

The Oregonian

Portland Mayor Ted Wheeler Tells U.S. Housing Secretary Ben Carson to 'Step Aside'

*By Jessica Floum
December 7, 2017*

Portland Mayor Ted Wheeler on Wednesday launched a series of tweets at U.S. Housing and Urban Development Secretary Ben Carson for saying on NPR that government funding is not the only solution to the West Coast's growing homeless population and affordable housing crisis.

"Secretary Carson," Wheeler tweeted, "if you don't think (government) can provide solutions, then you should step aside and allow someone up to the task to lead."

The mayor then touted the Portland City Council's decision on Wednesday to subsidize construction of a 13-story affordable housing building that will add 203 new affordable apartments along the River District's Southwest Waterfront.

The council unanimously agreed to spend \$100,000 per apartment, of which 90 will be affordable to families and individuals making 30 percent or less of the median area income. Twenty will come with social services such as mental health care and career coaching.

That's because the local housing authority, Home Forward, will provide 70 project-based Section 8 vouchers and 10 project-based vouchers for veterans to help very low-income households pay their rent.

"Our commitment to develop deeply affordable housing continues with this project," Wheeler said Wednesday.

Wheeler further admonished Carson, tweeting that the U.S. Department of Housing and Urban Development "is moving us backward" by supporting the GOP's tax plan. That plan lowers incentives for companies to buy tax credits for building affordable housing and gets rid of certain tax-exempt bonds that the city has used to fund such apartments.

The mayor did concede on Twitter that nonprofits, the private sector and the broader community should help government tackle the nationwide affordable housing crisis. Still, he didn't mince words.

"The truth is @HUDgov needs to step up to the plate and create real solutions for our housing crisis," Wheeler tweeted.

Former Portland Mayor Sam Adams Leaves Job at Environmental think Tank

*By Jessica Floum
December 6, 2017*

With little advance notice, former Portland Mayor Sam Adams on Friday left his job as director of the U.S. branch of a D.C.-based environmental think tank.

His departure from World Resources Institute comes one month after former mayoral staffer Cevero Gonzalez alleged that Adams made sexually inappropriate comments in the work place, drank heavily and behaved erratically. Willamette Week first reported Adams' departure.

Adams told The Oregonian/OregonLive in a text Wednesday that he had been thinking about leaving for a while. He said his decision to leave is not related to Gonzalez's allegations, which he called false.

Leaving the job now "is a natural inflection point in terms of the work flow," Adams said.

He provided an email he sent World Resources Institute Employees Monday. He touted what he called a "wonderful whirlwind three-years," during which the group created and grew the United States program that he headed.

Adams informed World Resources Institute management last week that he planned to leave, according to a statement by the institute's communications director, Michael Oko.

"Sam's departure is not due to sexual harassment nor allegations made by Cevero Gonzalez," Oko wrote.

Adams, 54, served as mayor of Portland from 2009 through 2012. Allegations that he was romantically and sexually involved with a teen while serving on the City Council went public just weeks into his term, diminishing his power. Then Oregon Attorney General John Kroger decided not to prosecute the former mayor after the teen gave contradicting statements, but Adams chose not to run for a second term.

Adams would not say what he plans to do next.

"I have some options," the former mayor wrote. "Stay tuned."

Portland to Decide Whether to Help Subsidize Low-Rent Housing Along Southwest Waterfront

*By Jessica Floum
December 6, 2017*

Some of Portland's lowest earners could soon live steps from the city's desirable Southwest waterfront.

The Portland City Council is slated to decide Wednesday whether to spend \$21.6 million to subsidize the development of an apartment complex that would offer deeply discounted rents.

Mayor Ted Wheeler and Housing Director Kurt Creager say the council should spend urban renewal funds to build a 13-story building with 203 low- and super-low-rent apartments on Southwest River Parkway just north of the Marquam Bridge.

In 2015, the city selected Bridge Housing Corporation's proposal to complete the project. The developer proposed building one tower of affordable housing and another with market rate housing on the property.

If approved, the affordable tower will include 90 units affordable to individuals and families making 30 percent or less than the median family income, or about \$16,000 for a single person. The rest would be affordable to those making up to 60 percent of the median family income.

The project is expected to cost about \$86 million, with federal tax credits and tax-exempt bonds accounting for more than \$45 million.

It "is a significant commitment" to Portland's lowest-income residents, including those recently homeless or at risk of becoming homeless, Creager said.

The city would spend about \$100,000 per unit. Local housing authority Home Forward would provide 70 project-based Section 8 vouchers to help very low-income families and individuals pay their rent. They would also supply 10 Veterans Affairs Supportive Housing vouchers.

Among the apartments designated for vouchers, 20 will include social services such as mental and physical health care, employment training and addiction rehabilitation, provided that funding is available from the city and county's Joint Office of Homeless Services.

The building would include 70 studios, 81 one-bedrooms, 47 two-bedrooms and five three-bedrooms.

Much of the housing in the River District, one of the newest residential neighborhoods of Portland, are luxury condominiums and other high-end housing. Adding the large tower of affordable apartments "helps balance the community off to make sure it's accessible to all people, not just a privileged few," Creager said.

The project comes on the eve of a challenging time for affordable housing development around the country, Creager said.

