler's push for more traditional housing. In a worst-case scenario, the sanctioning of tiny houses could be the first step to the creation of shanty towns.

"If they start to put people into RVs on a permanent basis, that would be a mistake," says Andrew Morrison, a former builder who offers workshops for people building small homes. "It's a temporary, emergency solution. It's not a long-term solution."

When Dana Denny couldn't find a house to rent in Portland, she decided to build her own.

Denny, 62, got a no-cause eviction in late 2015 from the Mount Tabor house where she was renting a room for \$800 a month.

"I was so angry and so disappointed," she says. "I had some savings. I thought I could live for a year or two. I thought I would be able to make a life here."

But Denny, with the help of an inheritance from her mother, decided to build a tiny home. She did what she could herself and hired subcontractors for the rest, ultimately spending \$50,000.

Her construction site? The Green Anchors industrial park on the north bank of the Willamette River under the St. Johns Bridge.

During a rainy Friday, park co-owner Mark Fisher gives a tour, accompanied by Jones, his goldendoodle.

Ten traditional tiny home structures are being built on the site, and another 10 school buses are slated for conversion to either tiny homes or inhabited RVs. The tiny homes include a shipping container with a floor-to-ceiling window cutout, and one with a lattice of wood panels on the outside. Others look like more traditional Northwest cottages.

For \$250 to \$300 a month in rent, the DIY builders are working away on the mini-homesteads of their dreams.

"There's a lot of word of mouth," says Fisher. In the past five years, about 50 tiny houses have been built here, he estimates. The site isn't zoned for living in tiny homes once they're finished. Fisher estimates about two-thirds of builders kept their tiny homes in Portland even though it was illegal.

Denny began working on hers in March 2016, when she bought the trailer that served as its portable foundation. She built parts herself and hired out contractors for the rest.

It's built of plywood and insulated with a product made from volcanic stone. Tibetan prayer flags float above her wooden door. She laid down a path of gray, flat stepping stones to her door, wedged between smaller heart-shaped rocks, which she collects everywhere.

The composting toilet took some getting used to. Urine drains down one hole into a wastewater pool in the ground. She composts the feces, which goes into a separate hole in the toilet and is collected in a green plastic bag. Getting the waste into the right holes in the toilet took some practice.

But the bathroom does not smell. She places dark-brown coconut coir, ground-up fiber from the plant's husk, into the composting toilet to start the composting process. Once a month, she moves the poop to its own compost pile outside.

She likes the environment-friendly lifestyle—even the toilet.

"When I go into town and flush," she says, "I think, 'My God, think of all the water.'"

But Denny also had to move out of town to find a parking spot that she could hide away in—a parcel of land near Sandy, where she pays \$400 a month to rent a space off the driveway, and another \$50 a month for utilities. She feels isolated.

That's because Portland's rules barred Denny from keeping a tiny home in a backyard within city limits.

Since 2015, she had tried to get tiny houses legalized under the city's comprehensive plan, testifying before the City Council that they fit into the plan's goals for high-quality affordable housing.

"They are free to the city of Portland at no cost," she said in her fourth appearance before the council on Jan. 13, 2016. "Let me age with dignity in my little house."

At the time, City Hall said no. But then another group started banging on the door.

LaVeta Gilmore Jones lies underneath Luz Gomez's tiny house, hooking up the graywater supply. The house's shower and kitchen sink will drain into large plastic buckets that will be emptied into the toilet in the main house nearby.

If tiny houses become a balm for Portland's rental crunch, Gilmore Jones will deserve some credit.

She's co-director of Leaven Community, a faith group that pushed for the legalization of tiny houses in Portland.

Gomez's house will be the culmination of six months of organizing, lobbying City Hall and finishing the little house.

Leaven Community was looking for social justice projects. In rapidly gentrifying inner Northeast Portland, housing kept coming up.

They hope eventually to create a group of congregations and community organizations that build and host affordable housing.

"Luz is on that team," says Gilmore Jones. "This is one small action we took in response to what she shared with us."

A member of the community was building a tiny home—it wasn't illegal to build it, and there was talk that churches might be able to host such structures.

