

## **The Oregonian**

### **Ted Wheeler: Mayors Should Have Power to Pass Gun Control**

*By Gordon Friedman  
March 23, 2018*

In an op-ed published Friday, Mayor Ted Wheeler said American cities ought to be able to enact their own gun control laws but can't because state legislatures don't allow it.

Wheeler wrote in USA Today that mayors are supposed to tackle big challenges and atop the list should be "common-sense local firearms laws that keep guns out of the wrong hands." Wheeler co-wrote the op-ed with the mayors of Tallahassee and Pittsburgh.

Wheeler and the other mayors blasted state legislatures for enacting laws that prohibit cities from passing their restrictions on gun ownership. Forty-three states have such laws, they said. Oregon is one of them.

The mayors laid blame for the so-called preemption laws mainly at the feet of pro-gun lobbyists who push for them because "it's easier to influence a few state lawmakers in 50 state capitols than thousands of local mayors and city councils."

"Let us be clear: Our states are choosing the National Rifle Association over your lives and safety. And right now, we're powerless to stop them," Wheeler and the other mayors wrote.

The mayors said they are ready to act, if only their state legislatures would let them.

"We can do what needs to be done on guns, if our state legislatures get out of the way," they wrote.

The op-ed comes on the eve of the March For Our Lives demonstration, planned for many American cities, including Portland, on Saturday in response to the mass shooting last month at a high school in Florida that killed 17.

### **More Portland High-Rise Apartments Rented as Hotel Rooms; Many Without Required Permits**

*By Elliot Njus  
March 23, 2018*

Residents of downtown Portland's Ladd Tower last year started noticing a growing number of strangers in their building's lobby and elevators, often with luggage in tow.

They arrived at a time when residents were already on edge over a series of break-ins, and crime prevention officials had warned them to watch out for unfamiliar people. It wasn't clear where they were coming from — until residents found the building listed on the website Stay Alfred, which rents out vacant apartments to travelers.

"I signed up to live in a home, not a hotel," said Lisa Cox, a resident of the building. "Holland Residential has turned this into a hotel without me even knowing."

Ladd Tower, owned by Holland, isn't alone. The owners of a handful of high-end apartment buildings are now offering rooms to rent by the night through Stay Alfred and a Portland-based competitor, Vacasa.

It's part of a small but growing industry that allows building owners to make money off of empty units, even as the city's housing shortage pushes rents and home prices to record levels. And while the city generally allows this kind of short-term rental in commercial zones, many of these high-rise apartments appear to be violating city code because they lack a required permit.

In recent years, Portland has enjoyed high demand for lodging near the downtown core. That's resulted in the construction of thousands of new hotel rooms.

Meanwhile, consumers are increasingly comfortable with online vacation rentals, and listings emphasize that this is not just an Airbnb; the rooms come with housekeeping services, and you won't find any of the primary resident's belongings, because there's no one living in the unit.

That's given developers an opportunity to earn a steady stream of income after a building first opens and most of its units are still sitting empty.

But the phenomenon has also grown in long-established apartment buildings like Ladd, which was completed in 2009. Residents say the vacation rentals have undermined whatever leverage they have with landlords.

The rentals are allowed in places like downtown and the Pearl District, where the buildings aren't in residential zones. Both Stay Alfred and Vacasa remit thousands of dollars in lodging taxes from guests, and they hold required business licenses.

But city officials say those units are subject to a stricter section of the state building code that governs hotels and motels. Compliance requires a city inspection and permit, and most such rentals don't have one, putting them in apparent violation of city code.

While Portland officials have cracked down on owners of single-family houses that violate the city's regulations, rentals in downtown high-rises have attracted less attention.

One of the largest is the Park Avenue West Tower, a 30-story skyscraper completed in 2016. At least 20 of its 202 apartment units are available as vacation rentals, including six that are available as a block for large groups.

Rooms are similarly advertised at several buildings in the Pearl District, including Asa Flats & Lofts, Block 17 and NV. The owners of NV said Stay Alfred's lease for the single short-term rental in the building would not be renewed when it expires in May.