The U.S. Senate and House of Representatives passed tax reform bills last week that, if reconciled and repassed by both chambers, will significantly lower corporate taxes. Because of the break, there will be lower demand among companies to buy tax-credits from governments, a strategy the Portland Housing Bureau employed in the past to help fund projects.

"There is going to be a huge recess in the affordable housing markets because of the lowered corporate tax rate," Creager said.

The tax credits for this project are worth about \$28 million. The project also relies on a type of tax-exempt loan that will not be possible if Congress adopts the house version of the bill, Creager said. If Congress goes with the House version of the tax plan, the apartment project could come up \$17 million short, he said.

The uncertain federal landscape gave Portland's Housing Investment Committee pause on recommending this project. After meeting last Tuesday, the committee of Portland housing, development commission and debt management officials recommended against council approving the project.

The project faced a \$4 million funding gap when tax credit prices fell after President Trump announced a corporate tax cut earlier in 2017, a partial and redacted copy of the committee's recommendation provided by the Portland Housing Bureau Tuesday showed.

As a result, Bridge had to increase its investment, found it infeasible to build both buildings at the same time and divided the project into two parts.

Creager said he was able to change the investment committee's mind in a December 1 meeting after he told the group that the housing bureau would have control of the site. He said he will show the council and the public the committee's subsequent approval for the plan to move forward at the council's meeting Wednesday.

In the latest proposal, the city's development commission would sell the property to Bridge Housing, which would in turn sell it to the Housing Bureau, which would then lease it back to the developer for 99 years.

That will give the Housing Bureau the option to find another developer if Bridge Housing does not complete the project by December 2020.

"We want to make sure the entire property is built," Creager said.

The Portland Tribune

Sources Say: Columbia Sportswear Protest Echoes Previous Clash

By Jim Redden

December 7, 2017

Plus, City Council candidates face bad press and Commissioner Nick Fish draws another challenger.

Columbia Sportswear CEO Tim Boyle might want to recall that the last time protesters targeted a downtown Portland business, it was forced to close its doors.

Protesters gathered outside the company's flagship store on Southwest Broadway on Saturday after Boyle complained about the homeless threatening his employees and Mayor Ted Wheeler designated a new high-pedestrian-traffic no-sit zone around the store.

Protest leaders are promising to return every Saturday until all such designations are lifted. They accuse Wheeler of catering to Boyle because he contributed \$1,500 to his campaign for mayor.

Schumacher Furs and Outerwear at Southwest Ninth Avenue and Morrison Street went out of business in early 2007, after more than a year of protests by anti-fur activists. Owners of the 112-year-old local company complained the activists even prevented them from relocating into suburban malls by threatening to protest any new location.

The Portland Business Alliance supports Wheeler's new designation, saying high-pedestrian-traffic zones have been used in downtown for year "to address discrete issues that impede the ability to safely navigate public sidewalks." The business group also supports more housing and services for the homeless, and contributed to the campaign to pass the November 2016 affordable housing bond.

Council candidates face bad press

Three candidates for next year's open City Council seat are dealing with unfavorable publicity.

Seth Woolley, secretary of the Pacific Green Party of Oregon, has filed an election complaint against Multnomah County Commissioner Loretta Smith. It accuses Smith of violating the county charter by running for the council seat without first resigning. The Multnomah County Charter says Smith is complying with the charter if she does not file for the office until January.

Woolley also accuses Smith of violating voter-approved fundraising limits by accepting contributions larger than \$500. Oregon courts repeatedly have struck down contribution limits, however, and the restriction currently is being reviewed by a Multnomah County Circuit Court judge.

In addition, Willamette Week reported that Andrea Valderrama, a mayoral staffer, was arrested for driving under the influence four years ago. She has apologized. And Northwest Portland neighborhood leader Felicia Williams is being accused by the NW Examiner newspaper of contradicting previously held positions.

Fish draws another challenger

Frequent candidate Jim Whittenburg says he is running against Commissioner Nick Fish in next year's City Council election.

Fish, who is undergoing treatment for abdominal cancer, is easily leading the fundraising race at this point. He has reported raising over \$43,000 in cash and in-kind contributions so far this year. Recent major contributions include \$10,000 from United Food & Commercial Workers Local 555.

The only announced challenger with a campaign committee, environmentalist Julie DeGraw, has reported raising less than \$5,000 to date. Only one contribution is over \$200.

Fish is still the only candidate to formally file for the position.

Critics Demand Public Vote on Infill

*By Jim Redden
December 7, 2017*

Supporters say plan is best way to prevent sprawl and build housing that is more affordable than McMansions in every neighborhood.

The Portland City Council isn't expected to vote on controversial recommendations to increase residential density in much of the city for around a year, but opponents already are urging it to refer them to the voters instead.

The current recommendations are included in the discussion draft of the Residential Infill Project prepared at the direction of the council by the staff of the Bureau of Planning and Sustainability. Among other things, the infill plan would rezone approximately 40 percent of all single-family neighborhoods to allow the construction of smaller multifamily housing projects, including duplexes, triplexes and cottage clusters.

The council believes such so-called "missing middle" housing could help ease Portland's affordable housing crisis. Supporters include affordable housing advocates, local home builders and the 1000 Friends of Oregon land-use watchdog group.

