

The Portland Tribune

Eudaly: ADUs Could Aid Portland's Housing Crisis

By Steve Law

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Commissioner eased ban on tiny houses, RVs, but favors ADUs as pivotal for addressing affordability problem

Portland city Commissioner Chloe Eudaly got a heap of praise — and some criticism — for her Oct. 16 announcement that the city will relax enforcement of its ban on living in tiny houses and RVs on private property.

But the commissioner views RVs only as temporary lodgings during the housing emergency, says her Chief of Staff Marshall Runkel, and tiny houses as a modest solution to the city's affordability crisis. Where she sees the most potential to address the crisis, Runkel says, is accessory dwelling units, particularly a pending proposal to allow two ADUs on many lots.

"We just need to ramp it up," he says. "The goal is let's not talk about hundreds. Let's talk about thousands."

If Portlanders could provide one affordable ADU on every block, Runkel says, that's 25,000 units.

ADUs — often called granny flats or mother-in-law apartments — are separate dwelling spaces often located in basements, attics, or converted garages. Others are separate cottages on peoples' lots, with up to 800 square feet of space.

Portland already is the national leader in ADU development, and basically allows one on every single-family lot. ADUs have provoked far less controversy in Portland than RVs, infill apartments and other proposed housing solutions, and they enable people to remain in close-in neighborhoods that are now out of many peoples' price range.

The city's Residential Infill Project, now being debated by planners and neighborhood leaders, proposes to allow one freestanding ADU plus another inside the home on single-family lots within a quarter-mile of a transit route or other designated areas. That would cover nearly 60 percent of all single-family lots in the city.

Why not try something new? Runkel asks, at a time when there's a widening gap between rich and poor.

"We have almost full employment in our city (while) the homeless population is increasing," he says. "That's crazy."

Backlash minimal

Runkel says they expected less complaints than expected after Eudaly's announcement that the Bureau of Development Services, which she oversees, will stop responding to most complaints about people living in RVs and tiny homes when they're on private property.

"People get it," he says. "Everyone understands that we need to do something."

And with ADUs, people can do something instead of relying on government to provide all the answers, he says.

Using his own house in Portland's Eliot neighborhood as an example, Runkel figures if he could get the financing, he could create one ADU inside his house and one in the yard, both for less than \$200,000, with loan payments in the range of \$1,500 to \$1,600. Then he could rent out both units for \$800 to \$900 a month, enough to pay off his loan.

"It's absolutely a home run if you do that," Runkel says.

Some people complain that Portlanders are getting fee waivers to build ADUs and then using them as spendy short-term rentals via Airbnb. Those fee waivers, which are up for renewal in July, exempt ADU builders from paying system development charges, often saving them \$15,000 or more.

Runkel says Eudaly will support the extension of the fee waivers only for people who use ADUs for long-term rentals. Another idea she favors: allowing limited property tax abatements for providing affordable rental properties, such as ADUs.

Knockdowns different

Many neighborhood leaders are critical of the Residential Infill Project, which also would promote duplexes, triplexes and other small apartment units, saying it will just provide more pricey housing beyond the reach of most renters.

Runkel says the notion that the housing crisis will be solved just by adding to the number of units for rent is "not in the vicinity of true." When you knock down existing homes and build new ones, that's not likely to lead to affordable housing, he figures.

Eudaly would like to make it harder to demolish homes, he notes, and that's one of the hot-button issues that have aroused neighborhood ire.

On the other hand, "Our office is supportive of loosening the rules to allow adapting existing housing stock," Runkel says, because converting existing properties into ADUs can be done in a more affordable manner.

His vision: Use lower-cost housing like ADUs to provide shelter for those earning 60 percent to 80 percent of median income. Then use government money to house those who are poorer, and require special services such as addiction and mental health treatment.

Financing roadblock

One of the huge barriers to new ADUs is the difficulty of getting bank loans, though Runkel notes there is promise from a relatively new loan product by Umpqua Bank. Ironically, banks are more willing to loan to owners of a tiny house on wheels, because the vehicle can be reclaimed if the borrower doesn't make loan payments. That's tricky when ADUs are inside someone's house or on a lot next to another house with a separate mortgage.

"People should be able to get a loan to get an accessory unit," Runkel says. He wants to explore a program similar to one used in California for clean energy loans, where lenders can get some security for their loan via the underlying property. The California program resulted in \$3 billion in loans in the first two years, he says.