But the group quickly discovered the rules against tiny homes wouldn't make that a secure option. The city could swoop in at any time on a neighbor's complaint.

A member of the group prepared by writing a letter to every neighbor to explain what she was doing and to ask permission to host a home. She went back to every house with Gomez to make sure her neighbors were on board.

At the same time, the group sought to make the house fully legitimate, going to Eudaly's office.

Chloe Eudaly (Christine Dong)

It didn't take much convincing.

"I should have thought of that," Eudaly chief of staff Marshall Runkel recalls thinking.

Mayor Wheeler also threw his support behind the idea.

"During the campaign we talked about having flexible housing options," says the mayor's spokesman, Michael Cox, "options that increased density, that increased affordability."

Commissioner Nick Fish likes the basic idea but was noncommittal. Commissioner Amanda Fritz declined to comment, and Dan Saltzman was traveling and unavailable for comment.

The City Council is expected to solidify the new rules by amending city code next year, with some additional guidelines. (One lingering question: whether to outlaw short-term rentals of tiny homes on websites like Airbnb, although such rules haven't stopped scofflaws in the past.)

But not everyone rolled out the welcome mat. In the days after Eudaly's Oct. 15 announcement of the rule change, some neighborhood leaders expect widespread objections.

The concern from neighborhoods—particularly Lents, which has been a hotbed of both homeless camping and opposition to the city's policies—is that it will have a similar impact as former Mayor Charlie Hales' "safe sleep" policy. That policy lent legitimacy to what was already happening on city streets: tent camping without fear of police sweeps.

Cora Potter serves on the Lents Neighborhood Association. It has not taken an official position on the policy—but she has.

"What people in inner neighborhoods see as enabling 'tiny homes' and nomadic millennials," Potter says, "I see as an open invitation for derelict RVs to squat in the driveways of vacant homes with absentee landlords, and permission for problematic houses to expand their footprints and create even more havoc for their adjacent neighbors. We need every enforcement tool possible. In this case, a really valuable tool is being taken away."

People in some wealthier neighborhoods are also skeptical.

"We had about 50 people present for a panel, and the issue of homeless camps was of considerable concern among many of the residents," says Steven Cole, president of the Irvington Community Association. "To no one's surprise, the police confirmed that the rise in homeless camps is likely linked to a rise in property crime. Thus, if a church were to set up a mini-camp, I am guessing there would be some concerned neighbors."

Some advocates for tiny homes question whether RVs should be legal long term. They worry RVs aren't a good housing solution anyway—because they generally have less insulation and aren't built for winter.

"RVs are not as easy to keep comfortable," says Lina Menard, who lives in a tiny home (illegally, until this month) and runs a related business, Niche Consulting. "The same goes for yurts. I don't have a good, solid answer."

Solid answers are hard to come by in Portland housing.

Nearly a year after voters approved a \$258 million bond to fund affordable housing, little progress has been made in spending that money. Reforms in the Oregon Legislature that could have helped—including outlawing no-cause evictions—instead fizzled. And while the building spree across the city may bring down rents, that relief has yet to materialize for low-income people.

So that leaves city officials hunting for Band-Aids. Maybe tiny houses will be a useful one: an innovation that shows a lot of little ideas put together can make a difference. Or maybe it's just the latest in a series of desperate gestures that don't move the needle—because Portland's leaders haven't been able to solve the crisis.

"We've seen a lot of promise out of the Wheeler administration," says Chris Trejbal, chairman of the Overlook Neighborhood Association. "I hope we see a lot of action in the coming months."

As for Gomez, she gets a house and will stay in Portland. (Gomez has a 20-year-old felony conviction for seeking public assistance she was not entitled to, and a criminal record can make finding rentals more difficult.) But she has a hard time seeing it as a long-term residence.

She says she'd rather own a home. She's hoping to start a rent-to-own deal with the builder in a year. Otherwise she isn't sure her new tiny home is an answer.

"It's not really permanent," she says. "I'm not building equity."