"The other way to add housing is to sprawl, but that's no good — it just means longer commutes, more cars, more pavement, more infrastructure costs on the public and less nature within reach. Every home we add to our current urban area is one that doesn't slice up a farm or forest," says Madeline Kovacs, program coordinator for Portland for Everyone, a project of 1000 Friends of Oregon that supports most of the recommendations.

Critics argue the rezoning recommendations would encourage the demolition of smaller older homes with no guarantee that most Portlanders can afford the new ones.

"From the real estate pages, it is evident that newly remodeled and replacement housing will be much less affordable for both renters and buyers than existing viable housing stock," architect Rod Merrick wrote to the planning bureau staff managing the project.

One grassroots group, Stop Demolishing Portland, has launched an online petition urging the council to submit the recommendations to city voters instead of acting on them.

"If city leaders are confident that the sweeping changes represented by the Residential Infill Project are in the best interest of our city, they should also be confident that the final proposal can withstand a popular vote," reads the petition, which attracted 2,933 signatures.

Barring 'McMansions'

Stop Demolishing Portland questions many of the other recommendations, even though some address concerns that neighborhood activists have voiced in the past. They include restricting the size of new homes — including duplexes and triplexes — to ensure they fit into established neighborhoods.

One recommendation would limit the maximum above-grade size of new homes to 3,250 square feet, including detached structures. That is less than half the current maximum of 6,750 square feet, not including detached structures. The proposed limit is intended to respond to complaints about out-of-scale "McMansions" being built on streets lined with much smaller homes.

But even this recommendation is controversial. Margaret Davis, an activist with the grassroots United Neighborhoods for Reform, has posted a chart on the group's website that shows the average home in every ZIP code affected by the recommendation is currently just 1,621 square feet — nearly 50 percent smaller than the recommended new limit.

The contentious back-and-forth illustrates the difficulties facing city leaders as they grapple with the problems caused by Portland's increasing popularity and limited housing supply. Although 260,000 more people are expected to live in the city by 2035, only about half as many new single-family homes are being built now than before the Great Recession — and many, if not most, of them are one-to-one infill projects that don't increase density.

New apartment buildings being constructed around town have increased the overall housing supply, but most are higher-rent units that many residents cannot afford, especially if they have several children and need multiple bedrooms.

The debate has gotten so heated that during the 2017 Oregon legislative session, House Speaker Tina Kotek, a Democrat who represents portions of North and Northeast Portland, practically accused those opposed to density increases in upscale parts of town of being racists.

A legal challenge to a new Portland missing-middle policy, filed with the state Land Conservation and Development Commission, has delayed the effective date of the Comprehensive Plan update approved by the City Council last year from Jan. 1 of next year to March 24.

Compiling comments

The public comment period on the most recent infill recommendations ended on Nov. 30. According to planning bureau supervising planner Sandra P. Wood, next steps include understanding the issues raised by the comments and deciding whether and how to adjust the recommendations to accommodate them.

Wood says the aim is to publish a proposed draft of the final recommendations by the beginning of April. The appointed Planning and Sustainability Commission, which oversees the bureau, already has scheduled the first hearing on them for May 8. Wood says the hearing process is expected to take two months, with the commission voting on which provisions to recommend to the City Council in May or June.

After that, recommendations will be presented as an ordinance for City Council hearings in August or September. The final vote is expected by the end of 2018.

Wood also says the public comments will be posted online, a process that could take some time because they were received in different formats.

Gentrification documentary filmmaker speaks

Supporters of the Residential Infill Project say it will help ease Portland's affordable housing crisis by encouraging construction of small, less-expensive homes.

Cornelius Swart, a local filmmaker who has produced and directed two documentaries on gentrification in Portland, doubts that those most at risk of displacement will benefit from such housing.

"In my research, I don't see examples of the marketplace producing new housing that is affordable to working-class people unless there is a subsidy or favorable regulations," says Swart, the former publisher of the St. Johns Sentinel community newspaper, which closed in 2010.

Swart's two documentaries are "Northwest Passage," which was released in 2002, and a sequel that debuted in November, "Priced Out: 15 Years of Gentrification in Portland, Oregon."

Both films show the intentional and unintentional effects of large public and private redevelopment projects on Portland's African-American community. Using historic records and archived film footage, the films dramatically present the impacts of such developments as Memorial Coliseum on the affected and surrounding neighborhoods. Most of the former residents have moved out, including Nikki Williams, a single mother featured in both documentaries.

In the first film, Williams, a Northeast Portland homeowner, welcomed the earliest stages of gentrification as improving her neighborhood, which was plagued with crime and neglected buildings. But in 2015, Williams was distressed that so many other African-Americans had been displaced by higher housing costs and largely replaced with younger and wealthier whites.

"Priced Out" debuted to positive reviews before a sold-out crowd on Nov. 1 at the Northwest Filmmaker's Festival. It has since been shown in Los Angeles and St. Louis.

"The message of the film is that citizens need to demand change. They need to call and write to city, state and federal legislators. They need to vote for people who promise to do something and vote out do-nothings and obstructionists. Reach out to friends with a different opinion and convince them it's a problem. If the community rises up with one voice, things will fall into place," Swart says.