The new Bureau of Development Services director will create a team to develop some ADU proposals, Runkel says. The bureau also will work on building code issues so that tiny homes can become permanent housing.

Treating RVs differently

Tiny home experts estimate there are about 100 tiny homes inside city limits. The Portland Bureau of Transportation estimates there are between 650 and 750 RVs used for lodging on city streets.

RVs weren't built to be permanent housing, Runkel says, which is why Eudaly's staff views them differently than tiny homes. He also pointed out there are very different public opinions about the two forms of housing.

RVs "touch a nerve in the city," he says, in part because folks have been dumping decrepit ones on streets, abandoning them or allowing them to be used as long-term residences. "So, they've become a powerful symbol for people," he said, and it's generally a negative one.

The prevailing attitude toward tiny houses, which tend to be new, more stylish and made of wood, is clearly different. Runkel acknowledges there's a class difference at play in some cases. "The tiny house community has more resources than people who are living in an RV."

Eudaly would like to enfold debate over tiny house standards into the ongoing Residential Infill Project, because there are similar issues facing those housing types.

In contrast, the ban on living in RVs could resume when the housing emergency ends, Runkel says.

"I think the vision is that tiny houses become a permanent part of the landscape, and the RV stuff tracks more with the housing emergency."

Sources Say: Identity Politics in City Council Race

By Jim Redden

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Plus, Portlanders disturbed by homeless crisis and former reporter runs for county auditor

The long tradition in Portland of tolerating any candidate's run for office, no matter how little hope they have, may not extend to the race to succeed outgoing Portland Commissioner Dan Saltzman.

There has never been a woman of color on the Portland City Council. And now three are running to succeed Saltzman: former state lawmaker Jo Ann Hardesty, Multnomah County Commissioner Loretta Smith, and City Council staffer Andrea Valderrama.

That dynamic caused the recent announcement of 30-year-old Spencer Raymond's candidacy to be met with vitriol and mockery on his campaign Facebook page, with commenters noting he is a white male with no political experience. One noted his position as head coach of the Lake Oswego ski team, and said, "This is just satire or some kind of performance art, right?"

Raymond, who owns the Civic Taproom and Bottle Shop near Providence Park, quit his job at OPB to join the race. Sources Say wonders whether he regrets it.

Portlanders disturbed by homeless crisis

A recent poll on homeless issues found that most Portland-area residents do not believe government is doing enough to solve the problem.

The SurveyUSA poll of 500 adults in the region was conducted between Oct. 6 and 9 for the Homeless Town Hall produced and broadcast by KATU-TV on Oct. 17. It found that 83 percent of respondents believe there are more homeless in Portland now than five years ago; 59 percent

say the homeless situation impacts their decision to go downtown; and 56 percent say they avoid parts of town because of homeless camps and panhandling.

The poll also found that 78 percent believe Portland city government needs to do more to reduce homelessness and 77 percent say the same about Multnomah County government. But only 37 percent say they are willing to pay more taxes for that to happen. At the same time, 67 percent support building more affordable housing in their neighborhoods and 50 percent support opening a homeless shelter there.

The results are similar to a DHM Research poll commissioned by KGW-TV for its Oct. 9 special on homeless issues titled "Tent City USA."

Former reporter runs for county auditor

It isn't unusual for a journalist to go to work in communications for government agencies or elected officials. But it is less common for a journalist to run for office, which happened when former Oregonian reporter Scott Learn announced he was running for Multnomah County Auditor last week.

As it turns out, Learn was an auditor for the accounting firm Price Waterhouse before he became a reporter. And he now is a senior performance auditor of the Oregon Audits Division. Already in the race are two employees of the auditor's office, Jennifer McGuirk and Mark Ulanowicz.

Oregon voters are not opposed to electing journalists to office. Tom McCall worked at KGW-TV before he was elected governor, and state Sens. Mark Hass, Ginny Burdick and Lew Frederick also were reporters before they ran for office.

Why did Police Wait to ID Suspect Shot by Officer? 'Incident a Little Different'

*By Brent Weisberg/KOIN 6 News
November 1, 2017*

Chase Peoples wasn't identified by Portland police until six days after he was wounded after a North Portland robbery.