Murmurs: A Seven-Foot-Tall Democratic Donor Gets a Political Opening, But Passes It By

By WW Staff

October 25, 2017

In other news: The Oregon Humane Society director's new dog draws derision.

Rick Miller Passes on a Political Opening

Gov. Kate Brown this week appointed Sen. Richard Devlin (D-Tualatin) to the Northwest Power Planning and Conservation Council. County commissions in his district will soon appoint a successor. The big name looming over the seat—up for election next year—was Karl "Rick" Miller, the 7-foot-tall investor whom Brown appointed to the Oregon Investment Council and a panel looking at pension fixes. Miller made a fortune running the Avamere senior living chain (he gave \$9 million to Portland State University, where he's the new board chairman, in 2013). Insiders speculated Miller might leverage Devlin's seat to run for governor in 2022. He's passing, reluctantly. "It's the right thing but the wrong time," Miller says. "I've made commitments, and I want to and need to follow through."

Low-Income Utility Ratepayers Getting Less Help

Portland's city utilities have offered less help to low-income customers recently, a new audit says. City Auditor Mary Hull Caballero found the Water Bureau doesn't look at "existing customer data to target assistance where it's most needed"—and last year missed its goal of aiding 10,000 ratepayers by more than 3,000. In fiscal year 2015, the year auditors examined most closely, at least 291 residences had no water for a month after not paying bills—yet water managers couldn't tell auditors whether any of the houses were unoccupied. The bureau says it has made changes to improve outreach.

Pearl Developer Invests in Rental Platform

Mayor Ted Wheeler last month announced a partnership with the startup NoAppFee.com, a website designed to make it cheaper and easier for renters to apply for apartments. The company was founded by Tyrone Poole, who is formerly homeless, and lets renters apply for multiple apartments with a single background check. Now the company has a high-profile Portland investor: Pearl District developer Homer Williams. (He would not disclose the amount of his investment.) "It's going to change the way people rent apartments," says Williams.

Humane Society Director's Dog Draws Disdain

Sharon Harmon's Facebook account of her purchase of a new German wirehaired pointer, Renn, tells of the frustrations of dealing with shelter websites ("breed ID is a lost art," she writes) and the annoyance of the paperwork shelters require ("if we approve your eight-page application, we want to meet all family members"). The tale would be unremarkable except for one big thing—for the past 19 years, Harmon's been the executive director of the Northwest's largest pet shelter, the Oregon Humane Society. This year, OHS is well on its way to finding new homes for 11,000 pets. Ron Murray, an OHS critic, says it's "hypocritical" that Harmon purchased her dog. Harmon disagrees. She says she spent a year unsuccessfully combing shelters. "I don't see anything wrong with what I did," Harmon says. "I'm not displacing a shelter dog."

The Portland Mercury

North Portland's Piedmont Neighborhood Is Warring Over a Nonexistent Homeless Camp

By Dirk VanderHart

October 25, 2017

A number of residents in North Portland's Piedmont Neighborhood are looking to slap a new label on any property owner who helps a homeless camp or shelter to spring up without a formal okay from nearby residents: "bad neighbor."

Under a controversial new bylaw that appears likely come up at a Piedmont Neighborhood Association (PNA) meeting on Thursday evening, the PNA would be "forbidden from cooperating" with such a neighbor for at least five years.

No one's proposed a camp or shelter in Piedmont, but that hasn't stopped fierce debate in a neighborhood with long-standing tensions. The bylaw proposal has people on both sides of the issue rallying residents to attend Thursday's meeting to vote on the rule, and has the PNA's board chair vowing to step down if it passes.

The rules "are intended to restrict all services to the houseless and disenfranchise neighbors that aren't in traditional housing," argues Noah Brimhall, a Piedmont resident and past board member who opposes adding the bylaw.

Ryan McCarthy, a chief proponent, says the proposal is simply meant to give people living near potential projects a voice. "We want a situation whereby the people who are going to actually live with the camps are going to be the ones who actually have their say," McCarthy says.