Four new showings of "Priced Out" have been scheduled in Portland. They will be at 7 p.m. and 9:30 p.m. Tuesday and Wednesday, Dec. 12 and 13, at the Kennedy School Theater, 5736 N.E. 33rd Ave. That is where "Northwest Passage" debuted.

For more information about both films, visit <https://www.pricedoutmovie.com>

You can learn more about the Residential Infill Project at <https://tinyurl.com/yccvfny9>.

Affordable Unit Costs Questioned

By Jim Redden

December 7, 2017

Per-unit apartment price tag tops amount cited in bond campaign, but Portland Housing Bureau says costs for those projects can be held down.

The cost of the newest affordable housing project approved by the Portland City Council is raising questions about other projects to be funded by the \$285.4 million affordable housing bond approved by Portland voters in November 2016.

The same questions also apply to the \$500 million affordable housing measure being considered by Metro for the November 2018 ballot.

The 240-unit apartment complex to be built at Northeast Grand and Hassalo will cost just under \$74 million. Deducting the cost of the ground-floor retail space, that averages to more than \$285,000 per unit — \$85,000 more than the \$200,000 average promised for units to be funded by the affordable housing bond.

Although the city is contributing only \$5.6 million in urban renewal funds and the \$1.4 million cost of the land to the project, the high per-unit price was an issue during the council deliberations.

"I think the number one question is going to be the price tag," said Commissioner Chloe Eudaly, who asked why "the per-unit cost appears to be so much higher than what we're anticipating for our housing bond units."

Mayor Ted Wheeler, who oversees the Portland Housing Bureau that submitted the funding request, repeatedly stressed that the city's contribution would leverage more than 10 times as much in other funding. Also financing the project is its developer, Home Forward, and Bank America Merrill Lynch.

"I want to keep that front and center — 10-to-1 leverage," Wheeler said of the project, which is expected to be completed in 2019 on the property known as Block 45.

But the question will be more important when the council begins considering projects to be financed with affordable housing bond funds in March. Because of restrictions in the Oregon Constitution, the city cannot partner with private businesses, like Bank America Merrill Lynch, on those projects.

Even if qualified nonprofit partners can be found, the city likely will have to pay the vast majority of the costs. And the more the units cost, the fewer of them can be built.

Although Metro has not yet finalized its potential measure, the same restrictions apply if it puts a property tax bond before voters.

That restriction might eventually be eliminated. At the Oregon Leadership Summit on Monday, State Rep. Alissa Keny-Guyer, D-Portland, said the 2018 Oregon Legislature will consider a ballot measure to allow state and local governments more flexibility with such bond funds. But the potential change Keny-Guyer described to business and elected leaders gathered at the Oregon Convention Center cannot reach the ballot until November 2018 at the earliest.

The Portland affordable housing bond is expected to preserve or build 1,300 units of housing affordable to households earning 60 percent or less of the area median family income. The council has already approved the purchase of an existing apartment complex with the funds,

leaving approximately \$200 million to be spent after administrative costs. The council is expected to receive its next request for funding from the housing bureau in March.

Building height raises costs

During the Nov. 29 council hearing, several reasons were offered why the per-unit costs of the new affordable housing project are so high. Among other things, city and state requirements unrelated to housing increased the overall cost of the project.

Those include paying prevailing wage rates to construction workers on the project. Such rates, set under Oregon law by the state Bureau of Labor and Industries, traditionally mirror union wages in the communities where the work is taking place. Affordable housing projects of five stories or less are exempt from the requirements. The new project in the Lloyd District is 12 stories high.

As a condition of providing city funding, the council is also requiring the rents to remain affordable for 99 years, meaning the building itself must be built to last that long. The building also has to meet high environmental standards and comply with design review standards in the Lloyd District.

Tim Collier, the communications director for Home Forward, says the per-unit cost is not unusually high for such a project.

"We build to own these properties and ensure their affordability for the long term. We've committed to a 99-year affordability period, which means investing wisely on the front end, with a design that complements the neighborhood. The total cost of developing the housing is just under \$68.5 million. That includes \$1 million of increased costs due to market instability caused by tax reform. It comes out to \$285,330 per unit, which is in line with other affordable housing developments," says Collier, whose organization was formally called the Housing Authority of Portland.

Commissioner Nick Fish defended the city requirements and standards during the hearing.

"I never remember someone getting up and saying, 'I object to quality. I object to planning for the long term. Can't we go cheap? Can't we find some way to make it look crummy?'" Fish said.

Existing units cheaper

Portland Housing Bureau Director Kurt Creager says the average cost of the affordable housing units can be kept down, however.

Although his bureau is still reviewing project submissions to be presented to the council, he expects them to include older apartments that go up for sale. The Ellington, which the bureau purchased last year in Northeast Portland, cost only \$168,950 per unit — about the average price that Creager thinks existing buildings should cost to buy.

Creager also says he does not expect new construction projects to be as tall as the one in the Lloyd District, which required costly steel framing. He believes smaller apartments will average around \$218,000 per unit.

And the housing bureau is preparing a pilot project to be presented to the council to purchase newly completed, turnkey-ready projects built by developers with private funds that do not meet all of the nonessential city requirements and standards. That concept has been promoted by Rob Justus, co-owner of Home First Development, a company that builds projects for nonprofit affordable housing developers at a much-lower price point.