Portland regulators were aware of plans to operate part of the building as a mini-hotel. Stay Alfred and Vacasa sought permission to rent out the rooms nightly, said Vanessa Sturgeon, the president of TMT Development, which owns Park Avenue West.

But the companies never finished the process. Sturgeon blamed a backlog at the city's permit office combined with confusion among city employees about what the permits require.

"The city was unable to articulate their own process for getting the permitting done because it was a new process. Every time Vacasa would approach them, or Stay Alfred, they would get a different answer," Sturgeon said. "We were specifically told to wait to submit until the city had their process ironed out."

Bureau of Development Services officials said there's no record of any such guidance.

"They should get into compliance," said David Austin, the bureau's spokesman. "If we get complaints, we'll investigate."

Scott Breon, a Vacasa executive in charge of revenue, said the company's permit application for Park Avenue West was delayed due to a mistyped email address.

"As soon as it was brought to our attention, we took action and the permit is in process with the city," Breon said in an email. "The employee responsible for the oversight has been held accountable."

Two other apartment complexes with vacation rentals managed by Vacasa, Q21 in Northwest Portland and Dorian in Apartments in Southeast Portland, have secured the necessary permits for about 20 short-term rentals on the site.

Stay Alfred told The Oregonian/OregonLive it would secure the necessary permits.

"All of these buildings are either close to or in the process of being fully permitted," Nancy Allen, the company's vice president for real estate, said in a statement. She said the buildings should be properly permitted within five weeks.

The upgrades required at the apartment buildings would likely be minimal, said Michael Liefeld, the development services bureau's enforcement manager, since large new apartment buildings already have sufficiently wide corridors and have fire sprinklers.

Nonetheless, the city hasn't slapped the operators with fines or even warnings.

That's because the Bureau of Development Services typically only investigates in response to a complaint.

Inspectors with the bureau have been busy with complaints against owners of single-family houses they listed illegally on sites like Airbnb. In some cases, that's resulted in large fines. The largest was a \$52,000 fine against an Airbnb operator who advertised a house in the middle of a single-family neighborhood as the perfect venue for a boisterous bachelor party.

But when the illegal rental is tucked on an upper floor of a high-end apartment building, a complaint appears less likely. None of the units reviewed by The Oregonian/OregonLive have been the subject of a complaint, Liefeld said.

The city has also preferred to enact change by negotiating with the short-term rental websites that facilitate them. It recently struck an agreement with HomeAway, one major operator of such a website, which would help the city find operators who aren't licensed or aren't paying taxes.

"With the limited bandwidth we have to do enforcement activities, we're focused on a bigger settlement with some of the bigger marketplaces," said Marshall Runkel, chief of staff for Portland Commissioner Chloe Eudaly. "If your business plan is not being in compliance with local regulations, I don't think that's a long-term recipe for success."

Residents of buildings that now have a side gig as hotel say they haven't complained largely because they didn't know where to direct their ire.

Cox, who's lived in the Ladd Tower since shortly after it opened, said longtime residents had raised questions about the rentals with city crime prevention coordinators and the police bureau, but not with the development bureau.

Residents of such buildings, meanwhile, say they are increasingly concerned about the comings and goings of travelers. Jenna Mills, who said she's lived in the Ladd Tower for seven years, said

she increasingly runs into strangers in parts of the buildings that are supposed to be locked up — including a time when she had to leave her apartment suddenly because her dog had become ill.

"It's not exactly comfortable to get into your elevator in your pajamas and there's five guys you've never seen before," she said. "And then you find out they don't even live there."

After this story was published, Holland Residential regional property manager Josh Adams said the company was unaware the building's three units leased to Stay Alfred were being offered as vacation rentals until several months ago. He said his company believed the units would be used as corporate rentals for business travelers.

"It's not meant to be an Airbnb," Adams said.

He added Holland would be talking to Stay Alfred about returning to a corporate lease model or terminating the lease.

