

# The Portland Tribune

## Parasite found in Bull Run before

*By Jim Redden*

*November 22, 2017*

EPA didn't regulate cryptosporidium levels until 2006, but findings were reported.

Portland Water Bureau officials say they are puzzled why a potential disease-causing microorganism known as cryptosporidium has been found in Bull Run Reservoir water at least 27 times this year.

But it shouldn't be all that surprising considering that "crypto" previously was found in Bull Run water 45 times between March 1999 and November 2002, although not covered by the press at the time.

Those earlier findings did not trigger any state or federal reactions, because the U.S. Environmental Protection Agency didn't regulate crypto until 2006. The Portland Water Bureau included the findings in the annual Water Quality Reports it mails to all customers, though it was not required to do so at the time.

"The EPA was writing its rules during that time, but did not publish them for public comment until 2003," explained Edward Campbell, the Water Bureau's director of resource protection and planning.

By 2012, the Oregon Health Authority thought Bull Run water was so clean that it was considering whether to grant the city a variance from EPA rules that require open public water sources to be treated for crypto.

The parasite had been detected in the water in December 2011 and January 2012. But those samples were found in tributaries and not the intake site. The new findings prompted the health authority to reopen the public comment period on the variance from Jan. 25 to Feb. 8, 2012.

In the end, most commenters supported the variance, in large part because the strains of crypto in the Bull Run Watershed are not likely to harm humans. Although crypto is found in the scat of many animals, the strains most likely to harm humans are carried by livestock and other humans, both of which are barred from the watershed, except for a small number of Water Bureau employees and authorized visitors.

In part, because so little crypto had been found in the Bull Run water after the EPA regulations took effect, the OHA granted the variance in April 2012. Among other things, it required the Water Bureau to test for the parasite — both in the water and in animal scat in the watershed — and to publicly announce any positive findings.

After the variance was granted, crypto was not found in Bull Run water until it was detected in a sample drawn on Jan. 2, 2017. Then it was found in 11 more samples drawn through March 12, prompting the health authority to announce it was revoking the variance, effective Sept. 22. After that, crypto was not found again until a Sept. 24 sample. Then it was detected in 12 more samples. The most recent finding, as of presstime, was on Nov. 8.

But crypto repeatedly was found in the watershed that surrounds the reservoir after the variance was granted. The required scat tests have found crypto in every animal whose scat is on the study list. The positive finding rates vary greatly between all of the other animals by year, with the highest being 67 percent for cougars in 2016.

A strain of crypto potentially harmful to humans — *C. parvum* — has only been detected four times in scat samples collected in the watershed. Just one of the positive findings occurred after 2006, when the EPA began regulating crypto.

The timing of the positive samples found in the water strongly suggests crypto is being flushed into the water supply by heavy rains. However, Water Bureau officials do not know why this did not occur more often over the past 15 years.

One possibility is that the percentage of crypto found in animal scat in the watershed has increased over time. According to the results of tests required by the variance, positive findings have steadily increased from 12 percent in 2014 to 21 percent in 2017.

But the scat collection method is not scientific and the test results may not accurately measure the percentage of animals with crypto every year. (A previous Portland Tribune story incorrectly said the percentages had gone up and down over the year instead of continuously increased.)

Despite the ongoing increase in positive findings, the Water Bureau and Multnomah County Health officials continue to say Bull Run water is safe to drink. Not only are the crypto strains in the watershed unlikely to harm humans, but the amount of crypto detected in each positive finding is very low. Those with compromised immune systems are advised to consult their doctors, however.

And the city has the option of switching to the emergency groundwater wells along the Columbia River, where crypto is naturally filtered out of the water.

After the health authority announced it was revoking the variance, the City Council voted to approve a long-term fix: construction of a filtration plant. That could cost up to \$500 million and take 10 years to complete.