The company's most recent project, the Maple Vine at Southeast 146th Avenue and Burnside Street, cost an average of around \$90,000 per unit to build. It is the fifth affordable housing complex built by Home First Development for Relay Resources, the nonprofit affordable housing developer and operator formerly known as PHC Northwest.

No public funds were used to finance the new complex because of the strings attached with government money.

It still has many of the amenities the council says it wants in affordable housing developments, including easy access to transit. Justus said it also meets Earth Advantage environmental standards, although it did not go through the costly certification process.

Despite the lack of public subsidies, the Vine Maple rents are affordable to households earning 60 percent or less of median family income. Studio apartments rent for \$535 a month, while one-bedroom units go for \$726 and two-bedroom units are priced at \$868 a month.

"The question is, do we want to build the most affordable housing units at the lowest cost?" Justus asked.

Willamette Week

Portland Art Museum's Disputed Rothko Pavilion Nears City Council Approval

*By Rachel Monahan
December 6, 2017*

The museum had raised \$27 million for the expansion without securing the permission of the City Council to take over the city-owned right of way. But all is forgiven.

A planned \$50 million Rothko Pavilion at the Portland Art Museum looks like a done deal, despite criticism of closing a bicycle and walking path.

WW reported the museum had raised \$27 million for the expansion without securing the permission of the City Council to take over the city-owned right of way.

But on Dec. 7, the council is expected to approve the pavilion, after the museum promised people would be able to walk through the building where the walkway currently sits. The museum has pledged that people would be able to walk through the Rothko Pavilion lobby from 7 am to 11 pm each day.

The museum has also argued that the new pavilion will improve access to art exhibits for people with disabilities—by connecting the museum's two wings.

"What sealed it for me was, they have a chance to be one of the most accessible art museums on the West Coast," says City Commissioner Nick Fish.

Former Portland Mayor Sam Adams Has Abruptly Left His Job at a D.C. Think Tank

By Rachel Monahan

December 6, 2017

The departure comes a month after a former mayoral aide alleged Sam Adams had engaged in sexual harassment. The think tank denies harassment was a factor.

Former Mayor Sam Adams has abruptly left his job at an environmental think tank in Washington, D.C.

After two years with World Resource Institute, Adams announced his departure last week and was already gone by Friday, World Resource Institute spokesman Michael Oko says.

The sudden departure comes a month after a former aide to the mayor, Cevero Gonzalez, alleged that Adams had sexually harassed him and engaged in other inappropriate behavior. WW first reported the allegation on Nov. 3.

Oko denied that the departure was related to Gonzalez's allegations or to sexual harassment.

"Last week, Sam informed management of his decision to leave WRI," Oko says in a statement. "Since joining the institute in 2015, he demonstrated global leadership on sustainable cities and played a key leadership role in supporting U.S. climate action. Sam's departure is not due to sexual harassment nor allegations made by Cevero Gonzalez."

Adams strenuously denied his departure had anything to do with sexual harassment.

"It is something I have been thinking about for a while," he says. "It is a neutral inflection point in terms of the work flow."

He forwarded along an email to colleagues:

From: Samuel Adams

Sent: Monday, December 4, 2017 4:24 PM

To: WRI Team.

Subject: Thank You & Moving On!

Hi WRI Colleagues.

It has been a wonderful whirlwind three-years at World Resources Institute. We created the WRI United States program, significantly grew it, and recently gained WRI Board's approval of its first five-year country strategy.

Key strategy-implantation projects of the new United States strategy are also underway. Like the America's Pledge analytical project, led by Gov. Jerry Brown and former Mayor Mike Bloomberg, announced at the Bonn Climate Summit, in partnership with the Rocky Mountain Institute. And the just-started Cities Data Project for the Global Covent of Mayors. Other much-needed climate action equity and urban adaptation protocol projects are in the pipeline.

With these innovations moving forward, and a great US team in place, it is a good inflection point for me to look for new professional change-maker challenges. I will be leaving WRI. I have very much enjoyed working with you. Thank you! And, a special shout-out to my smart and hard working WRI US team.

Stay in touch using the contact information below. I will keep you posted on my new endeavors. Keep up the great and important work. Onward!

Sincerely,

Sam

The Portland Mercury

Portland Has Strict Standards For Outlawing Sidewalk Sitting—Unless Cops Ask

*By Dirk VanderHart
December 6, 2017*

Now the recent decision to expand no-sit sidewalks has created a headache for Mayor Ted Wheeler

THE CHANGE was quick and easy.

On November 21, not long before Mayor Ted Wheeler and other officials met with business owners upset about what they say is unsafe activity downtown, a Wheeler staffer named Kyle Chisek fired off an email to employees at the Portland Bureau of Transportation (PBOT) and the Portland Police Bureau (PPB).

Chisek listed a series of block faces where Wheeler wanted to prohibit sitting from 7 am to 9 pm every day, each long targeted by the Portland Business Alliance. They included sidewalks near the Galleria on Southwest Morrison, outside the Safeway on Southwest 10th, and outside Columbia Sportswear's flagship store on Southwest Broadway.

"PPB plans on initiating walking beats," Chisek wrote, according to emails obtained via Oregon public records law. "Based on conversations with staff," he added, "PBOT will install the signs tomorrow at these locations."