Questions have been raised about why it took the Portland Police Bureau 6 days to release the name of the person who was shot by an officer after he reportedly robbed a bank and a check cashing store.

On Tuesday, 6 days after the shooting, the police bureau publicly identified Chase A. Peoples as the individual responsible for the Oct. 25 robberies that occurred at the Ace Check Cashing and U.S. Bank in North Portland.

The bureau released the name of the involved officer on Oct. 26 — one day after the shooting. Officer Ryan Reagan, a 19-year-veteran of the force, remains on paid leave, which is standard following any use of deadly force.

Peoples, meanwhile, remains at a hospital. In a statement released Oct. 31, Sgt. Chris Burley, a police spokesperson, said that Peoples is being treated for non-life-threatening injuries.

Typically, police wait to release the names of officers and suspects in officer-involved shootings until at least 24 hours following the incident, or until the suspect is formally charged, which triggers a set of legal requirements for prosecutors.

Burley, speaking with KOIN 6 News Wednesday, said that "this incident is a little different than other incidents."

To read the rest of this story, go to <http://koin.com/2017/11/01/ppb-explain-why-they-waited-to-id-suspect-shot-by-officer/>

The Portland Mercury

Loretta Smith is Raking in Cash for a City Council Run

*By Doug Brown
November 1, 2017*

Is She Allowed to Keep Her County Job While Campaigning?

Next year, Loretta Smith will find herself somewhere she's never been: on a City of Portland ballot.

The two-term Multnomah County commissioner announced last month she'll be running for Commissioner Dan Saltzman's seat in the May primary. Smith has campaign logos and slogans on her Facebook page, and a website: lorettaforportland.com. Her candidate committee is raking in thousands of dollars in contributions from deep-pocketed developers. She's got a campaign staff.

But to hear Smith's campaign consultant tell it, she is not currently running for city council.

"She's indicated she intends to run for Portland City Council," consultant Jake Weigler told the Mercury last week. "She has not formally filed for office."

Weigler—and Smith, who referred all questions to him—have reason to be cautious. Under Multnomah County rules, Smith would need to give up her current position if she begins a formal run for City Council before January.

But the current limbo the commissioner finds herself in comes with fraught questions—especially after voters enacted strict campaign finance limits for Multnomah County elections last year. Smith's raising money as if she were running for city office, and disregarding those new county limits in the process. But she's not technically filed to run for city office.

To some observers, it looks like Smith is breaking the rules.

"There appear to be violations," says Seth Woolley, state secretary of the Pacific Green Party. "Once you start behaving like a candidate, you have to resign."

The difficulties for Smith have roots in a patchwork of complex laws governing her activity.

Multnomah County's charter states that no elected official "may run for another elective office in midterm without resigning first." An elected county official is no longer considered "midterm" in the last year of their term. Smith still has two months to go to reach that mark.

The charter also says that "filing for another office in midterm shall be the same as a resignation." Smith is emphasizing the term "filing" to skirt this. She can keep her seat while raising thousands of dollars and publicizing her campaign, her team says, as long as the formal paperwork isn't in yet.

That's complicated by the Secretary of State definition of a "candidate," which is someone who has either formally submitted proper forms to be on the ballot or someone "whose name is

expected to be or has been presented, with the individual's consent, for nomination or election to public office."

Using the state's definition, is Smith a candidate for city council? "You'd need to consult an attorney," Weigler says. "We are in full compliance with state and county rules."

Then there's the matter of contributions to Smith's campaign committee, including \$10,500—from two construction companies, an investment firm, and the CEO of a development company—that she accepted in October, just weeks after her announcement that she'd be running for council.

"She's raising money into her PAC for a future run for political office," Weigler says, declining to say if a \$4,000 check from Leader Capital Corp, checks for \$2,500 apiece from Pacificmark Construction Corp and O'Neill Construction Group, and a \$1,500 check from GSL Properties CEO Walter "Skip" Grodahl were meant for her city council campaign.

Those contributions raise questions for campaign finance reformers because of the designation that's still attached to Smith's campaign committee: county commissioner. Candidates for elected office at the county level have to comply with the strict restrictions approved last year. The rigid caps began in September, though a county judge has yet to rule if the limits are constitutional.

Under the new campaign finance rules, Smith wouldn't be able to accept the \$10,500 in contributions detailed above.