## **Business owners voice homeless concerns to city leaders**

*By Cole Miller/KOIN 6 News  
November 22, 2017*

### **City leaders held a special meeting Tuesday for downtown businesses and may prohibit camping in some locations.**

Business owners voiced their concerns about the growing homeless problems in downtown Portland to city leaders Tuesday afternoon.

Mayor Ted Wheeler, Portland Police Chief Danielle Outlaw and Multnomah County Sheriff Mike Reese were among those at the invite-only town hall for downtown business owners.

A Standard Insurance representative said employees feel unsafe downtown and worry about the long term affect of homelessness. The owner of the Portland Spirit said he hears from customers who say they won't come back because they are afraid walking to their car after a dinner cruise.

"I think you people need to visit us and further to that, like on Sunday night when I was broken in to, police officers responded, very polite, they more or less tell us there's nothing you can do," said Kevin Pilla, owner of Budd+Finn.

The meeting comes after Columbia CEO Tim Boyle spoke out about SOREL employees feeling unsafe at their downtown headquarters and at least one small business had to close after repeated issues with the homeless.

Pilla said he may also close his doors after 4 year. He said a homeless person broke into his store on Sunday but it wasn't the first time.

The general manager of the Lloyd Center said "security costs are staggering" for the mall. He asked for additional patrols saying, "you have no idea how positive an effect that is."

Outlaw said the police bureau is working to get more officers on the streets.

"We're pushing for more staffing and it's not something that happens overnight," Outlaw said. "It takes about 18 months to get one officer up and ready."

Wheeler also said he wants to see more officers on the streets community policing, but not just in downtown.

"Walking patrols means there's an opportunity to build community trust," Wheeler said. "If people see a police officer, they know that inherently reduces opportunistic crime. That's a proven fact."

Wheeler was not available to comment after the meeting, but his spokesperson told KOIN 6 News the city is working on a few steps in response.

"We have to take those concerns seriously," Michael Cox said. "What we are trying to say in response by bringing folks together in this room tonight is we understand and we're doing something about it."

Cox said soon some parts of downtown labeled "high pedestrian zones" may not allow overnight camping, including on sidewalks and doorways.

KOIN 6 News is a news partner of the Portland Tribune. You can see their story at [koin.com/2017/11/21/business-owners-voice-homeless-concerns-to-city-leaders](http://koin.com/2017/11/21/business-owners-voice-homeless-concerns-to-city-leaders).

## **Wheeler seeks 5 percent cuts in next budget**

*By Jim Redden  
November 21, 2017*

### **Mayor says the city needs to save money to pay for cost increases, like salary and PERS premium increases.**

Mayor Ted Wheeler has directed general fund bureaus to cut their proposed budgets for next year by 5 percent. Wheeler included the request in the directions he has sent to all bureaus to help him prepare the next budget he will submit to the City Council this coming spring.

Although city revenues are at an all-time high, Wheeler says the City Budget Office is projecting a potential deficit of up to \$25 million because of increasing costs, including raises in new union contracts and higher Public Employee Retirement System contributions.

"Despite this great abundance, the City's budget continues to operate at a deficit as costs continue to grow faster than revenues," Wheeler wrote to all city elected officials and budget directors on Nov. 17.

Wheeler also said he wants to increase funding for such priorities as homeless services, affordable housing, and infrastructure maintenance.

"As demand for housing outpaces supply, rents and home prices are pushed higher, creating housing pressures and increasing the overall cost of living in Portland. Addressing our housing

and homelessness crises, along with providing adequate resources to public safety and critical infrastructure, will require hard choices," Wheeler wrote.

But Wheeler also said some cuts should also improve city operations.

"Bureaus should submit reduction options that identify efficiencies, reduce or eliminate noncor services or services that do not scale well, eliminate City-imposed mandates that have not resulted in demonstrable benefits, and reduce indirect costs and administration that do not harm front-line services," Wheeler wrote.

The December revenue forecast will have more accurate projections. According to Wheeler, it is likely to include one-time revenues that can be spent on specific projects, such as technology improvements.