And so it was. Today the blocks bear signs that read: "This sidewalk is for pedestrian movement only. Please keep clear." Sitting there during the day is punishable by a fine of up to \$250.

But if hanging those signs was easy, the fallout the mayor now faces is anything but.

While Portland's had its current rule enabling no-sit sidewalks on the books since 2010, Wheeler's recent expansion—and the fact that it plainly came at the behest of business owners like Columbia's Tim Boyle—has been met with anger from activists and civil rights groups alike. It's got a lawyer who had a hand in dismantling Portland's former anti-sitting law crying foul, and also raises questions about whether these new no-sit zones were created in line with city policy.

"Looks like the same ol' same ol'," says Clayton Lance, a St. Helens-based attorney who in 2009 helped convince a judge to eviscerate a controversial "sit-lie" law prohibiting sitting and lying on downtown sidewalks between 7 am and 9 pm. "Not constitutional. Period."

Wheeler's decision has also spurred protest.

On Saturday afternoon, dozens of activists sat outside the Columbia store, bearing signs saying "The sidewalk is public and we will sit here," and "Making hardship harder won't make it go away!" and "Mayor for sale!!!"

Their presence begat yet another sign, taped to the inside of Columbia's locked glass doors: "Store closed today, we apologize for the inconvenience."

"Ted Wheeler and Tim Boyle made sitting on the sidewalk illegal," said Aaron Roussell, one of those perched in the rain outside of the store. "There's been a steady criminalization of homelessness." The city didn't take the protesters' bait—police on hand explained they'd been instructed not to ticket activists for sitting. But with future protests outside of Columbia possible, the détente might not last.

In the meantime, it's worth examining the process Wheeler used to outlaw sitting on the eight block faces.

Under Portland's Public Sidewalk Management Plan, most downtown sidewalks have a small ribbon of cement near the curb where people are allowed to rest. But when city council enacted the plan in 2010 (shortly after its sit-lie policy had been disemboweled) it also allowed officials to prohibit sitting during the day "in response to a heightened threat to life or safety."

In order for PBOT Director Leah Treat to make such a call, she needs to be able to show that a certain block has distinctly unsafe factors. It could be near a food cart pod, for instance, or next to MAX tracks. It could be a block where a "critical mass" of pedestrians makes sitting unsafe.

The city has been fairly restrained in making these designations. As we pointed out last week ["Hall Monitor," News, Nov 29], the PBA called on PBOT to prohibit sitting on roughly 90 downtown block faces in 2014. The bureau wound up putting signs on just eight, and homeless advocates the Mercury spoke with at the time believed the process had been fair.

But it turns out there's a far less meticulous method: PBOT says it will put "no sitting" signs on any downtown block at the request of police.

"They're the public safety professionals in the city," says bureau spokesperson John Brady. "If they come to us and say, 'We believe this threat exists and we want you to take these actions in the pedestrian use zone,' we'll do it."

Asked where that's allowed under city policy, Brady pointed to the ordinance council enacted in 2010, which says the city may prohibit sitting "only in response to a heightened threat to the life or safety of non-pedestrian users." But Portland police don't appear to have made a claim that the sidewalks in front of the Galleria, or Safeway, or the Columbia store amount to any such threat.

In the email chain where Wheeler's office requested the no-sit designations, PPB Commander Robert King said only that he approved of new signs, which are being paired with foot patrols to quell business owners' complaints. The only mention of a threat to non-pedestrian safety on the blocks, in fact, came at the urging of PBOT manager Christine Leon, who had to force the language on Wheeler's office to make the arrangement legit.

"Is this the affirmation memo that these block faces, with the sidewalk managed in their current configuration related to the sidewalk management plan, include safety concerns as noted by PPB to non-pedestrian users?" Leon wrote. "If so, then yes; we will proceed with work orders."

"It is," Chisek replied. "If you need more we can do that—but yes!"

Neither the mayor's office nor PPB responded when asked how the new no-sit blocks constituted a "heightened threat" to non-pedestrians—and how the city had coincidentally decided as much after Boyle and other business owners complained.

Wheeler, in a November 30 tweet, wrote: “It’s irresponsible to conflate homelessness and crime. We can address safety issues with common sense enforcement. We can address homelessness with compassion.”

In the face of outcry, the PBA also issued a statement earlier this week, arguing that its push for no-sit zones “is not about individuals experiencing homelessness,” and is instead “designed [to] ensure the city’s public spaces remain safe, accessible, and welcoming to everyone.”

Plenty of people disagree. Since the Mercury first highlighted the expansion, homeless advocates and civil rights groups have been monitoring the issue.

“We’re incredibly disappointed to see this type of really regressive policy proposal,” says Kimberly McCullough, policy director for the ACLU of Oregon. “Really it’s only going to cause more harm than good.”

While it remains to be seen how robust enforcement will be in the no-sit areas, McCullough believes they have the potential to ensnare vulnerable people in the justice system. The ACLU also takes issue with the broad policy of prohibiting sitting on any block at the PPB’s request, rather than identifying specific safety threats.

“If they’re not going to follow that narrow reading, then where does it stop?” McCullough says. “Under such a vague standard, it could be expanded throughout downtown and then we’re back to where we started.”