Another question is whether Smith is allowed to maintain the "county commissioner" designation even as her committee hauls in cash for a city council run. Under state law, once she began accepting contributions for a city council race, she should have changed her committee's paperwork with the secretary of state to indicate her "office sought" is city commissioner.

"We're in the process of updating our campaign information," Weigler says. "She's term-limited out of that position so I think it's a safe assumption that she would not be running for that office."

Weigler sent the Mercury a list of 10 other Oregon politicians, including Gov. Kate Brown and County Chair Deborah Kafoury, who also didn't amend their candidate committee forms with up-to-date information as prescribed by state law.

Even so, Smith's recent campaigning has caught the attention of the central backers of the new campaign finance reform laws.

Woolley says he's investigating Smith for campaign violations and may file a complaint when he's done. He previously filed a complaint against then-Mayor Charlie Hales, alleging that Hales wasn't a legal Portland resident when he voted in Oregon while filing taxes in Washington prior to his election.

The race for Saltzman's city council seat will be competitive. Jo Ann Hardesty, president of a Portland NAACP chapter and a former state representative, was the first viable candidate to announce a run. Andrea Valderrama, a staffer for Mayor Ted Wheeler and David Douglas School Board member, joined in later. Former council candidate Stuart Emmons is also raising money for a run.

Of course, those other candidates don't have a pesky county charter to worry about.

The City's Fighting to Shield Union Members' Names from a Right-Wing Group

By Dirk VanderHart

November 1, 2017

But Just Two Months Ago, Officials Said They Were Public Records

NOT LONG AGO, sleek flyers showed up in common areas at Multnomah County headquarters, bearing annoying news for members of the county's largest labor union.

"In June, the 'Freedom' Foundation, a billionaire-funded anti-worker organization, submitted information requests to several counties and municipalities, requesting the names and personal information of employees within the employer's bargaining unit," read a message from American Federation of State, County and Municipal Employees (AFSCME) Council 75. "Due to public information laws, they are able to do so."

The concerns were obvious: Armed with union members' names, the right-wing Freedom Foundation has routinely made phone calls and knocked on doors, hoping to convince them to stop paying full union dues. It's an attempt to destabilize labor and reduce unions' ability to fund campaigns and influence policy.

Multnomah County's AFSCME employees weren't alone. The Olympia-based Freedom Foundation made the same request of the City of Portland, and got the same information.

That's odd, because just two months later, the City's going to court to argue union members' names can't be released to the public.

Following a unanimous vote by Portland City Council last week, city attorneys have filed a complaint in state circuit court. They're attempting to skirt an order to release the names of members of another public-employee union, Laborers' Local 483. It's a case that could hamper access to records that have typically been considered public, and decide to what extent contracts with labor unions dictate what's released.

Ben Straka, a policy analyst for the Freedom Foundation, first asked for the Local 483 names on August 14, and initially seemed likely to get them. On September 11, a Bureau of Human Resources employee informed union members that the data would be released, saying, "This information is considered public under the ORS 192 (the Oregon Public Records Act), and must be provided."

Two weeks later, the City's perspective had shifted. In a September 27 email, Deputy City Attorney Heidi Brown said the names of union members were exempt from disclosure and wouldn't be released.

Straka appealed to the Multnomah County District Attorney's office, which ordered the city to release the records. In a civil complaint filed last Thursday, the city is fighting that order.

According to Brown, the inconsistent city responses have to do with who handled the requests. She says the person who fielded the AFSCME request "didn't fully understand the scope of protection of that information."

"Once the Laborers' request came in, the mistake was realized," Brown says. "We certainly weren't going to compound it."

More importantly, Local 483 had gotten its attorneys involved. On September 14, union lawyer David Rosenfeld sent a letter arguing that releasing member names wasn't allowed, saying it

violated their privacy and could affect “the working conditions of the Union’s members.” The union threatened to file a formal complaint with state labor officials if the names were released. “They’re an anti-union, anti-worker group,” says Local 483 Business Manager Farrell Reichartz. “We’re interested in protecting the rights and privacy of our members.”

The union’s urgency is due at least in part to a unique circumstance: The Freedom Foundation has allies among Local 483’s ranks.