Under the rule McCarthy and others are pushing, the PNA's board couldn't endorse or negotiate with any "proposed homeless camp, shelter, or service of any sort to be located within or adjacent to Piedmont" unless the people proposing the project gathered enough signatures from neighbors within a quarter mile of it to outweigh a petition in opposition. If "any landowner, public utility, public works department, or transportation company" agrees to host a camp without submitting the petition, the rule says they'll be dubbed a "bad neighbor." The PNA board would be banned from cooperating with them for "five years or ten times the amount of time that such a camp exists in Piedmont, whichever is longer."

Current board members oppose the suggestion, PNA Board Chair Jan De Leeuw said in an email Tuesday, adding: "I will step down if the membership votes to include it."

The Office of Neighborhood Involvement (ONI) says it's aware of the proposal—and reserving judgment.

"At this time, it is not clear what changes formally will be presented to the Piedmont Neighborhood Association," says Paul Leistner, ONI's neighborhood program coordinator. "It's also unclear whether Piedmont NA members would vote to support changes or requirements that might be proposed."

Leistner says ONI's "happy to review any questions or concerns community members have" if neighbors vote to enact the new bylaws on Thursday.

Piedmont's just the latest Portland neighborhood to experience turmoil as the city grapples with a growing homeless population.

In August, the Overlook Neighborhood Association (OKNA) was prepared to vote on a new bylaw that would prevent houseless residents of the neighborhood from having a voice in meetings. ONI sent a letter to the association, threatening to cease formally recognizing OKNA if it moved forward.

According to Leistner, the proposed rule in Piedmont doesn't raise the same concerns. De Leeuw, the board chair, disagrees.

"I would say the articles are obviously discriminatory against people whose housing situation is 'homeless', and thus it violates our anti-discrimination clause," he says. "There are no similar restrictions proposed for community housing, or for any other form of commercial or residential development."

In Southeast Portland, the board of the Montavilla Neighborhood Association earlier this year passed a resolution asking Mayor Ted Wheeler to cease homeless sweeps within the neighborhood's boundaries. The vote didn't influence city activity, but did cause a lot of drama in Montavilla.

Kenton's neighborhood association took an extraordinary step this year, voting to support the creation of a tiny-house village for homeless women. The vote was merely advisory, but helped pave the way for the Kenton Women's Village.

The Piedmont proposal is also set against the backdrop of a new city policy. Earlier this month, Commissioner Chloe Eudaly, who oversees the city's code enforcers, announced she'd largely ignore enforcement against tiny houses and RVs parked on private property (limited to one per house or duplex, and three per commercial property or religious institution).

Perhaps most relevant to the debate in Piedmont, though, is a long-simmering divide between its residents.

McCarthy and his supporters live in an area of the neighborhood known as Loveleigh, which is sandwiched between North/Northeast Lombard and the Union Pacific railroad tracks. It's small, full of dead-end streets, and no stranger to homelessness and drug use.

As McCarthy puts it: "We're not the folks in their \$800,000 houses overlooking the fountain of Peninsula Park. We're the marginalized folks by the train tracks."

According to Brimhall, De Leeuw, and McCarthy, the current squabble began in August. On an email thread, De Leeuw raised the possibility the City of Portland would ask individual neighborhoods to recommend plots of land that might be used for homeless camps—an idea that's been raised in the past. De Leeuw mentioned a city-owned parcel where North Vancouver crosses the railroad tracks.

"I thought for a moment about the area under the bridge, if it can be leveled and secured in some way or another," De Leeuw wrote at the time.

It reads as a fairly offhand suggestion, but McCarthy and other Loveleigh residents who live near the bridge saw it as an attack.

"They thought, 'Hey we'll just be able to throw this out there and those people down by the railroad tracks won't care,'" McCarthy says.

So McCarthy and others circulated a petition to oppose any placement of a camp near the bridge (though one hadn't been proposed). McCarthy also wrote up the bylaws, which he's planning to introduce for consideration at the PNA board meeting on Thursday. It's at 7 pm, at 5940 N Albina.

What's not entirely clear about the proposal is how it advances McCarthy's aims. As Brimhall points out, ceasing cooperation with an entity that's planning a homeless camp would merely ensure the PNA has no voice in how that camp develops. Other neighborhood associations have been keen on developing "good-neighbor agreements" with organized camps or shelters.