General fund dollars are the most discretionary and come from such sources as property taxes, business license fees and utility fees. Bureaus that generate their own revenues are exempt from the 5 percent reduction requirement, but as expected to submit prudent budgets.

You can read Wheeler's directions at

[file:///Users/jredden/Downloads/Mayors%20Guidance%20Final.111717%20\(1\).pdf](file:///Users/jredden/Downloads/Mayors%20Guidance%20Final.111717%20(1).pdf)

## **Willamette Week**

### **Neighborhood Association Accuses Portland City Planners of Breaking State Law**

*By Rachel Monahan*

*November 21, 2017*

**A letter says five commission members work "principally" in real estate—two more than state law allows.**

A neighborhood association has accused Portland City Hall of breaking state law and city code by appointing too many real estate professionals to the Planning and Sustainability Commission.

The letter, sent Nov. 17 on behalf of the Multnomah Neighborhood Association in Southwest Portland, says five commission members work "principally" in real estate—two more than state law allows.

"We are requesting that the City act immediately to correct the membership violations by replacing at least three of the five members [...] with citizens who can broadly represent the interests of the general public," writes land-use consultant Eben Fodor.

The complaint hinges on whether three of the members—two lawyers and an architect—work in real estate as their main job.

City officials say that those three of the members don't count as real estate professionals for purposes of the commission.

# Should a Portland City Council Seat Be Reserved for a Woman of Color?

*By Rachel Monahan*

*November 21, 2017*

**A range of left-wing Portlanders are pressuring straight white men to stay out of the campaign.**

When a young man with a slim résumé entered the race for the Portland City Council last month, he was met with outrage from social justice advocates and local officials.

His offense? Mostly his gender and his race: He's white.

Spencer Raymond, 30, a former Oregon Public Broadcasting newscaster who owns a West End taproom, entered a race in which three women of color were already vying for the seat held by retiring Commissioner Dan Saltzman.

The backlash against Raymond was so intense it drew pity from one of the women he's facing, NAACP of Portland president Jo Ann Hardesty.

"I felt sorry for the gentleman from OPB, because people were being unduly harsh on him," says Hardesty. "Anyone who wants to run should be able to run. I suspect there will be 10 to 12 people in the race by the filing deadline in March, and I suspect there will be white men and people of all colors, and I'm excited about it."

Not everybody is so welcoming. A range of left-wing Portlanders are pressuring straight white men to stay out of the campaign.

Jo Ann Hardesty, Loretta Smith, Andrea Valderrama and Spencer Raymond are all running for the City Council. Jo Ann Hardesty, Loretta Smith, Andrea Valderrama and Spencer Raymond are all running for the City Council.

In its hundred-year history, Portland has never elected a woman of color to the City Council. The prospect of that happening next year has created an unexpected dynamic in the campaign.

It's an inversion of the typical racial politics in homogeneous Portland, which have tended to discourage candidates of color. (Portland remains one of America's least diverse major cities: 78 percent of residents are white, according to 2016 U.S. Census figures.)

Social justice activists and longtime political hacks are joining forces to argue the city would be better off if a white man isn't elected again.

"I really hope that we do elect one of the three very highly qualified women of color," says Rich Rodgers, a onetime City Hall staffer for then-Commissioner Erik Sten. "It's important to have a diversity of life experiences."

It doesn't seem to have discouraged Raymond, who is still in the race.

"Everyone running for City Council is doing so because they care about the future of Portland," says Raymond. "I have tremendous respect for the other candidates, and I hope Portlanders consider everyone's ideas before voting."

Yet at least three other white men have hesitated to enter the contest—two of them because they're reluctant to run against women of color.