One person who doesn’t share her concern: City Commissioner Dan Saltzman, who oversees PBOT. Asked whether Saltzman supports a scenario where cops can effectively prohibit sitting on any downtown block with no explanation, his Chief of Staff Brendan Finn said yes.

“Dan supports Portland’s Sidewalk Management Plan and its code language where the Portland Police Bureau can request that PBOT designate sidewalks as Pedestrian Use Zones if PPB deems it necessary to protect visitors and residents in Portland,” Finn said.

Hall Monitor: Portland’s Future Decongestants

*By Dirk VanderHart
December 6, 2017*

While Abetting ODOT’s Rose Quarter Plans, the City Just Took a Step Forward

I WAS READY to be underwhelmed as Portland City Council took up a resolution blessing tolling on city roadways last week. Instead, I was surprised.

As the Mercury and others wrote before the hearing, a frenetic buzz surrounding the resolution, crafted by Transportation Commissioner Dan Saltzman, had recently soured to disappointment.

The buzz: Saltzman telegraphed in August that he wanted to send a message to state transportation leaders to toll I-5 (and I-205) before moving forward with a \$450 million plan to widen it. By employing “congestion pricing” before breaking ground, he believed, the state could see if the expensive extra lanes were even needed.

The disappointment: The resolution [PDF] Saltzman and Mayor Ted Wheeler wound up proposing didn’t even mention the I-5 Rose Quarter project, while at the same time essentially forcing city bureaus to help the Oregon Department of Transportation with its long-cherished designs to widen the freeway. The city was staking out its support for congestion pricing with no guarantee that it would come before the megaproject began.

Saltzman addressed this weakened stance early on in the hearing.

“Let me be clear: In my opinion, congestion pricing should happen in these corridors before any shovels break ground,” Saltzman said. “[But] as staff and this council dug further into the project... it became clear that this is much larger than I-5 and I-205. This is about how Portland responds to our growth and success.”

As expected, opponents tried—and failed—to press their point about tolling first. Economist Joe Cortright had perhaps the line of the day, saying, “What this project amounts to is essentially the ritual sacrifice of half a billion dollars to the freeway gods, or the world’s most expensive piece of performance art.”

What was surprising, though, was how much further than highway tolling Portland appears prepared to go in order to battle the city’s ever-worsening congestion. By virtue of the I-5 project forcing the issue, transportation and planning officials now have council’s blessing to pursue a huge array of strategies for curbing demand of Portland roadways. And they sound ready to pounce.

“Road use is valuable and when roads are free, too many people use them,” Transportation Director Leah Treat said during the hearing. “We really need additional strategies and this is why we believe road charging is so important.”

Those strategies could include charging vehicles to enter the dense city center, as London has famously done. Or tolling bridges. Or increasing the price of parking to control demand. Or lots of other stuff. Money raised could then be reinvested in improving transit service and making it easier to bike and walk around.

These policies have been shown not only to slash congestion in cities around the world, but to reduce carbon emissions—both goals the City of Portland has embraced.

Those goals don’t square well with a massive highway-widening project, and it’s bizarre that council is deaf to that project’s logical flaws. But it was also hard not to think at the end of last week’s hearing that the city had taken an important step forward.

The Portland Observer

Affordability for Now

By Danny Peterson

December 6, 2017

Investment example of what may be lost in future

A proposed 240 unit, 12-story mixed-use complex reserved for lower income tenants, the largest affordable housing investment in Portland for decades, is an example of creating needed housing with federal financial supports that may be unavailable in the future because of tax legislation moving through Congress.

The Portland City Council gave the financial green light to build the housing last week in the Lloyd District on a vacant lot known as Block 45 on Northeast Grand Avenue. It approved \$5.6 million dollars from the Portland Housing Bureau to support the project which is led by Home Forward, the housing authority for Multnomah County.

Scheduled for completion in 2019, the housing will leverage \$56 million in outside public and private resources, including federal tax credits and tax exempt bonds, according to Portland Housing Bureau Communications Manager Martha Calhoon.

“It represents a partnership between the city of Portland and Home Forward and Multnomah County. It's going to, when all said and done, it's going to be the largest affordable housing development [in Portland] in at least a decade...possibly ever,” Calhoon told the Portland Observer.

But on Tuesday, the Housing Bureau with local and state leaders, were pointing to the project as an example of affordable housing investment incentives that could be lost in the future because of changes to the federal tax system proposed by Republicans in Congress.

Negotiations between competing House and Senate bills may lead to Oregon losing hundreds of millions of dollars in tax credit revenue in the future that will jeopardize the development of thousands of affordable housing units across the state, according to Tim Collier of Home Forward and Denis Theriault of the Multnomah County Office of Homeless Services.

Multnomah County alone could lose close to \$200 million in funding that would affect close to 1,800 housing units in the county, officials said.

“The GOP tax bill is cruel and backwards,” said U.S. Rep. Earl Blumenauer, D-Ore. “As Portland and cities across Oregon face housing crises, this bill would bankrupt critical programs that support affordable housing and families who need it most, all while giving massive tax breaks to the rich.”

The Block 45 project will provide 220 housing units to folks at 60 percent or below the area median income—that’s \$44,820 a year—and 20 “deeply affordable” housing units to folks at or below 30 percent of the area median income. The building will also set aside housing units specifically for survivors of domestic violence. It will also provide resident services, community space, and the ground floor will contain a retail store, Calhoon said.