McCarthy acknowledges this, but believes that someone might think twice about crossing the neighborhood association if, say, they were relying on the PNA's recommendation while seeking a land-use change in the future.

"If you impose this on us... then why should we help you with your land-use case the next time you want to expand, the next time you want to pull zoning permits?" he says.

The Skanner

Nick Fish Builds Momentum in Reelection Campaign

*By Jake Weigler
October 24, 2017*

Portland City Commissioner Nick Fish formally filed for reelection Monday and updated campaign supporters on new endorsements, including the Columbia Pacific Building Trades Council, and early fundraising success.

Endorsements

"The working men and women of the building trades are proud to support Nick Fish's continued service on City Council," said Columbia Pacific Building Trades council executive secretary treasurer Willy Myers. "Whether it is working to create family-wage jobs, keeping utilities rates down, expanding worker protections, or supporting community benefits agreements and the equity they bring, Portlanders can trust that Nick Fish is working for them."

Fish has also secured endorsements from trusted leaders across the city. They include:

- East Portland advocates: Anita Yap, Karen Fischer Gray, Arlene Kimura, Cora Potter and Linda Robinson
- Homeless advocates: Susan Emmons and Andy Miller
- Civil rights leaders: Avel Gordly and Walter Cole (Darcelle)
- Neighborhood leaders: Thomas Karwaki, Bonny McNight, Maryhelen Kincaid, Rick Nitti and Pat Wagner
- Nonprofit leaders: Kay Toran, Paul Lumley, Jackie Mercer and Carmen Rubio
- Small Business leaders: Mike Roach and Kim Osgood, Katrina Scotto di Carlo, and Kelley Roy
- Environmental leaders: Rex Burkholder, Emily York and Steve McCarthy
- Elder advocates: Steve Weiss, Jay Bloom, Jim Davis and Verna Porter
- Community and faith leaders: Wajdi Said, Sho Dozono, Ping Khaw and Stephen Ying
- Arts leaders: Stan Penkin, Natalie Sept, Julie Vigeland, and Phillip Hillaire

Financial support

The campaign has also received enthusiastic financial support in the first five weeks, securing over \$30,000 in contributions and pledges – primarily in amounts under \$250.

Notable early donors include environmentalist Mike Houck, Portland City Commissioner Amanda Fritz, former mayor Sam Adams, Portland Timbers executive Mike Golub, and progressive lawyer Bob Stoll.

“As I balance my work at the City on affordable housing and homelessness, small businesses and protecting our environment, with my treatment for cancer, it has been gratifying to receive such strong support from people across our city,” said Commissioner Fish. “I am honored by their trust in me, and grateful beyond words.”

The Portland Observer

Less Force, More Empathy

By Danny Peterson

October 24, 2017

Changes due after report finds police use too much force

Some insiders within the Portland Police Bureau and social justice advocates outside of it are hopeful for progress in officer training that will put a greater emphasis on de-escalating conflicts between police and the public, while others are cautious about empty promises.

A group of national consultants recently found that the Portland Police Bureau is not training its officers enough in de-escalation techniques as an alternative to force, especially as it studies deadly force and investigates potential conflicts between police and the mentally ill and people of color.

The consultants wrote in early October that Portland Police training needed to put “greater emphasis to building verbal communication and de-escalation skills.” To date, however, insufficient training time and a lack of quality instruction has been devoted to these important behaviors, the report said.

By observing three of Portland’s annual police training cycles, the consultants noted how in many instances police were often escalating tensions rather than defusing them. Some of the examples involved officers trying to get suspects to follow commands by lacing verbal orders with profanity and a raised voice. While officers recorded these interactions as ‘non-force’ techniques, the consultants said they were the opposite.

The report said de-escalation techniques are those that are used to calm an agitated subject, promote rational decision making, and gain non-fear based, voluntary compliance.

“There appears to be a large-scale confusion regarding the intent of de-escalation with the bureau and the confusion has yet to be adequately rectified through training and the evaluation of force events,” the consultants wrote.