A group of wastewater workers unhappy with the union’s representation called in the foundation for help earlier this year, a development first reported by Willamette Week. The employees are hoping to gather enough signatures to force a vote on whether workers can cease paying dues to Local 483 altogether (under the current contract, even unwilling employees pay “fair-share” dues to fund union bargaining efforts on their behalf). A list of names could make that process easier.

“There is no legitimate public interest to releasing this information to the Freedom Foundation,” Local 483 representative Ted Bryan told city council last week. “The values of this organization are not in line with the values of the citizens of the City of Portland.”

Brown tells the Mercury the city’s refusal to release the names comes down to the fact that some union-represented employees don’t want to be identified as such.

“We felt that that decision to choose to engage in [a union] or choose to not engage is a private decision that somebody makes,” she says.

Portland’s not the first jurisdiction to make such claims. Earlier this year, both the City of Medford and Josephine County denied Freedom Foundation requests for AFSCME members’ names, citing personal privacy. In both cases, the governments were ordered by district attorneys to release the lists.

What’s particularly confusing about the city’s response to Straka’s request is that it doesn’t address what he’s asking for. Straka requested “the names of all employees who are represented by Laborers’ Local 483” (excluding seasonal workers). That doesn’t distinguish between “members” who pay full dues and “fair-share” employees who pay only enough to be represented, he says.

Brown states in her denial that the city won’t release the names of employees who are full-on members of the union. She says she’d be happy to release all the names of employees the union represents. Straka says that’s what he’s asking for, anyway.

Further complicating matters, the Freedom Foundation filed a lawsuit of its own on Monday, asking a judge to compel Portland to produce the records.

“Less than two months ago the City properly applied the law and disclosed virtually identical records,” Straka contended in an October 25 letter to Portland City Council. “Now it appears the City is ignoring its own precedent.”

Hall Monitor: The Hirer Gets Fired?

*By Dirk VanderHart
November 1, 2017*

Portland’s HR Director Just Resigned Abruptly. Her Replacement Was Picked Months Ago.

CITY HALL staffers and labor union representatives were caught off-guard last week when the city's human resources director signaled an abrupt departure.

Anna Kanwit, a city employee of 26 years who's helmed labor negotiations and staff recruitment for the city since 2012, announced the news in an October 25 email first reported by the Mercury. "I am resigning my position as the [Bureau of Human Resources] Director, effective November 30," she wrote.

Not retiring, mind you, resigning—a term often associated with directors being shown the door.

"Anna was talking about retiring next year, so it is strange to see the term 'resignation' versus 'retirement,'" Rob Wheaton, an AFSCME representative, tells the Mercury. "This is something that seemed a bit far off the last time I discussed it with her."

Kanwit didn't respond to inquiries, and Mayor Ted Wheeler's office stuck to terse well-wishing, so we're not certain why the sudden resignation happened. But it was hard not to see a connection to Kanwit's fraught relationship with the city's labor unions.

Less than a week before she announced her resignation, the city's largest union group voted to potentially strike if a contract couldn't be hammered out. Labor types grumbled that Kanwit wouldn't show up for bargaining sessions, or would bargain in bad faith when she did.

It's entirely possible Wheeler and his chief administrative officer, Tom Rinehart, felt the strike warning was a last straw for Kanwit. Equally clear is that Wheeler and Rinehart were ready for her departure.

Proof of that came last month, when the woman who'll be replacing Kanwit made her first presentation to Portland City Council.

Serilda Summers-McGee was hired as an assistant HR director in July, having served in similar roles at Prosper Portland, the Oregon Department of Education, and Kaiser Permanente. And on September 12, as she presented her impressions of the city's recruiting practices to council, Summers-McGee strained to be polite.

"I've been in recruiting for a very, very long time," she said, "and I can understand what high-functioning recruitment looks like and what slightly less high functioning recruitment looks like."

Portland, she made clear, was the latter.

Summers-McGee spoke of job openings that took four weeks simply to post to the web, of positions that went unfilled for more than four months, and of city staff who believed the HR bureau was doing more harm than good.

Then Summers-McGee vowed to fix things.

"What's before you are the changes that I am committing that Bureau of Human Resources will be able to employ fairly quickly," she told council, setting out a series of improvements and speaking of recent hires she'd already made.

Kanwit's name was barely mentioned, and when Summers-McGee finished, councilmembers present glowed.

"That," said Commissioner Nick Fish, "was quite a debut."