The estimated construction cost of \$284,600 per unit did raise some eyebrows when it was approved last week, but the price will be worth it for a building that lasts 100 years and is sustainable, according to City Commissioner Nick Fish who disputed claims from outside contractors who said they can build Block 45 for half the proposed price.

Fish was critical, however, of plans that did not offer permanent supportive housing with social services for homeless folks and added an amendment that orders housing officials to meet once again with a proposal to include supportive housing—the funding for which is yet to be determined.

Located on the western half of a block bound by Northeast Grand Avenue, Hassalo, Sixth Avenue and Holladay, Block 45 has stood vacant since the city bought it back in 1989.

The property is ideal for public transport, within easy reach of the downtown corridor by streetcar and Max line.

“It’s going to do a lot of great things,” Calhoon said.

OPB

Portland Needs A Lot More Money To Pave Its Gravel Roads

*By Amelia Templeton
December 6, 2017*

The Portland City Council pushed back a decision Wednesday on how to allocate money to help pave the city's gravel and dirt roads and to improve streets that lack sidewalks and curbs.

The council's problem: The money it has to spend is just a drop in the bucket.

In 2016, the council created a fee known as the Local Transportation Infrastructure Charge. So far, it has brought in \$2.2 million.

That's a tiny fraction — one tenth of 1 percent — of the \$1.5 billion the Portland Bureau of Transportation estimates it would cost to pave the city's 50 miles of dirt and gravel roads and fix the 200 miles of streets that lack sidewalks and curbs.

To stretch the extremely limited funds, Portland's Bureau of Transportation has proposed partnering with the Bureau of Environmental Services. BES funds improvements to city streets to manage and minimize polluted stormwater runoff.

The two agencies would issue \$10 million in bonds to get the paving work started, with the bonds paid back over time using the fee dollars and BES funds.

PBOT had proposed focusing the first \$10 million chunk of paving work in three neighborhoods it identified as priorities: Cully and Division-Midway on Portland's east side and Tryon-Stephens on the west side.

Each of those neighborhoods has a relatively high concentration of unimproved streets, and had already worked with the city to develop plans that prioritize residential street improvements. They also scored high on an equity measure, which identified blocks in the city with low-income residents, racial and ethnic diversity and higher numbers of renters.

But, after reviewing maps that showed proposed work for 2018, Mayor Ted Wheeler expressed concern that the result would be piecemeal road-building projects that wouldn't be cost-effective for the city.

"I'm no great construction expert, so I could be totally out to lunch here, but it seems to me there's efficiencies and economies to doing the whole area, as opposed to picking and choosing little pieces," Wheeler said.

PBOT staff responded that there simply wasn't enough funding to take a more comprehensive approach.

Wheeler suggested that the agency would be better served by concentrating on improving the streets in one neighborhood at a time.

"Why not do more in a given area, in one year, and then move on to the next area the subsequent year?" he asked.

"Any advice, support, direction you can provide, we'd be happy to hear. It's hard because we don't have many resources," said Ann Hill, a program manager with the Bureau of Transportation.

The allocation proposal also entirely left out one of Portland's most notoriously under-paved neighborhoods: Brentwood Darlington.

"Once again, we're left off the map," said Chelsea Powers, chair of the neighborhood association, urging them to address the gravel roads.

"Our neighborhood is home to over five miles of them that literally trap our neighborhoods in their homes in poor weather, with potholes the size of a sedan," Powers said.

The Portland Bureau of Transportation has also asked the City Council to consider changing the formula that's used to calculate the Local Transportation Infrastructure Charge.

The charge applies to infill developers or property owners who build new homes on lots with gravel and dirt roads.

It's currently a flat fee of \$600 per foot of frontage on a gravel or unimproved street. PBOT said in some situations, particularly large corner lots, the fee has hindered development. The agency has proposed capping the charge and exempting affordable housing developments.

With the caps, the maximum charge would range from \$30,000 for a small R5 residential lot to \$120,000 for a larger RF-zoned residential lot.

Property owners testified in support of capping the fee and called on the City Council to create an appeals process for special cases.

The city's ombudsman, Margie Sollinger, and Equity Manager Dante James have also raised concerns about the Local Transportation Infrastructure Charge. They sent a joint letter to the commissioners this week, asking them to ensure the fee isn't a burden for low-income homeowners.

"As currently designed, the LTIC program does not have a low-income exception nor is there any financing available to property owners who cannot afford it," they wrote.

Sollinger and James recounted the example of an elderly cook at a local school district who owns and lives in an aging manufactured home in Southeast Portland, on a lot alongside an unimproved street.

She took out a loan to buy a new manufactured home, but when she applied for a permit from the city she was told that installing the new home would require she pay the LTIC an additional \$54,000.

PBOT ultimately reversed its decision and didn't make her pay the infrastructure charge, but Sollinger and James said other low-income homeowners could face similarly overwhelming charges.

"Simply stated, a policy that treats everyone equally does not result in equity," they wrote.

Portland Transportation Commissioner Dan Saltzman said he will ask PBOT to continue to refine its proposals and will bring the Local Transportation Infrastructure Charge back to the council for consideration in January or February.