Portland civil rights organizer Jo Ann Hardesty, who has been working with police to incorporate community relations into training, told the Portland Observer that the idea of stronger de-escalation training would be “one small step in the right direction.”

Some parts of the report praised Portland Police’s progress in best practices, such as local officers conducting meetings with mental health service partners to gather input from them on how to deliver services. The consultants wrote that they “have been continuously impressed by the collaborative and respectful nature of the meetings.”

The consultants' report comes as a requirement of a 2014 settlement agreement between the city of Portland and the U.S. Department of Justice after a 2012 investigation found that police were using too much force against people with mental illnesses.

High profile cases like the police shooting death of James Chasse, who had a mental illness, and other officer-involved shootings, served as a catalyst for the investigation.

After the death of Aaron Campbell, a suicidal black man who was unarmed when he was shot by police outside his northeast Portland apartment in 2010, national civil rights leader Jesse Jackson came to Portland and called for the Department of Justice's intervention.

The city hired Rosenbaum & Associates, a Chicago firm recognized as experts in assessing police behavior and best practices, to help it improve its practices and comply with the settlement terms to reduce crisis encounters between persons with a mental illness and police.

The report found that Portland police were often confused about the difference between what's called de-escalation and force-mitigation techniques.

De-escalation can involve using calm and empathic communication before resorting to force, whereas force-mitigation can rely on commands and warnings as a first resort to stop a conflict from escalating.

Many Portland police were found to be using force-mitigation techniques when de-escalation would be more appropriate, the report found.

Portland police say they want to incorporate the consultants' recommendations into their training.

Portland Police Captain Bob Day, who was appointed in July 2016 as the new head of training at the Police Bureau, says he understands the consultants' call for better de-escalation training and is "very supportive of that," but told the Portland Observer that the desired instruction presents some obstacles.

There are only 40 hours per year allotted to officer refresher training courses and many of the core classes, like traffic training, domestic violence response, etc. are too important to cut out, Day explained.

"You know, at the end of the day, it just becomes a capacity issue. Organizationally, we are going to have to reflect and prioritize," Day said.

Day said he does not have a dedicated, formal de-escalation class, but now plans to integrate the consultant's recommendations on de-escalation "as a thread" throughout the police training curriculum.

Dan Handelman, a member of civil rights group Portland Copwatch, told the Portland Observer he believes de-escalation should be given a dedicated class, in light of the recent report.

"I think they should have a separate training for de-escalation for sure. In the same way that they have a class about a weapon that says 'here's how to use a weapon,' they should have a class about de-escalation that says, 'here's how to use de-escalation' and then integrate it," Handelman said.

He cautions that Portland Police have made reform promises in the past, but haven't always followed through on them.

“The city had a plan to eliminate racial profiling in 2009,” Handleman pointed out. “Here it is in 2017 and there’s still racial profiling in the city. We can’t keep waiting for them to fix these things when the community is being mistreated,” Handelman said.

According to an independent police report, 2016 marked a peak of community complaints about use of force by Portland Police. There were 143 use-of-force instances which is higher than each of the last five years.

At least six police shootings in Portland since 2012 were at individuals thought to be experiencing a mental illness. Though officer-involved shootings overall dropped from six in 2015 to two in 2016, conduct and force complaints have increased substantially in the same period.

OPB

Portland Plans To Fight Order To Release Union Records

By Amelia Templeton

October 24, 2017

Portland City Council is considering a legal fight to avoid releasing names of workers in one of the city’s public employee unions, Laborers’ Local 483, to an anti-union group, the Freedom Foundation.

Multnomah County District Attorney Rod Underhill has ordered the city to promptly release the names in response to a public records request submitted by the group.

The council is set to vote Wednesday to authorize the city attorney to challenge Underhill’s order in circuit court.

“The DA offered his decision, yes,” said Michael Cox, spokesman for Portland Mayor Ted Wheeler. “The city attorneys would like a court to rule on the law.”

The Freedom Foundation is a conservative research and advocacy group based in Olympia, Washington. It has campaigned against mandatory union dues, minimum wage increases and paid sick leave.