## **The Portland Tribune**

### **First Seven Build Portland Projects Headed to City Council**

*By Jim Redden*

*March 25, 2018*

#### **Mayor Ted Wheeler proposed new program in current budget to help address infrastructure funding gap.**

Mayor Ted Wheeler will ask the City Council to authorize the sale of \$52 million in bonds to finance the first seven Build Portland projects.

The council approved the Build Portland program proposed by Wheeler in the current fiscal year budget. It dedicates Portland's share of the additional property tax dollars freed up by expiring urban renewal area to be dedicated to infrastructure projects, and not just paid into the general fund.

The program is expected to generate \$600 million for infrastructure projects over 20 years.

"Like many municipalities, the City of Portland faces challenges maintaining the infrastructure that provides core city services. This 'infrastructure gap' represents a significant long-term liability for the City and threatens to deprive future residents of the services that make Portland one of the world's most livable cities. The Mayor had proposed bold action over the next 20 years to begin addressing this problem by investing up to \$600 million in the roads, bridges, parks, and buildings that our residents use every day," reads the impact statement that accompanies the resolution seeking the authorization.

Six of the first seven projects Portland Bureau of Transportation projects. Their names and amounts are: Outer Stark Corridor Improvements, \$10 million; Bridge Replacement NE 42nd Ave, \$3 million; Lents Town Center Improvements, Phase 2, \$4 million; ADA Accessible Sidewalks, \$10.5 million; N Lombard Main Street, \$3 million; and Traffic Signal Reconstruction Program, \$3.5 million.

The seventh project is the \$15 million Mt. Scott Community Center Rehabilitation by Portland Parks & Recreation.

"Twenty-five projects were submitted for consideration and seven projects totaling \$49 million were prioritized based on the criteria. This resolution directs the relevant bureaus to proceed with these seven projects," reads the impact statement.

## **The Portland Mercury**

### **Grand Jury Clears Officers for Shooting Burglary Suspect**

*By Alex Zielinski*

*March 23, 2018*

A Multnomah County grand jury has pardoned a pair of Portland cops who shot at a robbery suspect earlier this month—riddling their target with multiple gunshot wounds.

In the decision handed down late yesterday afternoon, the jury instead indicted the suspect, Sarah Michelle Brown (who oddly also goes by Alexis Elizabeth Wilder), with attempted murder for returning the officers' fire. In total, the grand jury decision leaves Brown facing 26 counts of attempted aggravated murder, unlawful use of a weapon, reckless endangerment, theft and burglary. The cops' use of deadly force, however, "was justified under the criminal law."

It's still blurry how Brown's encounter with officers Darrel Shaw and Joseph Webber went down. According to Portland Police Bureau spokesman Sgt. Chris Burley, officers initially confronted Brown in the midst of a home burglary in Goose Hollow during the early morning hours of Thursday, March 8. There was "an exchange of gunfire," Burley said, but neither officer was shot. Then Brown, who had been hit in the leg and hand, retreated under a nearby porch, where she hid for several hours. PPB's crisis negotiation team eventually coaxed her out around 7 a.m.

Brown spent four days in the hospital recovering from her injuries before being trucked off to Multnomah County Jail.

One of the officers involved, Darrell Shaw, isn't a stranger to these types of proceedings. In fact, he's made a name for himself in his 24 years on the force with how often he's been the target of use-of-force complaints at PPB. According to a 2006 report by the Portland Tribune, Shaw had sent 14 different civilians to the hospital over a period of two years—more than any other officer at the time. Some of his altercations may ring a bell: Like when he joined three other police officers in fatally shooting a homeless man in 2005, or when he allegedly grabbed a drunk woman by her hair and slammed her head against a patrol car for spitting at him in 2006. In at least one case, he cost the city hundreds of thousands in settlement costs to one of his victims.

Both Shaw and Webber have been on paid administrative leave since this month's shooting. But the grand jury's dismissal means they'll be returning to work shortly.