Metro Councilor Sam Chase publicly weighed a bid, then last month rejected a run, citing the need for diversity. "It's been 25 years since there was a person of color on council," Chase said. Trial lawyer Thane Tienson is still mulling a run, but says promoting a diverse City Council is a priority for him. Stuart Emmons, an architect who ran for the council in 2016, has raised more than \$60,000 but hasn't said if he'll seek Saltzman's seat and denied he's staying away because of racial politics.

Hardesty was the first candidate to enter the race, challenging Saltzman before he decided not to seek a sixth term. She's been joined by Multnomah County Commissioner Loretta Smith, who is also black, and Andrea Valderrama, a Latina who is a senior policy adviser to Mayor Ted Wheeler. (A white woman, Felicia Williams, is also running, but has a lower profile.)

Like Hardesty, Smith and Valderrama say no one should feel discouraged from entering.

"Part of why I am running is that I believe a woman of color would bring a needed perspective and insight to the council," says Smith. "At the same time, I believe no one should be discouraged from running."

But that's not how it worked out for Raymond when he launched his candidacy Oct. 23. A bevy of progressives—from social justice activists who police Twitter to elected officials—jeered him on his own Facebook page.

"You're clearly going to need to answer the question of why you've decided—as a straight, able-bodied, middle-class white man—to run against three qualified women of color," racial-justice activist Cameron Whitten wrote.

"Spencer, do yourself a huge political favor and don't run," added Oregon state Rep. Diego Hernandez (D-Portland).

Hernandez, who has endorsed Valderrama, tells WW white men have the right to run against women. "'Is it politically strategic for you to run?' is a different question," Hernandez says.

Raymond's online shaming has gained him new fans. The right-wing extremist website Infowars ran a story that included screen shots of the abuse Raymond was taking on Facebook. Alt-right readers flooded Raymond's Facebook page to support his candidacy. "It's OK to be white," multiple users wrote.

Hardesty says she fears that white supremacists are now more vocal and will play a role in the primary.

City Hall, Dan Saltzman, Jo Ann Hardesty, Loretta Smith, Andrea Valderrama, Felicia Williams "[Raymond] was getting it from all sides—from the left and the right. That was unfortunate," she says. "I almost sent him an email saying, 'It's OK. If you want to run, run.'"

## **Uber Getting Kicked Out of Portland? Fat Chance, Say City Leaders**

*By Rachel Monahan  
November 22, 2017*

**The odds for staying in Portland are in the ride-hailing giant's favor.**

Uber is increasingly unpopular at Portland City Hall. But it's not going anywhere.

The ride-hailing company didn't win friends after revelations this spring that it had used a software called "Greyball" to evade city regulators in 2014, or when it tried earlier this year to undercut city rules with state legislation.

But a city investigation of Uber found no new use of Greyball since 2014—meaning the company faces no fines or penalties.

And as city officials begin their latest round of rulemaking for Uber and its competitor Lyft, WW has found little political will to kick the companies out of town or even restrain their growth.

"I'd like to see them operate as a better corporate citizen," says City Commissioner Nick Fish, a harsh critic of the company.

Interviews with city commissioners' offices show Uber has little to fear. Here's what's likely to happen, in descending order of probability.

Nearly certain:

New fines and penalties for breaking the rules.

City Commissioner Dan Saltzman plans to return to the council in February with a response to the Greyball investigation. Saltzman's office will recommend new, increased fines—and even permanent revocation of the company's license to operate—if the company seeks to evade regulators through Greyball technology or other means in the future.

Maybe:

Increased insurance requirements.

Commissioner Amanda Fritz is championing a measure to mandate that Uber and Lyft carry the same level of insurance as taxis. Taxis must carry half-million-dollar insurance policies; Uber and Lyft drivers don't have to carry such insurance at times when they're tooling around waiting for a fare.

Unlikely:

A cap on the number of cars operating in Portland.

Fritz's office says that's improbable, at least in the upcoming round of reforms.

Not a chance:

An outright ban.

London recently banned Uber. But no one at City Hall has yet suggested a ban here, and even Fritz, Uber's avowed enemy, isn't proposing one.