The group is seeking the names in partnership with a worker at the Bureau of Environmental Services’ wastewater plant who is unhappy with Local 483 and the new contract they signed in August.

The worker and the foundation want to organize a vote to de-authorize Laborers’ Local 483, which represents about 1,000 workers citywide, including parks, street maintenance, water and sewer workers.

“We said we would be willing to help him with this, and one of the steps we needed to take was to request the names of the bargaining unit,” said Aaron Withe, Oregon assistant director for the Freedom Foundation.

The record request is one of approximately 10 pending record requests the group is pursuing related to union membership in Oregon, including requests that were recently granted in Jackson County and Josephine counties.

In Oregon, union members have a 90-day window after a new contract takes effect to petition for a de-authorization vote. It takes 30 percent of the membership to call a vote. If a majority of the

members vote to de-authorize, the union can no longer require workers who opt out of union membership to pay dues.

The Willamette Week first reported on the sewer worker's effort to de-authorize his union last month — and the union's anger at his alliance with the Freedom Foundation.

“We have folks, whether they are new or whether they have been a member for decades, who have bargained up their wages, benefits, working conditions to what they are over a long period of time,” said Farrell Richartz, the business manager for Laborers' Local 483.

“When you have an anti-union organization looking to defund unions in order to tear that down, that's not public interest to me, that's just b———,” Richartz said.

The Freedom Foundation shared numerous documents related to the public records request with OPB.

Included in the documents, Ben Straka, a Freedom Foundation staffer, submitted a public record request seeking names of Local 483's members Aug. 14. A staffer with the city of Portland's human resources department initially said she would fulfill the request, and Straka agreed to pay \$156.14 to get a current list of the names.

Then, an attorney working with Laborers' Local 483 contacted the city's attorneys and HR department and urged them not to release the information.

He argued that the city should consider the Freedom Foundation as a competing labor organization, because it was representing the interests of some city workers.

“Any assistance to that organization (named erroneously the Freedom Foundation) would be unlawful assistance to a labor organization,” wrote David Rosenfeld, the union's attorney.

The city then reversed its position and denied Straka's public record request, claiming the names were exempt from disclosure because a person's union membership constituted private information, and because the city could face an unfair labor practice complaint.

Straka appealed the denial to District Attorney Rod Underhill.

In letter defending the city's position, Senior Deputy City Attorney Heidi Brown said that members of the union feared harassment by the Freedom Foundation if their names were released.

Brown cited the case of one union member who lived a “non-traditional lifestyle” with a partner and wrote “I do not wish to be harassed because of who we were born to be” and of another union member who did not want her name disclosed because she is a domestic violence survivor.

But Underhill disagreed that union membership is personal information, covered by a blanket exemption from disclosure.

The city and the Freedom Foundation have already agreed that the record request will not include the names of 15 workers who voiced more specific privacy concerns.

Underhill noted that in a similar case, he ordered the city to give the names of non-union members to labor organizers. “We cannot in good faith reach a different result simply because it is a union that now objects to the information being released,” Underhill wrote.

Underhill also disagreed with the argument that releasing the names constituted an unfair labor practice, and said that the city's labor agreements do not take precedence over state public records law.

A draft resolution that will come before the city council for a vote Wednesday authorizes city attorneys to challenge Underhill's order.

"The commitment to open government must be balanced with the right of employees to make private decisions about whether to be a union member or fair share, along with the right of the existing labor organization to represent its members without interference from the city," the resolution states.

Any further delay in releasing the records may in effect undermine the Freedom Foundation's effort to roll back mandatory union dues for workers in positions represented by Laborers' Local 483.

Portland City Council ratified the union's new contract on Aug. 30. The union members who want to de-authorize have until the end of November to collect signatures in order to call a vote on the issue.

"The laborers' union here has definitely been working with the city to block this request, and not only block it but challenge it and drag it out so that deadline does go by," said Withe, of the Freedom Foundation.

Withe says his organization will find other ways to identify and contact union workers if they do not get the list of names in time to collect ballots for the de-authorization vote.