## **Murmurs: Neighbors Accuse Portland City Planners of Breaking State Law**

*By WW Staff  
November 22, 2017*

**In other news: Unions will endorse in Oregon Senate appointment.**

**Neighbors Accuse City Planners of Breaking State Law**

A neighborhood association has accused Portland City Hall of violating state law and city code by appointing too many real estate professionals to the Planning and Sustainability Commission. The letter, sent Nov. 17 on behalf of the Multnomah Neighborhood Association in Southwest Portland, says five of the 11 commissioners work "principally" in real estate—two more than state law allows. "We are requesting that the city act immediately to correct the membership violations by replacing at least three of the five members...with citizens who can broadly represent the interests of the general public," writes the neighborhood association's land-use consultant, Eben Fodor. City officials say three of the five members—two lawyers and an architect—don't count as real estate professionals for purposes of the commission.

### **Unions Will Endorse in Senate Appointment**

The competition to succeed state Sen. Richard Devlin (D-Tualatin) is one of the most complex, hotly contested and consequential metro-area legislative appointments in many years. One sign of how meaningful it is: Unions and trial lawyers are taking the unusual step of endorsing choices for a seat that's appointed by county commissioners. The American Federation of State, County and Municipal Employees, Service Employees International Union and the Oregon Education Association will join the Oregon Trial Lawyers Association in making endorsements because they hope to tilt the balance of the Senate leftward. They'll have plenty of people to choose from: Recently retired Multnomah County lobbyist Claudia Black entered the race Nov. 21, joining, among others, Lake Oswego School Board member Rob Wagner and former state Rep. Greg Macpherson (D-Lake Oswego).

### **Appeals Court Rules for ODOT in Contentious Case**

Score one for the Oregon Department of Transportation. On Nov. 15, the Oregon Court of Appeals ruled in favor of the agency, which in 2010 worked out an arrangement to sell drivers' records to a private vendor for about \$10 apiece, five times the price the agency charged for the information. Truckers and insurers, who were forced to pay an additional \$15 million a year, sued ODOT, claiming the scheme was an illegal diversion of money dedicated to the state highway fund ("The Driving Records Racket," WW, Dec. 13, 2013). The truckers and insurers won in Marion County Circuit Court, but ODOT won at the court of appeals. Greg Chaimov, who represents the truckers and insurers, says his clients are considering whether to appeal.

### **Give!Guide Puts on a Show**

WW's annual Give!Guide is live and accepting donations at [giveguide.org](http://giveguide.org). Giving has surpassed \$539,000 from 3,163 donors. Check out Mic Capes on Nov. 22 at White Owl Social Club for a Give!Guide happy hour with raffle drawings and happy-hour pricing.

## **The Daily Journal of Commerce**

### **Delay likely for comprehensive plan implementation**

*By Chuck Slothower  
November 20, 2017*

The city of Portland is poised to delay implementation of its 2035 comprehensive plan until May 2018 to allow time for state appeals to run their course.

The comprehensive plan, a wide-ranging update of Portland's zoning rules, is now planned to take effect May 23, 2018. It had been scheduled to take effect Jan. 1.

The delay gives the Oregon Land Conservation and Development Commission time to rule on any appeals of the comprehensive plan. The LCDC rules on appeals from the Department of Land Conservation and Development.

The city is required to submit its comprehensive plan for “acknowledgement” by the state. City officials could choose to go forward ahead of the state decision, but that path “introduces some risks,” according to a statement from the Bureau of Planning and Sustainability.

“For example, any land-use decisions made under the new plan during the ‘effective but unacknowledged’ period would have an extra burden of documenting direct compliance with state land-use goals,” the bureau’s statement said. “Staff have advised City Council against adding that complexity to the development review process.”

Added spokeswoman Eden Dabbs: “If we were to give it a green light, it would create a kind of procedural nightmare.”

The City Council is due to consider the delay at a Nov. 29 meeting. A previous agenda item on the topic was delayed because the council lacked a quorum.

## **The Portland Business Journal**

### **5 things to know for Wednesday, and giving thanks to those who help Puerto Rico**

*By Andy Giegerich  
November 22, 2017*

Here's a short intro for a short week. Enjoy today's Five Things, and we'll see you next week.

#### **A big move**

Peter Ruppe oversees Under Armour's footwear division.

Which is a heck of a big job. Which is why it was a heck of a big deal that Under Armour based Ruppe in Portland.

And it's also why it's a big deal that Ruppe, like a few other Under Armour execs, is, after just a couple of months, no longer here. Clare Duffy has the story.

#### **Eclipsed**

Sadly, our Oregon Beer Showdown 2017 is over.

But happily, for Ecliptic, they won. Here's John Harris' take on what it means for the NoPo hotspot.

#### **Relevant rules**

Holiday party season starts, effectively, on Friday.

And, as Fisher Phillips partner and labor attorney Clarence Belnavis points out, that makes it a good time for employers to become "vigilant about their role in the festivities." Here's Belnavis' advice:

"Before the party, remind employees that, while you want them to enjoy the party, they are expected to maintain professional standards of conduct and dress."

"Managers, in particular, should be made aware that they are expected to remain professional and that their words and actions still reflect on the company and can create liability for the company even though the party is after working hours."

"Ask managers to abstain from alcohol so they remain alert, capable of making good decisions, and able to police any misbehavior by other employees."

"Provide transportation for employees so they are not tempted to drive under the influence."

"Have a no-tolerance rule to sexual harassment and create an environment where employees can report any behaviors without fear of losing their jobs."

### **Logo loco**

We covered the ever-developing Old Town Brewing battle with the city of Portland over the company's logo a little bit last week.

Michael Cox, spokesman for Portland Mayor Ted Wheeler hit Twitter yesterday with his office's takes on the matter.

"The Mayor & I love Portland's craft beer," he wrote. "The Mayor has directed his bureaus to fashion a "BEER-XIT" to resolve the kerfuffle over the use of similar logos by the City of Portland and @OTBrewingCo with the direct engagement of his office."

He then made two key statements.

"Here's the thing – at no point has the city ever contested @OTBrewingCo's logo, they have all the rights and privileges to their use their logo as they see fit. This is about Portland's ability to use the iconic Portland Sign to promote our city's brand.

"The city is NOT in discussions with @AnheuserBusch to use any part of the Portland sign. They used it without the city's permission. If someone said different about @AnheuserBusch or @projectpabst having permission to use our logo, they misspoke."

Cox added, "We want more craft brewers in Portland and Oregon to be able to use the Portland Sign to promote their products and drive our local economy ... In fact, that's why the city wants to protect our logo – to prevent outside interests from using their lobbyists and resources to profit off Portland's unique culture."

He ended with an invitation: "Now who wants a beer?"

At least one beer enthusiast following the thread took him up on the offer.

### **Thanks to them**

And finally, heading into tomorrow's holiday, let's give thanks to Ataula founders chef José Chesa and Cristina Baez. The pair have launched the PDX Feeds Puerto Rico effort.

For Baez, the effects of Hurricane Maria literally hit home: She's a Puerto Rico native.

The pair will spend Dec. 4 through Dec. 10 on citywide events that will raise money. Those funds will go directly to Puerto Rico.

December 4th through Sunday, December 10th, Chesa and Baez will launch a series of citywide events to raise funds to send directly to Puerto Rico, providing immediate help. As such, they'll bring high-profile chefs to Portland from the U.S. territory.

“Knowing children aren’t eating, friends and family are hurting, I felt so helpless — I just had to jump in and do something,” Baez said in a release. “Culturally, Puerto Ricans help everybody. We’re simply trying to do our part, and we hope people will join us to make a huge impact.”